

2012R00575/JMM

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Criminal No. 14-
	:	
DAVID PHILIP RYAN	:	18 U.S.C. § 371
and	:	18 U.S.C. § 2314
CARLOS MANUEL QUIROLA-ORDONEZ,	:	18 U.S.C. § 2
a/k/a "Julio Antonio Gonzalez,"	:	
a/k/a "Manny"	:	

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting in Newark, charges:

COUNT 1
(Conspiracy to Transport Stolen Firearms)

The Conspiracy

1. From in or about April 2012 through in or about July 2012, in Bergen County, in the District of New Jersey and elsewhere, Defendants

DAVID PHILIP RYAN

and

CARLOS MANUEL QUIROLA-ORDONEZ,
a/k/a "Julio Antonio Gonzalez,"
a/k/a "Manny"

knowingly and intentionally conspired and agreed with each other and others to commit offenses against the United States, namely:

(a) transporting and shipping in interstate and foreign commerce stolen firearms, knowing and having reasonable cause to believe that the firearms were stolen, contrary to Title 18, United States Code, Section 922(i); and

(b) transporting, transmitting, and transferring in interstate and foreign commerce, goods, wares, and merchandise, to wit, firearms, of the value of \$5,000 or more, knowing the same to have been stolen, converted, and taken by fraud, contrary to Title 18, United States Code, Section 2314.

The Object of the Conspiracy

2. The object of the conspiracy was to transport and sell certain firearms that had been stolen from the family of Saddam Hussein, the former President of Iraq.

The Manner and Means of the Conspiracy

3. It was part of the conspiracy that Defendant DAVID PHILIP RYAN was in possession of certain firearms belonging to and taken from the family of Saddam Hussein in Iraq (hereinafter “the Iraqi Guns”), which firearms had been stolen and smuggled out of Iraq, and illegally imported into the United States.

4. It was further part of the conspiracy that Defendant DAVID PHILIP RYAN solicited Karlo Sauer, a co-conspirator charged elsewhere, to

assist him in finding a buyer for the Iraqi Guns and selling them to a buyer for profit.

5. It was further a part of the conspiracy that Karlo Sauer solicited the assistance of Howard Blumenthal, a co-conspirator charged elsewhere, who in turn, solicited the assistance of Defendant CARLOS MANUEL QUIROLA-ORDONEZ, a/k/a "Julio Antonio Gonzalez," a/k/a "Manny" (hereinafter "Defendant CARLOS M. QUIROLA-ORDONEZ") to assist Defendant DAVID PHILIP RYAN with finding potential buyers for the Iraqi Guns.

6. It was further part of the conspiracy that Defendant DAVID PHILIP RYAN shipped the Iraqi Guns from Florida to New Jersey for inspection by potential buyers.

7. It was further part of the conspiracy that after a buyer was identified, and the Iraqi Guns were sold, Defendant CARLOS MANUEL QUIROLA-ORDONEZ and his co-conspirators, Karlo Sauer and Howard Blumenthal, would share in the profits of the sale with Defendant DAVID PHILIP RYAN, who would retain the bulk of the sale proceeds. The value of the Iraqi Guns, as a collection, was appraised at between \$250,000 and \$350,000.

Overt Acts

8. In furtherance of this conspiracy and to effect its unlawful objects, Defendants DAVID PHILIP RYAN and CARLOS MANUEL QUIROLA-

ORDONEZ and their co-conspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. In or about April 2012, Defendant DAVID PHILIP RYAN contacted co-conspirator Karlo Sauer and asked him to find a buyer for the Iraqi Guns.

b. On or about June 7, 2012, Defendant CARLOS MANUEL QUIROLA-ORDONEZ met with an undercover law enforcement officer and another individual in Bergen County, New Jersey to negotiate the sale of the Iraqi Guns.

c. In or about July 2012, Defendant DAVID PHILIP RYAN shipped several of the Iraqi Guns from Miami, Florida to a sporting goods store in Bergen County, New Jersey through the U.S. mail.

d. On or about July 17, 2012, Defendant DAVID PHILIP RYAN flew to New York to meet with Defendant CARLOS MANUEL QUIROLA-ORDONEZ and co-conspirator Karlo Sauer in New Jersey.

e. On or about July 18, 2012, Defendant DAVID PHILIP RYAN and co-conspirator Howard Blumenthal went to the sporting goods store in Bergen County, New Jersey to examine the Iraqi Guns that had been shipped from Florida to New Jersey by Defendant DAVID PHILIP RYAN.

f. On or about July 20, 2012, Defendant CARLOS MANUEL QUIROLA-ORDONEZ met with undercover law enforcement officers at

the sporting goods store in Bergen County, New Jersey to examine and negotiate the sale of the Iraqi Guns.

g. On or about July 23, 2012, during a consensually-recorded conversation, Defendant DAVID PHILIP RYAN told an undercover law enforcement officer that he was confident that the Iraqi Guns were from Iraq, stating, "I am 100% absolutely and totally positive," and "they [the Iraqi Guns] can be auctioned, but just not in the United States. . . .we're the only ones who've passed a law against it."

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

COUNT 2

(Transporting Stolen Property in Interstate Commerce)

1. The allegations set forth in Paragraphs 2 through 8 of Count 1 of this Indictment are hereby realleged and incorporated as if fully set forth herein.

The Charge

2. In or about July 2012, in Bergen County, in the District of New Jersey and elsewhere, Defendant

DAVID PHILIP RYAN

knowingly and intentionally transported, transmitted, and transferred in interstate commerce, goods, wares, and merchandise having a value of \$5,000 or more, namely, firearms, from Florida to New Jersey, knowing that the same had been stolen, converted, and taken by fraud.

In violation of Title 18, United States Code, Section 2314 and Section 2.

FORFEITURE ALLEGATIONS AS TO COUNT 1

1. The allegations contained in Count 1 of this Indictment are incorporated by reference as though set forth in full herein for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense contrary to Title 18, United States Code, Section 922(i) and in violation of Title 18, United States Code, Section 371, as charged in Count 1 of this Indictment, the Defendants,

DAVID PHILIP RYAN

and

CARLOS MANUEL QUIROLA-ORDONEZ,
a/k/a "Julio Antonio Gonzalez,"
a/k/a "Manny"

shall forfeit to the United States any firearms and ammunition involved in or used in the commission of that offense, including the following:

- (i) One (1) Coonan Arms Inc., .357 semi-auto pistol, bearing serial#B002945, nickel finish, made in St. Paul, Minnesota, with gold inlay and a medallion "QS" on left side grip [believed to be the initials of Qusay Saddam Hussein al-Tikriti, the second son of former Iraqi President Saddam Hussein];
- (ii) One (1) Korth, .357 magnum, revolver (6 shot) stamped "Made in W. Germany Waffenfabrik Koth Ratzeburg/LBG," with gold inlay, black finish, wood grips, which displays a drawing of a wild boar, and bears serial #34446, and bears no importer stamp;

- (iii) One (1) Korth, .357 magnum, revolver (6 shot) Stamped "Made in W. Germany Waffenfabrik Koth Ratzeburg/LBG," with gold inlay, black finish, wood grips, which displays a drawing of a moose, and bears serial #34432, and bears no importer stamp;
- (iv) One (1) Chinese State Factories type 64 pistol, .32 caliber semi-auto pistol, black finish, with Yemen flag icon on both sides of the grip and Arabic writing on the side bearing serial #0222, and which bears no importer stamp;
- (v) One (1) Cosmi, 12 gauge shotgun, break top, single barrel, bearing serial #1569, and which bears no importer stamp;
- (vi) One (1) Cosmi, 12 gauge shotgun, break top, single barrel, bearing serial #5274, and which bears no importer stamp;
- (vii) One (1) Llama, semiautomatic .45 ACP pistol with gold leaf and gold inlays, hand engraved and bearing serial #PA4030 and the initials "Q.S." [believed to be the initials of Qusay Saddam Hussein al-Tikriti, the second son of former Iraqi President Saddam Hussein], and bears no importer stamp.

All pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

ADDITIONAL FORFEITURE ALLEGATION AS TO COUNT 1

1. As the result of committing the offense contrary to Title 18, United States Code, Section 2314, and in violation of Title 18, United States Code, Section 371, as charged in Count 1 of this Indictment, the Defendants

DAVID PHILIP RYAN

and

CARLOS MANUEL QUIROLA-ORDONEZ,
a/k/a "Julio Antonio Gonzalez,"
a/k/a "Manny"

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including, but not limited to, a money judgment in the amount of equal to \$350,000.

2. Substitute Assets Provision

If any of the above-described forfeitable property, 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 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the Defendants up to the value of the above forfeitable property.

FORFEITURE ALLEGATION AS TO COUNT 2

1. As the result of committing the offense in violation of Title 18, United States Code, Section 2314, as charged in Count 2 of this Indictment, the Defendant

DAVID PHILIP RYAN

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including, but not limited to, a money judgment in the amount of equal to \$350,000.

3. Substitute Assets Provision

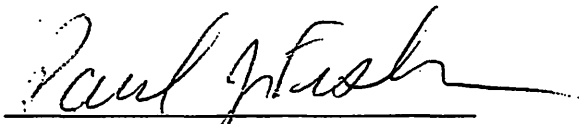
If any of the above-described forfeitable property, as a result of any act or omission of the Defendants:

- (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 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the Defendants up to the value of the above forfeitable property.

A TRUE BILL

FOREPERSON



PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**DAVID PHILIP RYAN
and
CARLOS MANUEL QUIROLA-ORDONEZ**

INDICTMENT FOR

18 U.S.C. § 371
18 U.S.C. § 2314
18 U.S.C. § 2

A True Bill,

Foreperson

**PAUL J. FISHMAN
UNITED STATES ATTORNEY
NEWARK, NEW JERSEY**

**JOYCE M. MALLIET
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(973) 645-2876**
