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DISTRICT OF ARIZONA

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CR10-2531TUC CKJ/CRP

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

United States of America,

Plaintiff,

v.

David Manriquez-Valencia,
Juan Carlos Delgado-Sagaste,
Rebecca Paige Avery,
Alma Patricia Munguia-Rodriguez,

Defendants.

INDICTMENT

Violations:

18 USC §371
18 USC §554(a)
18 USC §922(g)(5)(A)
18 USC §922(g)(5)(B)
18 USC §924(a)(2)

(Conspiracy; Attempted Unlawful
Export; Possession of Firearms by
Illegal Alien; Possession of Firearms
by Non-Immigrant Alien)

THE GRAND JURY CHARGES:

COUNT 1

From a time unknown, to on or about October 22, 2009, at or near Tucson, in the District of Arizona, DAVID MANRIQUEZ-VALENCIA, JUAN CARLOS DELGADO-SAGASTE, REBECCA PAIGE AVERY, and ALMA PATRICIA MUNGUIA-RODRIGUEZ, named herein as defendants and co-conspirators, did knowingly and intentionally combine, conspire, confederate, and agree together and with other persons known and unknown to the grand jury, to export and send from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and

1 to receive, conceal, buy, sell, and in any manner facilitate the transportation, concealment,
2 and sale of such merchandise, article or object, prior to exportation, knowing the same to
3 be intended for exportation contrary to any law or regulation of the United States; in
4 violation of Title 18, United States Code, Section 554(a).

5 All in violation of Title 18, United States Code, Section 371.

6 **COUNT 2**

7 On or about September 15, 2009, at or near Tucson, in the District of Arizona,
8 DAVID MANRIQUEZ-VALENCIA, an alien who was illegally and unlawfully present in
9 the United States, did knowingly possess firearms, that is; one Ruger, model M77 Magnum,
10 .338 caliber rifle, serial number 74-62765; one Romanian model SKS, 7.62x39 caliber rifle,
11 serial number CT 055670RO; one Remington, model 673, .308 caliber rifle, serial number
12 7792624; and one Thompson, model Center Fire, .50 caliber rifle, serial number 7599; said
13 firearms being in and affecting commerce in that they were previously transported into the
14 state of Arizona from another state or foreign country; in violation of Title 18, United States
15 Code, Sections 922(g)(5)(A) and 924(a)(2).

16 **COUNT 3**

17 From on or about September 15, 2009, to on or about September 16, 2009, at or
18 near Tucson, in the District of Arizona, DAVID MANRIQUEZ-VALENCIA, JUAN
19 CARLOS DELGADO-SAGASTE, and REBECCA PAIGE AVERY, knowingly attempted
20 to export and send from the United States any merchandise, article, or object contrary to any
21 law or regulation of the United States, and received, concealed, bought, sold, and in any
22 manner facilitated the transportation, concealment, and sale of such merchandise, article or
23 object, prior to exportation, knowing the same to be intended for exportation contrary to any
24 law or regulation of the United States: to wit, DAVID MANRIQUEZ-VALENCIA sold,
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1 concealed, and facilitated the transportation of firearms; JUAN CARLOS DELGADO-
2 SAGASTE facilitated the sale, concealment, and transportation of firearms; and
3 REBECCA PAIGE AVERY transported firearms; knowing the firearms: to wit, one Ruger,
4 model 10-22, .22 caliber rifle, serial number 246-30213; one Ruger, model M77 Magnum,
5 .338 caliber rifle, serial number 74-62765; one Romanian model SKS, 7.62x39 caliber rifle,
6 serial number CT 055670RO; one Remington, model 673, .308 caliber rifle, serial number
7 7792624; and one Thompson, model Center Fire, .50 caliber rifle, serial number 7599; to
8 be intended for unlawful exportation from the United States into the Republic of Mexico,
9 and intending to facilitate such unlawful exportation; in violation of Title 18, United States
10 Code, Section 554(a).

11 COUNT 4

12 On or about October 21, 2009, at or near Tucson, in the District of Arizona,
13 DAVID MANRIQUEZ-VALENCIA, an alien who was illegally and unlawfully present in
14 the United States, did knowingly possess firearms, that is; two Colt, model SP1, .223 caliber
15 rifles, serial numbers SP82168 and SP193572; said firearms being in and affecting
16 commerce in that they were previously transported into the state of Arizona from another
17 state or foreign country; in violation of Title 18, United States Code, Sections 922(g)(5)(A)
18 and 924(a)(2).

19 COUNT 5

20 From on or about October 21, 2009, to on or about October 22, 2009, at or near
21 Tucson, in the District of Arizona, DAVID MANRIQUEZ-VALENCIA, JUAN CARLOS
22 DELGADO-SAGASTE, and ALMA PATRICIA MUNGUIA-RODRIGUEZ, knowingly
23 attempted to export and send from the United States any merchandise, article, or object
24 contrary to any law or regulation of the United States, and received, concealed, bought,
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1 sold, and in any manner facilitated the transportation, concealment, and sale of such
2 merchandise, article or object, prior to exportation, knowing the same to be intended for
3 exportation contrary to any law or regulation of the United States: to wit, DAVID
4 MANRIQUEZ-VALENCIA sold, concealed, and facilitated the transportation of firearms
5 and ammunition; JUAN CARLOS DELGADO-SAGASTE facilitated the sale,
6 concealment, and transportation of firearms and ammunition; and ALMA PATRICIA
7 MUNGUIA-RODRIGUEZ transported firearms and ammunition; knowing the firearms and
8 ammunition: to wit, two Colt, model SP1, .223 caliber rifles, serial numbers SP82168 and
9 SP193572; and forty-four rounds of .223 ammunition; to be intended for unlawful
10 exportation from the United States into the Republic of Mexico, and intending to facilitate
11 such unlawful exportation; in violation of Title 18, United States Code, Section 554(a).

12 **COUNT 6**

13 On or about October 22, 2009, at or near Tucson, in the District of Arizona,
14 ALMA PATRICIA MUNGUIA-RODRIGUEZ, an alien who was admitted to the United
15 States under a non-immigrant visa, did knowingly possess firearms, that is; two Colt,
16 model SP1, .223 caliber rifles, serial numbers SP82168 and SP193572; said firearms being
17 in and affecting commerce in that they were previously transported into the state of Arizona
18 from another state or foreign country; in violation of Title 18, United States Code, Sections
19 922(g)(5)(B) and 924(a)(2).

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21
22 DENNIS K. BURKE
23 United States Attorney
24 District of Arizona

25 *[Signature]*
26 Assistant U.S. Attorney

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PUBLIC DISCLOSURE

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