

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: <u>April 21, 2010</u>
RAFAEL CABRERA-MESA, a/k/a "Gabriel Soler-Beltran," a/k/a "Alex Cabrera"	:	VIOLATIONS:
	:	18 U.S.C. § 922(g)(1) (felon-in-possession of a firearm - 1 count)
	:	18 U.S.C. § 922(g)(5)(A) (alien-in- possession of a firearm – 1 count)
	:	18 U.S.C. § 922(e) (shipping a firearm and ammunition in foreign commerce - 1 count)
	:	18 U.S.C. § 1028(a)(7) (use of false identification - 1 count)
	:	21 U.S.C. § 844(a) (possession of narcotics – 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about February 1, 2010, in Reading, in the Eastern District of Pennsylvania,
defendant

**RAFAEL CABRERA-MESA,
a/k/a "Gabriel Soler-Beltran,"
a/k/a "Alex Cabrera,"**

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, a firearm, that is, a Remington Model 760 Gamemaster .30-06 rifle, serial number B 7429236, and ammunition, that is: (a) 35 rounds of Remington S&W .38 caliber pistol; (b) 60 rounds of Remington .243 Winchester rifle; (c) and 20 rounds of Federal .308 Winchester rifle

ammunition.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 1, 2010, in Reading, in the Eastern District of Pennsylvania,
defendant

**RAFAEL CABRERA-MESA,
a/k/a "Gabriel Soler-Beltran,"
a/k/a "Alex Cabrera,"**

being an alien illegally and unlawfully in the United States, knowingly possessed, in and affecting interstate commerce, a firearm, that is, a Remington Model 760 Gamemaster .30-06 rifle, serial number B 7429236, and ammunition, that is: (a) 35 rounds of Remington S&W .38 caliber pistol; (b) 60 rounds of Remington .243 Winchester rifle; (c) and 20 rounds of Federal .308 Winchester rifle ammunition.

In violation of Title 18, United States Code, Section 922(g)(5)(A).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 1, 2010, in Reading, in the Eastern District of Pennsylvania,
defendant

**RAFAEL CABRERA-MESA,
a/k/a “Gabriel Soler-Beltran,”
a/k/a “Alex Cabrera,”**

knowingly delivered and caused to be delivered to a contract carrier for transportation and shipment in foreign commerce, to a person not a licensed importer, manufacturer, dealer, or collector of firearms, a package containing a firearm and ammunition, without written notice to the carrier that the firearm and ammunition were being transported, that is, defendant CABRERA-MESA delivered to a contract carrier for shipment to the Dominican Republic a package containing a Remington Model 760 Gamemaster .30-06 rifle, serial number B 7429236, and ammunition, that is: (a) 35 rounds of Remington S&W .38 caliber pistol; (b) 60 rounds of Remington .243 Winchester rifle; (c) and 20 rounds of Federal .308 Winchester rifle ammunition.

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

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

From in or about 1998 up to and including on or about April 7, 2010, in the Eastern District of Pennsylvania and elsewhere, defendant

**RAFAEL CABRERA-MESA,
a/k/a “Gabriel Soler-Beltran,”
a/k/a “Alex Cabrera,”**

knowingly possessed and used, without lawful authority, a means of identification of another person, that is, the birth certificate and social security number of “Gabriel Soler-Beltran,” with intent to commit, and in connection with, an unlawful activity that constitutes a violation of Federal law, that is, misrepresenting himself as an American citizen, in violation of Title 18, United States Code, Section 911, and avoiding examination and inspection by immigration officers, in violation of Title 8, United States Code, Section 1325(a).

In violation of Title 18, United States Code, Section 1028(a)(7), (b)(2), (c)(1).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 7, 2010, in the Eastern District of Pennsylvania, defendant

**RAFAEL CABRERA-MESA,
a/k/a “Gabriel Soler-Beltran,”
a/k/a “Alex Cabrera,”**

knowingly possessed a controlled substance, that is, approximately 5 grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 844(a).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Section 922(g)(1) and 922(g)(5)(A), set forth in this indictment, defendant

**RAFAEL CABRERA-MESA,
a/k/a "Gabriel Soler-Beltran,"
a/k/a "Alex Cabrera,"**

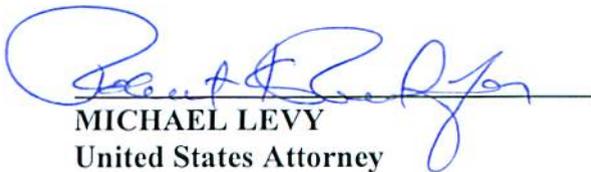
shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offense, including, but not limited to:

1. a Remington Model 760 Gamemaster .30-06 rifle, serial number B 7429236;
2. 35 rounds of Remington S&W .38 caliber pistol ammunition;
3. 60 rounds of Remington .243 Winchester rifle ammunition; and
4. 20 rounds of Federal .308 Winchester rifle ammunition.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON


MICHAEL LEVY
United States Attorney