

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

DEC 19 2023

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BUDDY EUGENE GALLEGOS,

Defendant.

)
)
) CRIMINAL NO. 22-710 MLG
)
) Count 1: 21 U.S.C. §§ 841(a)(1) and
) (b)(1)(A): Possession with Intent to
) Distribute 50 Grams and More of
) Methamphetamine;
)
) Count 2: 21 U.S.C. §§ 841(a)(1) and
) (b)(1)(C): Possession with Intent to
) Distribute Cocaine;
)
) Count 3: 21 U.S.C. §§ 841(a)(1) and
) (b)(1)(C): Possession with Intent to
) Distribute Fentanyl (N-phenyl-N-[1-(2-
) phenylethyl)-4-piperidinyl] propanamide);
)
) Count 4: 18 U.S.C. §§ 922(g)(1) and 924:
) Felon in Possession of a Firearm and
) Ammunition;
)
) Count 5: 18 U.S.C. § 924(c)(1)(A)(i):
) Possessing a Firearm in Furtherance of a
) Drug Trafficking Crime.

SECOND SUPERSEDING INDICTMENT

The Grand Jury charges:

Count 1

On or about April 13, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **BUDDY EUGENE GALLEGOS**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved 50 grams and more of methamphetamine.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A).

Count 2

On or about April 13, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **BUDDY EUGENE GALLEGOS**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing a detectable amount of cocaine.

In violation 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 3

On or about April 13, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **BUDDY EUGENE GALLEGOS**, unlawfully, knowingly, and intentionally possessed with intent to distribute a controlled substance, and the offense involved a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Count 4

On or about April 13, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **BUDDY EUGENE GALLEGOS**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) abandonment or abuse of a child,
- (2) possession of a controlled substance,
- (3) receiving or transferring stolen vehicles,
- (4) possession of a firearm or destructive device by a felon,
- (5) receiving stolen property,
- (6) criminal solicitation to commit receiving and transferring stolen motor vehicles, and

(7) aggravated fleeing a law enforcement officer,
knowingly possessed a firearm and ammunition in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 5

On or about April 13, 2022, in Bernalillo County, in the District of New Mexico, the defendant, **BUDDY EUGENE GALLEGOS**, knowingly possessed a firearm in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute methamphetamine as charged in Count 1 of this indictment, possession with intent to distribute cocaine as charged in Count 2 of this indictment, and possession with intent to distribute fentanyl as charged in Count 3 of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

FORFEITURE ALLEGATIONS

Upon conviction of any offense in violation of 18 U.S.C. §§ 922(g) and 924(c), the defendant, **BUDDY EUGENE GALLEGOS**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- a. a Marlin .22 caliber rifle with serial number 99402989,
- b. a Winchester model 37A with wooden stock and serial number C067875,
- c. a Ruger model 10-22 .22 caliber rifle with wooden stock and serial number 0017-14840,
- d. a Maverick Arms 12-gauge shotgun with serial number MV0722248,
- e. a Winchester 12-gauge shotgun with serial number WIPT26361YM11K,
- f. a MilSport AR-15 rifle with serial number MSA094828,

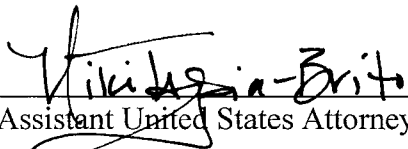
- g. a Smith and Wesson AR-15 rifle with serial number TT63553,
- h. a Ratmil AK rifle with serial number 1-7457-97,
- i. a Glock model 22 .40 S&W caliber handgun with serial number WHT939,
- j. a Glock model 19 9mm caliber handgun with serial number BADA241,
- k. a Taurus model PT100AR .40 S&W caliber handgun with serial number SXC
55373, and
- l. approximately 4,158 rounds of various caliber ammunition seized on April 13,
2022.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **BUDDY EUGENE GALLEGOS**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

- a. a Marlin .22 caliber rifle with serial number 99402989,
- b. a Winchester model 37A with wooden stock and serial number C067875,
- c. a Ruger model 10-22 .22 caliber rifle with wooden stock and serial number 0017-
14840,
- d. a Maverick Arms 12-gauge shotgun with serial number MV0722248,
- e. a Winchester 12-gauge shotgun with serial number WIPT26361YM11K,
- f. a MilSport AR-15 rifle with serial number MSA094828,
- g. a Smith and Wesson AR-15 rifle with serial number TT63553,
- h. a Ratmil AK rifle with serial number 1-7457-97,

- i. a Glock model 22 .40 S&W caliber handgun with serial number WHT939,
- j. a Glock model 19 9mm caliber handgun with serial number BADA241,
- k. a Taurus model PT100AR .40 S&W caliber handgun with serial number SXC 55373,
- l. approximately 4,158 rounds of various caliber ammunition seized on April 13, 2022,
- m. \$1,760 in U.S. Currency seized from **BUDDY EUGENE GALLEGOS** on April 13, 2022, and
- n. \$6,001 in U.S. Currency seized from **BUDDY EUGENE GALLEGOS** on April 13, 2022.

A TRUE BILL:


Assistant United States Attorney
HSK

151
FOREPERSON OF THE GRAND JURY