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CLERK, U.S. DISTRICT COURT
DEC 30 2015
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION BY DEPUTY

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8 UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 September 2015 Grand Jury

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ENRIQUE MARQUEZ, JR.,

15 Defendant.

ED CR No. 15-93 JGB

I N D I C T M E N T

[18 U.S.C. § 2339A(a): Conspiracy to Provide Material Support to Terrorists; 18 U.S.C. § 922(a)(6): False Statements in Connection with the Acquisition of a Firearm; 8 U.S.C. § 1325(c): Marriage Fraud; 18 U.S.C. § 1546: Fraud and Misuse of Visas, Permits, and Other Documents]

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19 The Grand Jury charges:

20 COUNT ONE

21 [18 U.S.C. § 2339A(a)]

22 Beginning on a date unknown to the Grand Jury and continuing up
23 to and including at least November 2012, in Riverside and San
24 Bernardino Counties, within the Central District of California, and
25 elsewhere, defendant ENRIQUE MARQUEZ, JR. ("MARQUEZ") and Sayed
26 Rizwan Farook ("Farook"), and others known and unknown to the Grand
27 Jury, conspired and agreed with each other to provide material
28 support and resources, as that term is defined in Title 18, United

1 States Code, Section 2339A(b)(1), including weapons, explosives, and
2 personnel, including themselves, knowing and intending that they were
3 to be used in preparation for, and in carrying out, violations of the
4 following federal laws:

5 a. Title 18, United States Code, Section 844(f)(1) (use
6 of fire or explosive to maliciously damage or destroy any institution
7 or organization receiving Federal financial assistance); and

8 b. Title 18, United States Code, Section 844(i) (use of
9 fire or explosive to maliciously damage or destroy any building,
10 vehicle, or other real or personal property used in interstate or
11 foreign commerce, or in any activity affecting interstate or foreign
12 commerce).

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COUNT TWO

[18 U.S.C. § 922(a)(6)]

On or about November 14, 2011, in Riverside County, within the Central District of California, defendant ENRIQUE MARQUEZ, JR., in connection with the acquisition and attempted acquisition of a firearm from a licensed dealer, namely, the acquisition of a Smith and Wesson, model M&P-15 Sport, 5.56 caliber rifle, bearing serial number SN77510, from a sporting goods retailer located in Corona, California, knowingly made a false and fictitious written statement, intended and likely to deceive such dealer with respect to a fact material to the lawfulness of the sale of such firearm under Title 18, United States Code, Chapter 44, in that defendant stated on Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473 Firearms Transaction Record that he was the actual buyer of the firearm, a statement that was, and which defendant then and there well knew to be, false.

COUNT THREE

[18 U.S.C. § 922(a)(6)]

On or about February 22, 2012, in San Bernardino County, within the Central District of California, defendant ENRIQUE MARQUEZ, JR., in connection with the acquisition and attempted acquisition of a firearm from a licensed dealer, namely, the acquisition of a DPMS, model A-15, 5.56 caliber rifle, bearing serial number FH108002, from a sporting goods retailer located in Rancho Cucamonga, California, knowingly made a false and fictitious written statement, intended and likely to deceive such dealer with respect to a fact material to the lawfulness of the sale of such firearm under Title 18, United States Code, Chapter 44, in that defendant stated on Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473 Firearms Transaction Record that he was the actual buyer of the firearm, a statement that was, and which defendant then and there well knew to be, false.

COUNT FOUR

[8 U.S.C. § 1325(c)]

On or about November 29, 2014, in Riverside County, within the Central District of California, defendant ENRIQUE MARQUEZ, JR. knowingly entered into a marriage with M.C. for the purpose of evading an immigration law of the United States of America.

COUNT FIVE

[18 U.S.C. § 1546(a)]

On or about July 17, 2015, in Riverside County, within the Central District of California, defendant ENRIQUE MARQUEZ, JR. ("defendant MARQUEZ") knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact in an application, affidavit, and other document required by the immigration laws and regulations prescribed thereunder, and knowingly presented such application, affidavit, and other document which contained such false statement and which failed to contain any reasonable basis in law or fact. Specifically, on or about July 17, 2015, defendant MARQUEZ knowingly signed, under penalty of perjury, a Form I-130/Petition for Alien Relative, knowing of its content and knowing that it would be submitted to United States Citizenship and Immigration Services. On that petition, defendant MARQUEZ knowingly certified, under oath, false statements with respect to a material fact, specifically, that the address for both he and his spouse, M.C., was the same address on Forum Way in

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1 Corona, California ("Forum Way Address"). As defendant MARQUEZ then
2 well knew, this statement was false because defendant MARQUEZ knew
3 that he did not reside at the Forum Way Address.

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5 A TRUE BILL

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Foreperson

9 EILEEN M. DECKER
10 United States Attorney

11 *Patricia A. Donahue*

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