

FELONY

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR UNLAWFUL TRANSFER OF DOCUMENTS
AND VIOLATIONS OF THE FEDERAL GUN CONTROL ACT**

UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO.

v.

* SECTION:

NETZAHUALCOYOTL GUINTO-ASCENCIO

* VIOLATIONS: 18 U.S.C. § 1028(a)(2)
18 U.S.C. § 922(g)(5)

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* * *

The Grand Jury charges that:

COUNT 1

On or about October 16, 2012, in the Eastern District of Louisiana, the defendant, **NETZAHUALCOYOTL GUINTO-ASCENCIO**, did knowingly transfer a false identification document, to wit, a Social Security card bearing Social Security Number XXX-XX-8835, that appeared to have been issued by or under the authority of the United States, knowing that such document was produced without lawful authority; all in violation of Title 18, United States Code, Section 1028(a)(2), (b)(1)(A)(i), and (c)(1).

COUNT 2

On or about October 16, 2012, in the Eastern District of Louisiana, the defendant, **NETZAHUALCOYOTL GUINTO-ASCENSCIO**, did knowingly transfer a false identification document, to wit, a Permanent Resident Card bearing Alien Registration Number XXX-XXX-903, that appeared to have been issued by or under the authority of the United States, knowing that such document was produced without lawful authority; all in violation of Title 18, United States Code, Section 1028(a)(2), (b)(1)(A)(i), and (c)(1).

COUNT 3

On or about the November 8, 2012, in the Eastern District of Louisiana, the defendant, **NETZAHUALCOYOTL GUINTO-ASCENSCIO**, then being an alien illegally and unlawfully in the United States, did knowingly possess in and affecting interstate commerce, a firearm, that is, a Taurus Rossi Model R462, .357 magnum caliber revolver, bearing serial number CY983931, said firearm having been shipped and transported in interstate and foreign commerce; in violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

NOTICE OF IDENTIFICATION FRAUD FORFEITURE

1. The allegations of Counts 1 and 2 of this Indictment are re-alleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1028 and 982(a)(2)(B).

2. As a result of the offenses, alleged in Counts 1 and 2, the defendant, **NETZAHUALCOYOTL GUINTO-ASCENSCIO**, shall forfeit to the United States all personal property used or intended to be used to commit the offense, as a result of identity fraud, in violation of Title 18, United States Code, Sections 1028(b)(5), including but not limited to, in that such property constitutes, or was derived from, proceeds obtained, directly or indirectly, as a result of the aforesaid violations of Title 18, United States Code, Section 1028; all in violation of Title 18, United States Code, Section 982.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States of America to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1).

All in violation of Title 18, United States Code, Section 982.

NOTICE OF GUN FORFEITURE

1. The allegations of Count 3 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Count 3, the defendant, **NETZAHUALCOYOTL GUINTO-ASCENSCIO**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Section 922, as alleged in Count 3 of this Indictment.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or


- e. has been commingled with other property which cannot be subdivided without difficulty;

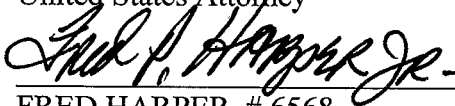
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

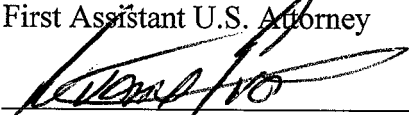
All in violation of Title 18, United States Code, Section 924(d), made applicable through Title 28, United States Code, Section 2461.


A TRUE BILL:

FOREPERSON


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Chief, Criminal Division


ROBERT WEIR
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New Orleans, Louisiana
November 30, 2012