



Department of Justice

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Short-Barreled Shotgun Brings Five Year Sentence

MINOT - United States Attorney Drew H. Wrigley announced that on May 4, 2009, **Felipe J. Garcia**, 33, of Minot, North Dakota, was sentenced before United States District Court Chief Judge Daniel L. Hovland on a charge of possession of an unregistered firearm, namely a short-barreled shotgun.

On October 1, 2008, **Garcia** took his vehicle to Wal-mart in Williston for an oil change. While servicing the vehicle, a Wal-mart employee discovered a sawed-off shotgun in the engine compartment. Law enforcement personnel were notified, and **Garcia** was subsequently arrested. **Garcia** pled guilty to the charge on February 24, 2009.

Garcia was prohibited from possessing firearms due to prior Nebraska convictions for assault in the first degree in 1995 and assault on an officer in 2004. Judge Hovland found **Garcia** to be a career offender based upon these prior convictions and the fact that possession of a short-barreled shotgun is a "crime of violence" under federal sentencing guidelines.

Judge Hovland sentenced **Garcia** to serve five years in federal prison, to be followed by three years of supervised release. **Garcia** was ordered to pay a \$100 special assessment to the Crime Victim's Fund.

The case was investigated by the Bureau of Alcohol, Tobacco, Firearms and Explosives and Williams County Sheriff's Office.

Assistant United States Attorney David Hagler prosecuted the case.

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