

FILED

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT
ROSWELL, NEW MEXICO

UNITED STATES DISTRICT COURT

for the

District of New Mexico

NOV 08 2010 *[Signature]*

United States of America)

v.)

Jason Lee GONZALES)

Case No. 10MJ2905

CLERK

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 7/11/2009 to 2/5/2010 in the county of Chaves in the
 District of New Mexico, the defendant(s) violated:

Code Section
18 USC 924(a)(1)(A)

Offense Description
False statements on records of a Federal Firearms Dealer

This criminal complaint is based on these facts:

See attachment

Continued on the attached sheet.

[Signature]
Complainant's signature
Joshua Hernandez, ATF Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 11/08/2010

[Signature]
Judge's signature

City and state: Roswell, New Mexico

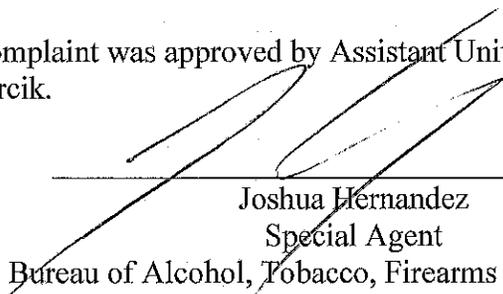
Kea, W. Riggs, US Magistrate Judge
Printed name and title

~~United States v. Jason GONZALES~~

Your affiant, being duly sworn does depose and say:

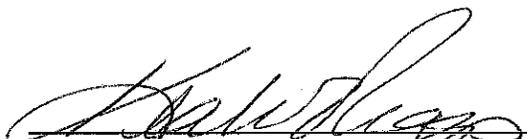
1. That I am currently employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed for approximately seven years. Prior to my employment with ATF, I was employed by the United States Border Patrol for a period of five years. During the last seven years, I have conducted and participated in investigations concerning persons who knowingly make false statements with respect to information required to be kept by a licensed Federal Firearms Dealer. As a part of my training and experience, I know that it is unlawful for any person to pay another person to purchase a firearm from a licensed Federal Firearms Dealer (FFL) and indicate on the ATF Form 4473 that the firearm is for their own use when the firearm is actually not for their own use. This is more commonly known as a straw purchase.
2. That your affiant is aware that in order to purchase a firearm from a licensed Federal Firearms Dealer a person must complete an ATF form 4473 (Firearms Transaction Record). All information on the ATF Form 4473 is required by law to be true and correct.
3. That on May 18, 2010, ATF Special Agent Joshua Hernandez and ATF Task Force Agent Greg Carrasco interviewed Carlos MARTELL at the Roswell, New Mexico Police Department. During the interview MARTELL confessed to paying Jason Lee GONZALES to straw purchase firearms for MARTELL. MARTELL stated that he provided Jason Lee GONZALES the money to purchase the firearms and took possession of the firearms after they were purchased.
4. That your affiant had previously interviewed Jason Lee GONZALES on March 10, 2010, where J. GONZALES confessed to being paid to straw purchase the following 10 firearms for MARTELL from FFL Zia Trading located in Roswell, New Mexico.
 - a. Romanian, Model GP-WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1985-PU-4855 Purchased 07/11/2009
 - b. CAI Romanian, Model WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1975FM419 Purchased 07/30/2009
 - c. CAI Romanian, Model WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1983-AH4337 Purchased 08/20/2009
 - d. Romanian, Model GP-WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1971DF4146 Purchased 10/1/2009
 - e. CAI Romanian, Model WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 19855-BC-1281 Purchased 10/07/2009
 - f. CAI Romanian, Model WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1986-RB-2568 Purchased 10/15/2009

- g. ~~Romanian, Model WASR-10, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 18890208R0 Purchased 11/13/2009~~
 - h. Romanian, Model GP-WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# 1973EZ1593 Purchased 11/23/2009
 - i. Norinco, Model NAK-90, 7.62x39 Caliber, Semi Automatic Assault Rifle, SN# 9356717 Purchased 12/17/2009
 - j. Romanian, Model GP-WASR, 7.62x39 Caliber, Semi-Automatic Assault Rifle, SN# BY-0493-86 Purchased 02/05/2010
5. That your affiant also verified that J. GONZALES completed an ATF Form 4473 for each of the abovementioned 10 firearms answering "yes" to question 11 a. of the form which asks the following:
- Are you the actual transferee/buyer of the firearm listed on the form?
6. J. GONZALES was not the actual buyer of the firearms as J. GONZALES admitted MARTELL paid for the firearms and also paid J. GONZALES for making the straw purchases of the firearms.
7. That J. GONZALES affirmative response to question 11 a. on ATF Form 4473 pertained to information the law requires a Federal Firearms Licensed Dealer to keep.
8. That based on the above-mentioned facts, your affiant believes probable cause exists for the issuance of an arrest warrant for the person known as Jason Lee GONZALES for the violation of 18 U.S.C. Section 924(a)(1)(A) False statements during the acquisition of a firearm causing the records of a licensed FFL to be inaccurate.
9. This complaint was approved by Assistant United States Attorney Nathan Lichvarcik.



Joshua Hernandez
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

**SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 8th DAY OF
November, 2010.**



UNITED STATES MAGISTRATE JUDGE