

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JUL - 7 2009

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MATTHEW J. DYKMAN

CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**MARTIN DELGADILLO, JORGE VIDANA,
JR., AND CARLOS SANCHEZ,**

Defendants.

CRIMINAL NO. **09-1862 JC**

Count 1: 18 U.S.C. § 371
Conspiracy;

Count 2: 18 U.S.C. § 641:
Stealing United States Property
Valued Over \$1,000.00:

Count 3: 18 U.S.C. § 844(f):
Malicious Damage or Destruction
of United States Property;

Count 4: 18 U.S.C. § 922(g)(5)
and 924(a)(2): Alien in
Possession of a Firearm.;

Count 5: 18 U.S.C. §§ 922(g)(1)
and 924(a)(2): Felon in
Possession of a Firearm.

INDICTMENT

The Grand Jury charges:

Count 1

From on or about June 10, 2009 through June 12, 2009, in Bernalillo County, in the District of New Mexico, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did knowingly, willfully, and unlawfully conspire and agree together and with other persons known and unknown to the grand jury to steal United States property valued over \$1,000.00.

In furtherance of such agreement and conspiracy and to effect the objects

thereof, the defendants committed the following overt acts, among others:

1. On the evening of June 10, 2009 and in the morning hours of June 11, 2009, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did agree with each other to violate the law by burglarizing United States Forest Service vehicles parked at the Sheraton Uptown Hotel in Albuquerque, New Mexico and stealing certain property belonging to the United States;

2. On the evening of June 10, 2009 and in the morning hours of June 11, 2009, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did knowingly and voluntarily participate in the conspiracy by breaking into and entering five different United States Forest Service vehicles parked at the Sheraton Uptown Hotel in Albuquerque, New Mexico to steal certain property belonging to the United States within those vehicles;

3. On the evening of June 10, 2009 and in the morning hours of June 11, 2009, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did further the object of the conspiracy by stealing certain property belonging to the United States within those vehicles, including two Colt AR-15 rifles and ammunition, two Bendix King hand-held radios, one IBM Lenovo Think Pad laptop computer, three sets of police riot gear, United States Forest Service law enforcement manuals, forms, and citation books, and narcotics officer's training aides, including approximately eight ounces of methamphetamine, approximately 100 grams of marijuana, and approximately ten grams of black tar heroin.

In violation of 18 U.S.C. § 371.

Count 2

From on or about June 10, 2009 through June 12, 2009, in Bernalillo County, in the District of New Mexico, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did knowingly steal certain property valued over \$1,000.00 belonging to the United States within those vehicles, including two Colt AR-15 rifles and ammunition, two Bendix King hand-held radios, one IBM Lenovo Think Pad laptop computer, three sets of police riot gear, United States Forest Service law enforcement manuals, forms, and citation books and narcotics officer's training aides, including approximately eight ounces of methamphetamine, approximately 100 grams of marijuana, and approximately ten grams of black tar heroin.

In violation of 18 U.S.C. § 641.

Count 3

From on or about June 10, 2009 through June 12, 2009, in Bernalillo County, in the District of New Mexico, the defendants, **MARTIN DELGADILLO, JORGE VIDANA, JR., AND CARLOS SANCHEZ**, did maliciously destroy by means of fire certain property belonging to the United States within those vehicles, including two Bendix King hand-held radios, one IBM Lenovo Think Pad laptop computer, and United States Forest Service law enforcement manuals, forms, and citation books.

In violation of 18 U.S.C. § 844(f).

Count 4

From on or about June 11, 2009 through June 12, 2009, in Bernalillo County, in the District of New Mexico, the defendant, **MARTIN DELGADILLO**, an alien who was illegally and unlawfully in the United States, did knowingly possess in and affecting

commerce two Colt AR-15, model A-2, semi-automatic assault rifles, serial numbers GC00813 and LGC033130 and .223 caliber ammunition.

In violation of 18 U.S.C. §§ 922(g)(5) and 924(a)(2).

Count 5

From on or about June 11, 2009 through June 12, 2009, in Bernalillo County, in the District of New Mexico, the defendant, **CARLOS SANCHEZ**, a person who had been convicted in the Second Judicial District Court of Conspiracy to Commit a Felony in cause number D-202-CR-2007-01639, a crime punishable by imprisonment for a term exceeding one year, unlawfully and knowingly, in and affecting commerce, did possess a two Colt AR-15 assault rifles, model A-2, semi-automatic assault rifles, serial numbers GC00813 and LGC033130 and .223 caliber ammunition..

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

Assistant United States Attorney

7/2/09 4:32 p.m