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**CR10-2531TUC** CKJ/CRP

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7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF ARIZONA

9 United States of America,  
10  
11 Plaintiff,  
12  
13 v.  
14 David Manriquez-Valencia,  
Juan Carlos Delgado-Sagaste,  
Rebecca Paige Avery,  
Alma Patricia Munguia-Rodriguez,  
15 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)

16  
17  
18 THE GRAND JURY CHARGES:

19 COUNT 1

20 From a time unknown, to on or about October 22, 2009, at or near Tucson, in  
21 the District of Arizona, DAVID MANRIQUEZ-VALENCIA, JUAN CARLOS  
22 DELGADO-SAGASTE, REBECCA PAIGE AVERY, and ALMA PATRICIA  
23 MUNGUIA-RODRIGUEZ, named herein as defendants and co-conspirators, did knowingly  
24 and intentionally combine, conspire, confederate, and agree together and with other persons  
25 known and unknown to the grand jury, to export and send from the United States any  
26 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,  
25

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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,  
25

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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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SEP 22 2010

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PUBLIC DISCLOSURE

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