

District of Arizona
Selected Straw Purchase Firearms Prosecutions

This list of selected straw purchase firearms prosecutions is a sampling of the felony firearms charges filed in the District of Arizona for unlawful purchase of firearms, commonly called "straw purchase" cases. The total number of all felony firearms cases recently filed in the District of Arizona are:

Fiscal year 2011 (first half; Oct. 1, 2010-Mar. 31, 2011)	113 felony cases
Fiscal year 2010 (Oct 1, 2009-Sept. 30, 2010)	.195 felony cases
Fiscal year 2009 (Oct 1, 2008-Sept. 30, 2009)	156 felony cases

Firearms Trafficking Enforcement in Arizona in General

The District of Arizona is prosecuting a variety of firearms and ammunition-trafficking cases. Notable cases include:

U.S. v. Avila

From September 2009 to December 2010, 20 defendants are alleged to have conspired to purchase hundreds of firearms, including AK-47s type rifles, to be illegally exported to Mexico. The case involves at least several gun trafficking organizers/leaders. They and others were charged in a 53-count indictment for a conspiracy to traffic firearms and drugs for a Mexican drug cartel, as well as money laundering. In order to carry out this scheme, the defendants purchased weapons themselves in some instances and recruited straw purchasers to buy the weapons in other instances. All of these purchases were made in Arizona gun stores by individuals who were legally eligible under federal law to buy the firearms. For instance, defendant Steward purchased 60 AK-47's from just two federally licensed firearms dealers during one 48-hour period. This case also serves as a prime example of the difficulty under current law in arresting and/or seizing weapons early in the process of a gun trafficking investigation. At one point near the end of that 48 hour period, Phoenix Police Department Officers stopped the truck in which Steward was riding because of traffic violations. The police officers observed firearms in the bed of the truck, and asked about them. Steward asserted that the guns were his guns. The Phoenix Police Department officers did not seize the guns because Steward was by all appearances in lawful possession of the firearms, and no lawful basis existed to seize the guns under current federal or state law. Over the course of the conspiracy, Steward bought more than 270 guns and for each purchase he declared he was the true buyer of the firearms. The firearms dealers who sold guns to individual defendants in this case relied on the defendants' written statements prior to the sales and made sales that the dealers believed were lawful. Only after months of investigation was enough evidence assembled to prove that the statements of the individual defendants were false and that the defendants conspired to purchase hundreds of firearms to be illegally exported to Mexico, as alleged in the indictment.

U.S. v. Whitlock

In April 2011, a federal grand jury in Phoenix indicted Arthur James Whitlock for dealing in

firearms without a license and for false statements in acquisition of firearms. Between October 2009 and March 2011, Whitlock allegedly purchased 52 firearms.

Operation 602 Exchange - multiple indictments

On March 29, 2011, the U.S. Attorney's Office and ATF announced firearms and drug charges against 49 defendants as part of a nine-month undercover operation at a Phoenix secondhand shop. Over its duration, the operation resulted in the seizure of 223 weapons - including handguns, assault rifles and sawed-off shotguns, many of them stolen.

U.S. v. Resa et al.; U.S. v. Zapata et al.; U.S. v. Saucedo-Cuevas; U.S. v. Beltran-Bermudez et al.; U.S. v. Large

In February 2011, a federal grand jury indicted 17 defendants in five cases for illegally trafficking firearms from the United States to Mexico. The Organized Crime Drug Enforcement Task Force (OCDETF) seized approximately 300 weapons (mostly AK-47 type rifles) in Arizona, Texas and Mexico.

U.S. v. Arizmendiz, et al.

In July and August 2010, two leaders of a firearms trafficking conspiracy that supplied at least 112 firearms - mostly AK-47 type - to the Sinaloa cartel, were sentenced. Alejandro Medrano, 23, and Hernan Ramos, 22, both of Mesa, Ariz., were sentenced to 46 and 50 months in prison respectively for leading a conspiracy involving 10 defendants who straw purchased firearms from gun dealers in Phoenix and Tucson in order to supply them to a member of the Sinaloa cartel known as "Rambo."

U.S. v. Molina et al.

In July 2010, a 20-count indictment was announced charging 10 straw purchasers, recruited by then 17-year old named Francisco Ibarra, to buy at least 25 firearms. ATF believes the firearms were trafficked into Mexico.

U.S. v. Weeks et al.

In April 2010, six defendants were sentenced after they pleaded guilty to conspiracy to smuggle semi-automatic assault rifles to Mexico. The lead defendant drove young people with no criminal histories to a firearms dealer, told them what guns to buy, and provided the purchase money. The lead defendant then paid the straw buyers and took the weapons, removed the serial numbers, zip-tied them to the undercarriage of a car, and drove them to Mexico.

Ammunition Trafficking Enforcement in Arizona in General

Under current federal law, there are no reporting requirements for ammunition purchases - regardless of quantity. However, largely because of an increased focus on south-bound

inspections at border Points of Entry over the past two years, federal authorities in Arizona have seized over 82,000 rounds of ammunition bound for Mexican drug cartels. Notable prosecutions include:

U.S. v. Lopez et al.

In April, 2011, Jesus Francisco Lopez was convicted of unlawful export, possession of ammunition by non-immigrant alien. On Dec. 28, 2010, Lopez's co-defendants Christian Gallegos-Arizmendi and Alejandro Ruiz Escalante, who have also pleaded guilty to gun-trafficking offenses, were stopped by the Arizona Department of Public Safety south of Tucson. A search of the vehicle revealed 9,000 rounds of ammunition hidden in the engine compartment and a search of alleged co-conspirator Lopez' home in Tucson discovered another 19,750 rounds of ammunition.

U.S. v. Chavarin et al.

DUPLICATE

In March, 2011, a grand jury indicted Ruben Arnulfo Chavarin of Tucson and co-conspirators Mariano Perez-Rodriguez, an illegal alien from Mexico, and Francisco Chavez, a non-immigrant alien from Mexico, on ammunition and firearms trafficking charges. Chavarin allegedly made illegal straw purchases at licensed Tucson gun stores. Searched at the Douglas Port of Entry, authorities seized 12,525 rounds of ammunition.

U.S. v. Aguilar-Ochoa Jr. et al.

Luis Carlos Aguilar-Ochoa Jr. and Francisco Javier Beltran-Rios face trial on charges of attempted exportation of firearms and ammunition. The pair was stopped on Oct. 1, 2010, by Customs and Border Protection officers at the Douglas Port of Entry and a search of their vehicle, bound for Mexico, revealed 11,843 rounds of ammunition and 43 semi-automatic handgun magazines.

U.S. v. Gaeda et al.

Charice Chauntel Gaede, Emmanuel Bermudez Vasquez and his brother Elias Bermudez Vasquez face trial for unlawful export and possession of an unregistered firearm for their alleged efforts to smuggle ammunition to Mexico between April and June, 2010. When federal officers authorized a search of their vehicle after it broke down near the Mariposa Port of Entry they discovered approximately 9,500 rounds of ammunition in two hidden compartments. A search of the defendants' Tucson residence by agents from ATF, ICE and FBI turned up approximately 20,000 rounds of ammunition. Court records allege that the defendants purchased over 250,000 rounds of ammunition prior to May 2010.

FIREARMS CASE SUMMARIES
September 1, 2010 through June 1, 2011

United States v.

Westbrook et al.

- Indicted: _____
- Straw-Purchasing Guns, Felon in Possession of a Firearm, Violent Felon in Possession of Body Armor
- 2 defendants
- CR-_____
- Prosecutor: _____

United States v. John Shahin et al.

- Indicted: August 17, 2010; Shahin's trial set to begin 6/7/2011 ???
- False statements in the purchase of firearms; Conspiracy to make false statements in the purchase of firearms. The conspiracy involved the purchase of 20 AK-47-style pistols. One of the firearms was recovered in Mexico. Over the course of three months in early 2010, John Shahin (the son of a contract interpreter for the FBI) and two of his close friends purchased 20 identical pistols from the same gun dealer. When interviewed, Shahin's friends admitted that they were purchasing the firearms for Shahin. One of Shahin's friends believes an unidentified third conspirator has been purchasing AK-47s on behalf of Shahin. Defendant Rodriguez purchased 10 of the firearms, pled guilty and is cooperating. Defendant Harris, who purchased 8 of the firearms and recruited Rodriguez, was convicted by a jury on both counts on Thursday, June 2, 2011. Defendant Shahin provided the cash and took possession of the firearms.
- 3 defendants
- CR-10-1165-PHX-NVW
- Prosecutor: Mark Kokanovich

U.S. v. Jeffrey Broome et al.

- Indicted (SEALED): August 18, 2010
- 3 Defendant Straw Purchaser Case
- 53 guns/ 3 defendants
- CR-10-1187-PHX-ROS
- Prosecutor: Walter Perkel

U.S. v. Arnett

- Indicted: _____

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- Sentenced: August 9, 2010. Four years probation, including six months home detention.
- Defendant purchased two AK-47-type rifles at a pawn shop for a convicted felon. The felon sold the guns to an undercover ICE agent. Defendant had no criminal history. False Statement in Connection with the Acquisition of a Firearm (Straw Purchaser).
- 2 guns / 1 defendant
- CR- _____
- Prosecutor: _____

U.S. v. Ortiz

- Indicted: September 14, 2010
- Purchased 15 firearms over a 3-day period
- 15 guns/ 2 defendants
- CR- _____
- Prosecutor: _____

U.S. v. Molina

- 20 Count Indictment: _____
- Various charges of Transfer of Firearm to Juvenile, Possession of Firearm by Non-Immigrant Alien, False Statement During Purchase of Firearm, Aiding and Abetting
- 25 guns/ 12 defendants
- CR- _____
- Prosecutor: _____

U.S. v. Elisha Pollock et al.

- Indictment: July 21, 2010
- False Statement During Purchase of Firearms, Aiding and Abetting, Possession of Ammunition by a Convicted Felon
- 3 defendants
- CR-10-1786-TUC-CKJ
- Prosecutor: Angela Woolridge

U.S. v. Ortiz

- Indicted: _____
- Sentenced: _____. 30 months in prison, 36 months supervised release
- Conspiracy to Defraud, Aiding and Abetting, False Statements During the Purchase of Firearm
- 12 guns, 1 defendant
- CR- _____

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- Prosecutor: _____

U.S. v. Medrano/Arizmendez

- Indicted: _____
- Medrano Sentenced: July 2010, 46 months in prison
- Ramos Sentenced: August 2010, 50 months in prison
- Leadership role in conspiracy involving 10 defendants who "straw- purchased" firearms from gun dealers in Tucson and Phoenix for the purpose of supplying firearms to Sinaloa drug cartel.
- 112 guns/ 10 defendants
- CR- _____
- Prosecutor: _____

U.S. v. Ibarra, et al.

- Indicted: July 2010 (20 counts)
- Ten straw purchasers, recruited by then 17-year-old named Francisco Ibarra, to buy at least 25 firearms. ATF believes the firearms were trafficked to Mexico.
- _____ guns / _____ defendants
- CR-10 _____
- Prosecutor: _____

U.S. v. Debbie Moreno

- Indicted: October 20, 2010
- Sentenced: June 11, 2011; 6 months in prison
- False statement during purchase of firearms. Defendant was straw purchaser of 2 AK-47 rifles, one of which was recovered in Mexico.
- 2 firearms/ 1 defendant
- CR-10-2902-TUC-DCB
- Prosecutor: Angela Woolridge

U.S. v. William Joseph Macklin

- Indicted: August 18, 2010; COP 2/4/2011
- Sentenced: April 18, 2011; 10 months in prison
- False Statement in the Purchase of a Firearm
- 7 guns/1 defendant
- CR-10-1185-PHX-GMS
- Prosecutor: Cassie Woo

U.S. v. Sonia Diaz

- Indicted: 10-21-2009
- Sentenced: February 24, 2011, 1 month w/3 years supervised release
- False statement during purchase of firearms. Defendant purchased firearm for co-defendant Kostal, a convicted felon (who previously pled and was sentenced), and in doing so made a false statement to the FFL that she was the actual buyer.
- 1 firearm/ 2 defendants
- CR-09-2341-TUC-CKH
- Prosecutor: Angela Woolridge

U.S. v. Juvenile

- Indicted: _____
- Sentenced: January 24, 2011; 12 months in prison
- Juvenile delinquency - false statement during purchase of firearms (aiding & abetting); juvenile in possession of handguns. Defendant was the leader of a straw purchasing ring involving 12 other defendants (charged in a separate case b/c they are all adults), most of whom defendant directly recruited, and some who then recruited others.
- 27 firearms/ 1 defendant (plus 12 in related case)
- CR- _____
- Prosecutor: _____

U.S. v. Juan Carlos Carlon

- Indicted: May 4, 2011

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- False Statement During the Purchase of a Firearm. Mossberg Model 88, 12 gauge shotgun; Mossberg Model 702, .22 caliber
- _____ firearm / _____ defendant
- CR- 11-1655-DCB
- Prosecutor: Kim Hopkins

U.S. v. Arthur Whitlock

- Indicted: April 19, 2011
- 1 count Dealing in Firearms Without a License (52 firearms within 17 months, mostly pistols); counts False Statement in Purchase of Firearm (pistols). 12 firearms that he sold and/or swapped for drugs that were recovered at local crime scenes
- 52 guns/1 defendant
- CR- 11-736-PHX-DGC
- Prosecutor: Christine Keller – LIONS shows Howard Sukenic

U.S. v. Alejandro Salayandia

- Indicted: March 30, 2011
- False statement during purchase of firearms. Defendant straw purchased 4 firearms
- 4 firearms/ 1 defendant
- CR-CR-11-1160-TUC-RCC
- Prosecutor: Angela Woolridge

U.S. v. Elie Malkoun

- Indicted: March 24, 2011; superseding indictment returned on May 11, 2011. The case will likely be resolved by plea agreement. Trial is currently set for September 6, 2011.
- Alien Illegally or Unlawfully Present in Possession of a Firearm. Defendant is an Australian citizen who was observed purchasing weapons at the March 19 Crossroads of the West gun show in Glendale; a subsequent felony stop revealed three firearms and ammunition in his possession. This case received media attention because Malkoun is somewhat well-known in Australia. Notably, Malkoun was convicted of trafficking nearly \$5 million worth of heroin in Australia in 1989 and was sentenced to 18 years in prison there. However, Malkoun has no known criminal history in the United States.
- CR-11-0565-PHX-SRB
- Prosecutor: Christina Covault

U.S. v. Chavarin et al

- Indicted: March 9, 2011

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- Conspiracy - false statements during purchase of firearms; False statements during purchase of firearms; Transfer of ammunition to illegal alien; Possession of ammunition by illegal alien; Possession of ammunition by non-immigrant alien; Conspiracy - unlawful export; Attempted unlawful export. D1 straw purchased 8 firearms, and also purchased a large amount of ammunition which he and D2 (a non-immigrant alien) and D3 (an illegal alien) then hid in D1's vehicle and D1 attempted to enter Mexico with 8,7000 rounds of ammunition.
- 8 firearms, 8,7000 rounds ammunition/ 3 defendants
- CR-_____
- Prosecutor: _____

U.S. v. Jose Rafael Gomez-Soto et al

- Indicted: January 5, 2011
- Non-immigrant alien in possession of firearms, false statement during purchase of firearms. D3 purchased 3 firearms for D2; D1 (Mexican citizen, border crosser) transported the firearms with D2. D3 pled guilty, D1 and D2 were acquitted at trial.
- 3 firearms/ 3 defendants
- CR-11-0081-TUC-RCC
- Prosecutor: Angela Woolridge

U.S. v. Jose Luis Aguilar

- Indicted: January 4, 2011; pled guilty 3/31/ 2011; sentencing set 9/12/2011.

U.S. v. Daniel Kevin Abarca

- Indicted: November 9, 2010; pled guilty 3/23/2011; sentencing set 6/20/2011. ???
- False statements in the acquisition of firearms. On August 26, 2009, Abarca purchased 5 Romanian AK-47s from J&G. On September 12, 2009, Abarca bought another Romanian AK-47 from J&G. On April 16, 2010, Abarca purchased a total of 6 Belgium FN 5.7s from US Autoweapons, [ATF] and Cabela's. On that same day, Aguilar purchased 3 of the same Belgium FN 5.7s from [ATF]. On April 17, 2010 Abarca purchased another Belgium FN 5.7 from J&G.

When interviewed individually about their bulk purchase of firearms, Abarca and Aguilar both eventually admitted that they were not the actual purchasers of the firearms but that they were given cash to purchase them for another person. Both confessed to making false statements on the 4473 forms. Law enforcement officers have not yet identified the individual or group providing the money and obtaining the firearms. Four of the firearms purchased by Abarca and two of the firearms purchased by Aguilar were recovered in Mexico.

- CR-11-0013-PHX-SRB (Aguilar); CR-10-01607-PHX-NVW (Abarca)

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July 27, 2011 (4:31pm)

- Prosecutor: Mark Kokanovich

U.S. v. Saucedo-Quintero et al.

- Indicted: August 24, 2010
- Straw Purchaser Case
- 4 defendants (2 have pleaded guilty)
- CR-_____
- Prosecutor: Mark Wenker & Walter Perkel

U.S. v. Stephanie and Veronica Ortiz (sisters)

- Indicted: September 14, 2010. Sentencing for both defendants is set for July 11, 2011. ???
- False Statement in Connection with the Acquisition of a Firearm (Straw Purchaser). Defendants Stephanie and Veronica Ortiz purchased 15 firearms (AR-15's) over a 3 day period for a person known to them as Santos Robles. Defendants admitted to purchasing the firearms in exchange for payment of \$100.00 per firearm. On August 5, 2010 six of the firearms were recovered in Texas as part of a larger seizure of approximately 80 guns. The firearms recovered were traced back to a transaction from an Arizona FFL.
- CR-10-1324-PHX-MH<
- Prosecutor: Sarah DeJong

U.S. v. Henry Anthony Abril and Luis Manuel Guillen

- Indicted: August 17, 2010
- Abril pleaded guilty on 4/26/2011, to Counts 4 & 5; sentencing set 7/12/2011. ?
- Guillen pleaded guilty to Counts 3 & 8; sentencing set 6/7/2011. ???
- Counts 1, 2, and 3: felon in possession of a firearm; Counts 4 and 5: false statement in the acquisition of a firearm; Count 6: conspiracy for a felon to possess firearms; and Count 7: conspiracy to make false statements in the acquisition of a firearm, and Count 8: tampering with a witness or informant. The case involved Abril making stray purchases of firearms on behalf of Guillen, who was a convicted felon. When law enforcement searched Guillen's home, they found the following firearms: (1) Hi-Point 9mm pistol; (2) Hi-Point .380 caliber pistol; (3) Cobra .22 caliber pistol; (4) Mossberg, 9200, 12 gauge shotgun; (5) Hi-Point 995, 9mm rifle; (6) Smith & Wesson M&P15-22, .22 caliber rifle; (7) Kahr Arms CW45, .45 cal pistol; and (8) Smith & Wesson 638, .38 caliber revolver. Agents also recovered approximately 1,200 rounds of various types of ammunition.
- CR-10-1166-PHX-PGR
- Prosecutor: James Morse

U.S. v. Darral Wayne Brumley

- Indicted: April 28, 2010. Pled guilty 3/24/2011. Sentencing set 6/23/ 2011 ???
- The offense involved 51 firearms and several hundred rounds of ammunition. Defendant was recently brought back on a writ because he was serving time in Oregon
- AK-47s, AR-15's, and pistols, rifles and shotguns (51 total)
- CR-10-0899-TUC-CKJ
- Prosecutor: Ryan DeJoe

U.S. v. Shorty

- Indicted: _____
- Felon in Possession of a Firearm and Aiding-and-Abetting straw purchases
- 10 guns/ 1 defendant
- CR- _____
- Prosecutor: _____

U.S. v. Jonathan Miles Chaidez, Garin Wayne Becker, Salvador E. Trevino

- Indicted: ___ not in court _____
- Investigation received by SA Rustin Wayas, ATF - Flagstaff concerning firearms straw purchases, 18:924(a)(1)(A). Sent to Phoenix and is currently assigned to Mark Wenker.
- CR- ___ n/a _____
- Prosecutor: Mark Wenker