

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO.</b> _____
<b>v.</b>	<b>:</b>	<b>DATE FILED:</b> _____
<b>VICTOR FUENTES, a/k/a "Macho"</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>JONATHAN FUENTES,</b>	<b>:</b>	<b>18 U.S.C. § 371 (conspiracy to deal in firearms without a license - 1 count)</b>
<b>YAN BERMUDEZ, a/k/a "Jon Jon"</b>	<b>:</b>	<b>18 U.S.C. § 922(a)(1)(A) (dealing in firearms without a license - 2 counts)</b>
<b>NORBERT ESTEVEZ, a/k/a "Norb,"</b>	<b>:</b>	<b>18 U.S.C. § 922(j) (possession of stolen firearms - 2 counts)</b>
<b>a/k/a "Ponytail"</b>	<b>:</b>	<b>18 U.S.C. § 922(g) (possession of firearms by a convicted felon - 2 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times relevant to this indictment:

1. R.U. was the owner of a Ruger, .44 caliber pistol, Model Super Black, serial number 8011530 ("the Ruger .44 caliber pistol"); a Smith & Wesson, 9 mm pistol, Model 5906, serial number TBD8811 ("the Smith & Wesson 9 mm pistol"); a Colt, .45 caliber pistol, Model 1911, serial number NM80769 ("the Colt .45 caliber pistol"); a Ruger, .22 caliber pistol, Model MK II, serial number 221-17934 ("the Ruger, .22 caliber pistol"); a Ruger, .357 caliber pistol, Model GP100, unknown serial number ("the Ruger .357 caliber pistol"); and a Norinco, AK-47 SKS assault rifle, Model MAK-90, serial number 59262 ("the Norinco, AK-47 SKS assault rifle").

2. Beginning on or about July 9, 2010 through on or about July 31, 2010 in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR FUENTES,  
a/k/a "Macho,"  
JONATHAN FUENTES,  
YAN BERMUDEZ,  
a/k/a "Jon Jon," and  
NORBERT ESTEVEZ,  
a/k/a "Norb,"  
a/k/a "Ponytail,"**

conspired and agreed, together and with others known and unknown to the grand jury, to willfully engage in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code, in violation of Title 18, United States Code, Section 922(a)(1)(A).

**MANNER AND MEANS**

3. It was part of the conspiracy that defendants VICTOR FUENTES and JONATHAN FUENTES stole several firearm from R.U.'s residence on two different occasions.

4. Thereafter, defendants VICTOR FUENTES and JONATHAN FUENTES recruited defendants YAN BERMUDEZ and NORBERT ESTEVEZ to help them sell those firearms.

5. Defendants VICTOR FUENTES, JONATHAN FUENTES, and YAN BERMUDEZ agreed to work together to sell the Ruger .44 caliber pistol, the Ruger .357 caliber pistol, and the Norinco AK-47 SKS assault rifle that defendants VICTOR FUENTES and JONATHAN FUENTES stole from R.U.'s residence.

6. Defendants VICTOR FUENTES, JONATHAN FUENTES, and NORBERT ESTEVEZ agreed to work together to sell the Colt .45 caliber pistol and the Ruger .22 caliber pistol that defendants VICTOR FUENTES and JONATHAN FUENTES stole from R.U.'s residence.

**OVERT ACTS**

In furtherance of the conspiracy, and to effect the object of the conspiracy, defendants VICTOR FUENTES, JONATHAN FUENTES, YAN BERMUDEZ, and NORBERT ESTEVEZ, and others known and unknown to the grand jury, committed the following overt acts, among others, in Philadelphia, and elsewhere, in the Eastern District of Pennsylvania:

**Stealing the Guns**

On or about July 9, 2010:

1. Defendants VICTOR FUENTES and JONATHAN FUENTES went together to R.U.'s residence.
2. Together, defendants VICTOR FUENTES and JONATHAN FUENTES entered R.U.'s residence and took without permission the Norinco AK-47 SKS assault rifle and the Ruger .22 caliber pistol.

On or about July 10, 2010:

3. Defendants VICTOR FUENTES and JONATHAN FUENTES went back to R.U.'s residence.
4. Together, defendants VICTOR FUENTES and JONATHAN FUENTES again entered R.U.'s residence and this time took without permission the Ruger .44 caliber pistol, the Colt .45 caliber pistol, the Ruger .357 caliber pistol, and the Smith & Wesson 9 mm pistol.

### Selling the Guns

5. Defendants VICTOR FUENTES and JONATHAN FUENTES thereafter took the guns they had stolen to defendant YAN BERMUDEZ. Defendants VICTOR FUENTES and JONATHAN FUENTES told defendant BERMUDEZ they had stolen the guns, and asked him to hide the guns for them. Defendant BERMUDEZ agreed to hide them, and thereafter did in fact hide the guns.

6. A short time later, defendants VICTOR FUENTES and JONATHAN FUENTES asked defendant YAN BERMUDEZ to help them sell some of the guns they had stolen, including the Norinco AK-47 SKS assault rifle, the Ruger .44 caliber pistol, and the Ruger .357 caliber pistol.

7. Defendant YAN BERMUDEZ agreed to help defendants VICTOR FUENTES and JONATHAN FUENTES sell the guns. Thereafter, defendants VICTOR FUENTES, JONATHAN FUENTES, and BERMUDEZ sold the Norinco AK-47 SKS assault rifle to Person #1, unknown to the grand jury, for approximately \$750. Defendant BERMUDEZ kept approximately \$200 from the sale of this firearm. Defendants VICTOR FUENTES and JONATHAN FUENTES split the remaining amount – approximately \$500 – from the sale of this gun.

8. Defendants VICTOR FUENTES, JONATHAN FUENTES, and YAN BERMUDEZ sold the Ruger .44 caliber pistol to Person #2, unknown to the grand jury. Again, defendants VICTOR FUENTES, JONATHAN FUENTES, and BERMUDEZ split the proceeds of the sale of this gun between them.

9. Defendants VICTOR FUENTES, JONATHAN FUENTES, and YAN BERMUDEZ sold the Ruger .357 caliber pistol to Person #3, unknown to the grand jury, for several hundred dollars. Again, defendants VICTOR FUENTES, JONATHAN FUENTES, and BERMUDEZ split the proceeds of the sale of this gun between them.

10. Defendants VICTOR FUENTES and JONATHAN FUENTES also told defendant NORBERT ESTEVEZ they had stolen several guns, including the Ruger .22 caliber pistol and the Colt .45 caliber pistol. Defendants VICTOR FUENTES and JONATHAN FUENTES asked defendant ESTEVEZ to help them sell those two guns.

11. Defendant NORBERT ESTEVEZ agreed to help defendants VICTOR FUENTES and JONATHAN FUENTES sell the guns.

12. Thereafter, defendant NORBERT ESTEVEZ sold the Colt .45 caliber pistol to Person #4, unknown to the grand jury, for approximately \$500. Defendant ESTEVEZ kept approximately \$150 for the sale of this gun, and gave approximately \$300 to defendants VICTOR FUENTES and JONATHAN FUENTES after he sold the firearm. Defendant ESTEVEZ gave approximately \$50 to Person #5, unknown to the grand jury, for setting up the transaction.

13. Defendant NORBERT ESTEVEZ sold the Ruger .22 caliber pistol to Person #6, known to the grand jury, for approximately \$250. Defendant ESTEVEZ kept approximately \$50 for selling this gun. Defendant ESTEVEZ gave the remaining approximately \$200 from the sale of this gun to defendants VICTOR FUENTES and JONATHAN FUENTES, which they split between them.

All in violation of Title 18, United States Code, Section 371.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Overt Acts 6 through 9 and 12 through 13 of Count One of this Indictment are incorporated here.

2. From on or about July 10, 2010 through on or about July 17, 2010 in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR FUENTES,  
a/k/a "Macho,"  
JONATHAN FUENTES,  
YAN BERMUDEZ,  
a/k/a "Jon Jon," and  
NORBERT ESTEVEZ,  
a/k/a "Norb,"  
a/k/a "Ponytail,"**

willfully engaged in the business of dealing in firearms without being licensed to do so, and aided and abetted the willful engagement in the business of dealing in firearms without being licensed to do so, under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1)(D), and 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Overt Acts 5 and 7 through 10 of Count One of this Indictment are incorporated here.
2. On our about July 10, 2010 in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR FUENTES,  
a/k/a "Macho,"  
JONATHAN FUENTES, and  
YAN BERMUDEZ,  
a/k/a "Jon Jon,"**

knowingly possessed stolen firearms, and aided and abetted the possession of stolen firearms, that is, a Norinco, AK-47 SKS assault rifle, Model MAK-90, serial number 59262; a Ruger, .44 caliber pistol, Model Super Black, serial number 8011530; and a Ruger, .357 caliber pistol, Model GP100, unknown serial number, which had been shipped and transported in interstate commerce before they were stolen, knowing and having reasonable cause to believe those firearms were stolen.

In violation of Title 18, United States Code, Sections 922(j) and 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Overt Acts 10 and 12 through 13 of Count One of this Indictment are incorporated here.

2. On our about July 10, 2010 in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR FUENTES,  
a/k/a "Macho,"  
JONATHAN FUENTES, and  
NORBERT ESTEVEZ,  
a/k/a "Norb,"  
a/k/a "Ponytail,"**

knowingly possessed stolen firearms, and aided and abetted the possession of stolen firearms, that is, a Colt, .45 caliber pistol, Model 1911, serial number NM80769, and Ruger, .22 caliber pistol, Model MK II, serial number 221-17934, which had been shipped and transported in interstate commerce before they were stolen, knowing and having reasonable cause to believe those firearms were stolen.

In violation of Title 18, United States Code, Sections 922(j) and 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraph 1 and Overt Acts 1 through 4 of Count One of this Indictment are incorporated here.

2. On or about July 10, 2010 in Philadelphia, in the Eastern District of Pennsylvania, defendants

**VICTOR FUENTES,  
a/k/a "Macho,"  
and  
JONATHAN FUENTES**

knowingly possessed a stolen firearm, and aided and abetted the possession of a stolen firearm, that is, a Smith & Wesson, 9 mm pistol, Model 5906, serial number TBD8811, which had been shipped and transported in interstate commerce before it was stolen, knowing and having reasonable cause to believe the firearm was stolen.

In violation of Title 18, United States Code, Sections 922(j) and 2.

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 10, 2010 in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**VICTOR FUENTES,  
a/k/a "Macho,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce six firearms, that is, a Ruger, .44 caliber pistol, Model Super Black, serial number 8011530; a Smith & Wesson, 9mm pistol, Model 5906, serial number TBD8811; a Colt, .45 caliber pistol, Model 1911, serial number NM80769; a Ruger, .22 caliber pistol, Model MK II, serial number 221-17934; a Ruger, .357 caliber pistol, Model GP100, unknown serial number; and a Norinco, AK-47 SKS assault rifle, Model MAK-90, serial number 59262.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 10, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**YAN BERMUDEZ,  
a/k/a "Jon Jon,"**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce three firearms, that is, a Ruger, .44 caliber pistol, Model Super Black, serial number 8011530; a Ruger, .357 caliber pistol, Model GP100, unknown serial number; and a Norinco, AK-47 SKS assault rifle, Model MAK-90, serial number 59262.

In violation of Title 18, United States Code, Section 922(g)(1).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

  
**ZANE DAVID MEMEGER**  
United States Attorney