

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW DILLON SISNEROS,

a/k/a Matthew Dylan Sisneros,

Defendant.

) INDICTMENT

CR 13-142 ADM/TNL

-) 18 U.S.C. § 2
-) 18 U.S.C. § 922(g)
-) 18 U.S.C. § 924(a)
-) 18 U.S.C. § 924(c)
-) 18 U.S.C. § 924(d)
-) 18 U.S.C. § 981(a)
-) 18 U.S.C. § 1951
-) 26 U.S.C. § 5841
-) 26 U.S.C. § 5845(a)
-) 26 U.S.C. § 5861(c)
-) 26 U.S.C. § 5861(d)
-) 26 U.S.C. § 5871
-) 26 U.S.C. § 5872
-) 28 U.S.C. § 2461(c)

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Interference with Commerce by Robbery – “Hobbs Act”)

On or about April 24, 2013, in the State and District of Minnesota, the defendant,

MATTHEW DILLON SISNEROS,

a/k/a Matthew Dylan Sisneros,

aided and abetted by others known and unknown, did unlawfully obstruct, delay, and affect, and attempt to obstruct, delay, and affect commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code, Section 1951, in that the defendant did unlawfully take and obtain personal property consisting of U.S. Currency from the person and immediate presence of employees of the

SCANNED
JUN 04 2013
U.S. DISTRICT COURT ST. PAUL

FILED JUN 03 2013
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTERED
DEPUTY CLERKS INITIALS

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McDonald's in Buffalo, Minnesota, against the employees' will, by means of actual and threatened force, violence, and fear of injury, immediate and future, to the employees' person and property, that is, the defendant used a firearm to compel employees of the McDonald's, a business engaged in interstate commerce, to relinquish to the defendant U.S. Currency belonging to the business, all in violation of Title 18, United States Code, Sections 1951 and 2.

COUNT 2

(Possession of Firearm in Furtherance of a Crime of Violence)

On or about April 24, 2013, in the State and District of Minnesota, the defendant,

MATTHEW DILLON SISNEROS,
a/k/a Matthew Dylan Sisneros,

aided and abetted by others known and unknown, did knowingly and unlawfully possess a firearm, in furtherance of a crime of violence which may be prosecuted in a court of the United States; that is the armed robbery described in Count 1 of this Indictment, all in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 3

(Felon in Possession of Firearm)

On or about April 24, 2013, in the State and District of Minnesota, the defendant,

MATTHEW DILLON SISNEROS,
a/k/a Matthew Dylan Sisneros,

having previously been convicted of crimes punishable by imprisonment for a term exceeding one year, namely:

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CHARGE	YEAR OF CONVICTION	JURISDICTION
Aggravated Robbery	2000	Hennepin County, Minnesota
Offering a Forged Check	2001	Hennepin County, Minnesota

knowingly possessed in and affecting interstate commerce, a firearm, that is, a Remington Model 11-87, "Super Magnum" 12-gauge semi-automatic "sawed-off" shotgun with an obliterated serial number, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 4

(Possession of Unregistered Firearm)

On or about April 24, 2013, in the State and District of Minnesota, the defendant,

MATTHEW DILLON SISNEROS,
a/k/a Matthew Dylan Sisneros,

knowingly received and possessed a firearm, that is, a Remington Model 11-87, "Super Magnum" 12-gauge semi-automatic "sawed-off" shotgun with an obliterated serial number, with a barrel length of less than 18 inches and an overall length of less than 26 inches, which firearm was not registered to him in the National Firearms Registration and Transfer Record as required by law, in violation of Title 26, United States Code, Sections 5841, 5845(a), 5861(c), 5861(d), and 5871.

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FORFEITURE ALLEGATIONS

Counts 1 through 4 of this Indictment are hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 924(d)(1) and 981(a)(1)(C), Title 26, United States Code, Section 5872, and Title 28, United States Code, Section 2461(c).

Upon conviction of the offense alleged in Count 1 of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the violations charged in Count 1 of this Indictment, and, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms with accessories and any ammunition involved in or used in a willful violation of Title 18, United States Code, Section 1951.

Upon conviction of any of the offenses alleged in Counts 2 through 3 of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), any firearms with accessories and any ammunition involved in or used in a knowing violation of Title 18, United States Code, Section 924(c)(1) or 922(g)(1).

If convicted of the offense charged in Count 4 of this Indictment, the defendant shall forfeit to the United States pursuant to Title 26, United States Code, Section 5872,

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any firearm or ammunition involved in any violation of Title 26, United States Code Section 5861(d).

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All in violation of Title 18, United States Code, Sections 2, 922(g)(1), 924(d)(1), 924(c)(1), 981(a)(1)(C), and 1951(a), Title 26, United States Code, Section 5872 and Title 28, United States Code, Section 2461(c).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON