

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

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
DOMINGO REGALADO LESLIE ORTIZ	:	VIOLATIONS: 18 U.S.C. § 924 (a)(1)(A) (false statements to a federal firearms licensee - 3 counts) 18 U.S.C. § 554 (smuggling goods from the United States - 1 count) 18 U.S.C. § 2 (aiding and abetting) Notice of forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this indictment:

1. Cabela's, 100 Cabela Drive, Hamburg, Berks County, Pennsylvania, was a business that possessed a federal firearms license ("FFL) with FFL # 8-23-011-01-1F-03407 and was authorized to deal in firearms under federal law.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all her answers on Form 4473 are true and correct. A question on Form 4473 asks the prospective purchaser if he or she is the actual buyer of the firearm(s) listed on the form. The Form explains that to be an "actual buyer"

one must be buying the firearm(s) for oneself or as a gift.

4. Another part of the Form 4473 requires that the prospective purchaser certify that she understands that making a false statement with respect to the purchase of the firearm(s) is a crime punishable as a felony.

5. A person who purchases a firearm for another person and falsely completes the Form 4473 is known as a “straw purchaser.” Acting as a straw purchaser is referred to as “lying and buying.”

6. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s home address and date of birth.

7. On or about July 25, 2010, in Hamburg, in the Eastern District of Pennsylvania, defendant

DOMINGO REGALADO

in connection with the acquisition of each of the firearms listed below from Cabela’s, an FFL holder, knowingly made false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, specifically, the identity of the actual buyer of the firearms:

- a. Tanfoglio, F.LLI, S.N.C, Wintess model, 9mm pistol, serial number EA46586;
- b. Taurus, model PT917, 9mm pistol, serial number, TDP09619; and
- c. Pretoria Arms Factory, .25 caliber pistol, serial number A70006.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6 of Count One are incorporated here.
2. On or about November 7, 2010, in Hamburg, in the Eastern District of

Pennsylvania, defendant

DOMINGO REGALADO

in connection with the acquisition of each of the firearms listed below from Cabela's, an FFL holder, knowingly made false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, specifically, the identity of the actual buyer of the firearms:

- a. Stoeger, model Cougar, 9mm pistol, serial number T6429-10A004829; and
- b. Stoeger, model Cougar, 9mm pistol, serial number T6429-09A004778.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6 of Count One are incorporated here.
2. On or about November 7, 2010, in Hamburg, Pennsylvania, in the Eastern

District of Pennsylvania, defendants

**DOMINGO REGALADO and
LESLIE ORTIZ**

in connection with the acquisition of each of the firearms listed below from Cabela's, an FFL holder, knowingly made, and aided, abetted and willfully caused, a false statement and representation with respect to the information required to be kept in the records of a federally licensed firearms dealer, specifically, the identity of the actual buyer of the firearms:

- a. Stoeger, model Cougar, 9mm pistol, serial number T6429-09-A003196; and
- b. Stoeger, model Cougar, 9mm pistol, serial number T6429-08-A31397.

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

COUNT FOUR

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 6 of Count One are incorporated here.
2. On or about November 9, 2010, in Philadelphia, in the Eastern District of Pennsylvania, and in the District of New Jersey, defendant

DOMINGO REGALADO

knowingly and fraudulently exported and caused to be sent from the United States, articles and objects, specifically the firearms listed below, contrary to the laws and regulations of the United States; and, prior to the exportation, concealed and facilitated the transportation and concealment of such articles and objects, knowing the same to be intended for exportation contrary to the laws and regulations of the United States:

- a. Stoeger, model Cougar 8000, 9mm pistol, serial number T6429-10A004829;
- b. Stoeger, model Cougar 8000, 9mm pistol, serial number, T6429-09A004778;
- c. Pretoria Arms Factory, .25 caliber pistol, serial number A70006;
- d. Tanfoglio, F.LLI, S.N.C., Witness model, 9mm pistol, serial number EA46586;
- e. Taurus, model PT917, 9mm pistol, serial number TDP09619;
- f. Stoeger, model Cougar, 9mm pistol, serial number T6429-09-A003196; and
- g. Stoeger, model Cougar, 9mm pistol, serial number T6429-08-A31397.

In violation of Title 18, United States Code, Section 554.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

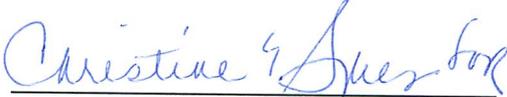
As a result of the violations of Title 18, United States Code, Section 924(a)(1)(A), as set forth in this indictment, defendants

**DOMINGO REGALADO and
LESLIE ORTIZ**

shall forfeit to the United States of America the firearms involved in the commission of this offense, including, but not limited to:

1. Stoeger, model Cougar 8000, 9mm pistol, serial number T6429-10A004829;
2. Stoeger, model Cougar 8000, 9mm pistol, serial number, T6429-09A004778;
3. Pretoria Arms Factory, .25 caliber pistol, serial number A70006;
4. Tanfoglio, F.LLI, S.N.C., Witness model, 9mm pistol, serial number EA46586;
5. Taurus, model PT917, 9mm pistol, serial number TDP09619;
6. Stoeger, model Cougar, 9mm pistol, serial number T6429-09-A003196; and
7. Stoeger, model Cougar, 9mm pistol, serial number T6429-08-A31397.

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



**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**