

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

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 13-67
v.	*	SECTION: "A"
FRANCISCO MALDONADO	*	
	*	
	*	

FACTUAL BASIS

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the second superseding bill of information now pending against the defendant:

The Defendant, **FRANCISCO MALDONADO** (hereinafter "**MALDONADO**") has agreed to plead guilty as charged to Count One of the Second Superseding Bill of Information charging him with misprision of a felony, in violation of Title 18, United States Code, Section 4.

From February 2012 through March 2013, Jaime Jauregui, a resident of Florida, negotiated a firearms transaction with an undercover agent (hereinafter "UC") from Homeland Security Investigations (hereinafter "HSI") located in the Eastern District of Louisiana. During those negotiations, Jaime Jauregui spoke to the HSI UC by phone multiple times, and Jaime Jauregui travelled to the Eastern District of Louisiana from Florida and elsewhere on four occasions to meet with the HSI UC in order to provide down payments for weapons.

On or about March 20, 2013, the defendant, **MALDONADO**, traveled with Jaime Jauregui from Florida and elsewhere to the Eastern District of Louisiana. The purpose of Jaime Jauregui's trip to the Eastern District of Louisiana was to negotiate the purchase of weapons

from the HSI UC and provide partial payment for those weapons. During the last trip, on or about March 21, 2013, Jaime Jauregui possessed a weapon, specifically, a Colt M4, .223 caliber automatic assault rifle that is classified as a firearm under Federal law, which had earlier entered into interstate commerce. **MALDONADO** knew that the weapon to be possessed by Jaime Jauregui was a firearm, but he did not have knowledge that it was classified as a machinegun under the National Firearms Act.

Jaime Jauregui was convicted on or about February 1, 1996, in the Sixth Circuit Court of Dade County, Florida, for Aggravated Battery, a crime punishable by imprisonment for a term exceeding one year. **MALDONADO** knew that due to this prior felony conviction, Jaime Jauregui was prohibited from possessing a firearm, and **MALDONADO** willfully concealed Jaime Jauregui's possession of a firearm by assisting Jaime Jauregui to purchase and obtain an ice chest to conceal the firearm. Furthermore, **MALDONADO** did not as soon as possible make known the same to a judge or other person in civil or military authority under the United States.

APPROVED AND ACCEPTED:

ROBERT WEIR
Special Assistant U.S. Attorney

Date

FRANCISCO MALDONADO
Defendant

Date

STEVEN LEMOINE
Attorney for Defendant

Date