



PRESS RELEASE

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**FORMER BORDER PATROL AGENT SENTENCED TO 51 MONTHS IN PRISON
FOR PARTICIPATING IN ILLEGAL FIREARMS CONSPIRACY**

ALBUQUERQUE – Ricardo Montalvo, 29, of El Paso, Tex., was sentenced to a 51-month term of imprisonment this morning for his firearms conspiracy conviction by a federal judge in the El Paso Division of the U.S. District Court for the Western District of Texas. Montalvo will be on supervised release for three years after completing his prison sentence. Montalvo also was ordered to forfeit over 10,000 rounds of ammunition and three firearms that were seized from him during the course of the investigation. Montalvo’s sentence was announced by U.S. Attorney Kenneth J. Gonzales for the District of New Mexico.

Montalvo and his girlfriend, Carla Gonzalez-Ortiz, 34, a Mexican national, were charged with conspiracy, firearms and smuggling charges in a 20-count indictment filed on April 4, 2012. At the time of the events charged in the indictment, Montalvo was an agent with the U.S. Border Patrol. Montalvo was on administrative desk duty from Jan. 2011, when the investigation into the case was initiated, through Aug. 24, 2012, when Montalvo resigned for personal reasons. Montalvo has been in federal custody since his arrest on April 9, 2012.

The indictment alleged that, between Nov. 2010 and Jan. 2011, Montalvo and Gonzalez-Ortiz participated in a conspiracy to illegally purchase firearms, ammunition and high-capacity magazines of the type for which there was a ready market among the Mexican Cartels. It further alleged that the defendants made the purchases knowing that the firearms, ammunition and magazines were intended to be illegally exported to Mexico.

During the three-month period covered by the indictment, Montalvo, Gonzalez-Ortiz and others obtained nine firearms by falsely claiming that they were the actual purchasers of the firearms, when in fact they were acting as “straw purchasers” who were buying the firearms on behalf of others. Montalvo purchased approximately 20,000 rounds of ammunition and 97 high-capacity magazines, including ten 100-round magazines for 5.56 mm rifles and ten 75-round drum magazines for 7.62x39 mm rifles, during this period. Montalvo also purchased four 37 mm flare launchers, which are desired by Mexican Cartels because they may be converted easily into grenade launchers.

On Aug. 24, 2012, Montalvo pled guilty to Count 1 of the indictment charging him with participating in a conspiracy to make straw purchases of firearms. During his plea hearing, Montalvo admitted that, from Nov. 2010 to Jan. 2011, he knowingly recruited other individuals to straw purchase firearms from federally licensed firearms dealers in the El Paso area. As required by the terms of Montalvo's plea agreement, the United States moved to dismiss the 19 remaining counts of the indictment against Montalvo after his sentence was imposed.

On Aug. 23, 2012, Gonzalez-Ortiz pled guilty to an information charging her with misprision of a felony and admitted that, in Dec. 2010, she knew that Montalvo was committing a federal offense and that she failed to report the crime to law enforcement authorities. More specifically, Gonzalez-Ortiz admitted that Montalvo solicited her and others to purchase guns for him and that she falsely stated on ATF forms that she was purchasing the guns for herself when in fact she was purchasing them for Montalvo.

On Nov. 2, 2012, Gonzalez-Ortiz, who had been in federal custody since her arrest on April 9, 2012, was sentenced to time-served and a year of supervised release.

The case was prosecuted by Assistant U.S. Attorney Mark Saltman of the Las Cruces office of the U.S. Attorney's Office for the District of New Mexico, and was investigated by the Bureau of Alcohol, Tobacco, Firearms & Explosives and U.S. Customs and Border Protection, Office of Internal Affairs.

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