

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO.** _____
v. : **DATE FILED:** _____
WILSON BONILLA SOLIVERAS : **VIOLATION:**
: **18 U.S.C. § 924(a)(1)(A) (making a false**
: **statement to a federal firearms licensee -**
: **1 count)**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Kinsey's Archery Products Incorporated, dba Kinsey's Outdoors ("Kinsey's Outdoors"), 1658 Steel Way Drive, Mount Joy, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. Question 11.a. of ATF Form 4473 requires that the prospective

purchaser certify truthfully, subject to penalties of perjury, that he or she is the actual buyer of the firearm. The ATF Form 4473 contains language warning that: **"You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you."** The Form 4473 also includes a certification by the buyer of the firearm(s) that: **"I understand that answering 'yes' to question 11.a. if I am not the actual buyer of the firearm is a crime punishable as a felony under federal law . . ."**

4. To ensure that firearms buyers are not prohibited by law from possessing firearms and to permit firearms to be traced, FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of any firearm sold by the FFL holder, including the buyer's home address and date of birth.

5. A person who purchases a firearm for another person and falsely completes the Form 4473 is a "straw purchaser."

6. Convicted felons are persons prohibited by law from buying firearms.

7. On or about March 4, 2016, A.L.P., a person known to the grand jury and a convicted felon, arranged for defendant WILSON BONILLA SOLIVERAS to buy a semi-automatic pistol for him.

8. On or about March 4, 2016, defendant WILSON BONILLA SOLIVERAS bought from Kinsey's Outdoors a Smith and Wesson, model SD40 VE, .40 caliber semi-automatic pistol, serial number FXR2560, for A.L.P., who supplied defendant BONILLA SOLIVERAS cash to buy the pistol and who took immediate possession of the pistol from defendant BONILLA SOLIVERAS.

9. On or about April 1, 2016, members Lancaster City Bureau of Police

seized from A.L.P. the Smith and Wesson semi-automatic pistol that the defendant WILSON BONILLA SOLIVERAS had straw purchased for A.L.P.

10. On or about April 1, 2016, having received a tip that the police had seized from A.L.P. the Smith and Wesson semi-automatic pistol which defendant WILSON BONILLA SOLIVERAS had straw purchased for A.L.P., defendant BONILLA SOLIVERAS knowingly falsely reported to the Lancaster City Bureau of Police that the pistol had previously been stolen from defendant BONILLA SOLIVERAS's wife's car.

11. On or about March 4, 2016, in Mount Joy, in the Eastern District of Pennsylvania, defendant

WILSON BONILLA SOLIVERAS,

in connection with the acquisition of a firearm, that is, a Smith and Wesson, model SD40 VE, .40 caliber semi-automatic pistol, serial number FXR2560, from Kinsey's Archery Products Incorporated, dba Kinsey's Outdoors, an FFL holder, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holder's records, in that defendant BONILLA SOLIVERAS certified on the ATF Form 4473 that he was the actual buyer of the firearm, when in fact, as he well knew, this statement was false and fictitious as he had, in fact, bought the pistol for A.L.P.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 924(a)(1)(A),
set forth in this indictment, defendant

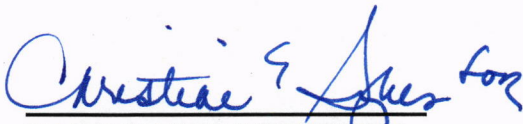
WILSON BONILLA SOLIVERAS

shall forfeit to the United States of America the firearm involved in the commission of such
offense, including, but not limited to: one Smith and Wesson, model SD40 VE, .40 caliber
semi-automatic pistol, serial number FXR 2560.

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

A TRUE BILL:

FOREPERSON


ZANE DAVID MEMEGER
United States Attorney