

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR
VIOLATIONS OF THE FEDERAL GUN CONTROL ACT

UNITED STATES OF AMERICA

*

CRIMINAL DOCKET NO.

v.

*

SECTION:

ROBERTO HERRERA-VILLAGOMEZ
JOSE MANUEL HERRERA-
VILLAGOMEZ

*

VIOLATION: 18 U.S.C. § 922(g)(5)(A)
18 U.S.C. § 924(a)(2)

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* * *

The Grand Jury charges that:

COUNT 1

Beginning at a time unknown and continuing until on or about October 15, 2014, in the Eastern District of Louisiana, the defendant, **ROBERTO HERRERA-VILLAGOMEZ**, an alien present illegally and unlawfully in the United States, did knowingly possess in and affecting commerce, a firearm, to wit: a Bryco Arms model 38, .380 caliber semi-automatic pistol, bearing serial number 1224537; in violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

COUNT 2

Beginning at a time unknown and continuing until on or about October 15, 2014, in the Eastern District of Louisiana, the defendant, **JOSE MANUEL HERRERA-VILLAGOMEZ**, an alien present illegally and unlawfully in the United States, did knowingly possess in and affecting commerce, a firearm, to wit: a Hi-point Firearms model C9, 9mm semi-automatic pistol, bearing serial number P1283248; in violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

NOTICE OF GUN FORFEITURE

1. The allegations of Counts 1 and 2 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 offense alleged in Count 1, the defendant, **ROBERTO HERRERA-VILLAGOMEZ**, 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, Sections 922(g)(5)(A), as alleged in Count 1 of this Indictment.

3. As a result of the offense alleged in Count 2, the defendant, **JOSE MANUEL HERRERA-VILLAGOMEZ**, 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, Sections 922(g)(5)(A), as alleged in Count 2 of this Indictment.

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

- 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 defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 924(d)(1), made applicable through Title 28, United States Code, Section 2461.

A TRUE BILL:

FOREPERSON

KENNETH ALLEN POLITE, JR.
UNITED STATES ATTORNEY



DAVID HALLER
Assistant United States Attorney

New Orleans, Louisiana
October 30, 2014