United States District Court

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FILED

VENUE: SAN FRANCISCO

DEC 0 5 2017

SUSAN Y. SOONG CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALLEDRNIA

UNITED STATES OF AMERICA,

V.

CR 17

609

JOSE INEZ GARCIA-ZARATE,

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm and Ammunition; 18 U.S.C. § 922(g)(5) - Alien in Possession of Firearm and Ammunition; 28 U.S.C. § 2461 - Criminal Forfeiture

A true bill	
	Foreman
Filed in open court this 5 th day of	
December, 2017. Stephen yburra	
Stephen ybura	
	Clerk
Bail, \$ 1/2	Lail arest warnet

DEFENDANT INFORMATION RELATIVE T	O A CRIMINAL ACTION - IN U.S. DISTRICT COURT
BY: COMPLAINT INFORMATION INDICTMENT	Traine of District County and Cou
OFFENSE CHARGED SUPERSEDII	NORTHERN DISTRICT OF CALIFORNIA
Title 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm Pett	SAN FRANCISCO DIVISION
and Ammunition (Class C Felony)	
Fitle 18 U.S.C. § 922(g)(5) - Alien in Possession of a Firearm Indiand Ammunition (Class C Felony)	
L mea	1 1 4
₩ X Felo	DISTRICT COURT NUMBER
PENALTY: As to both counts: 10 years imprisonment \$250,000 fine	= 0.5
3 years supervised release \$100 mandatory special assessment	ILEPUR 17 609 W
Forfeiture and Restitution	
	DEC 0 SZUT DEFENDANT DEFENDANT
PROCEEDING	IS NOT IN CUSTODY SUSAN Y SONG Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	RK. US DIVIN (A) Individetained give date any prior summons was served on above charges
PROCEEDING Name of Complaintant Agency, or Person (& Title, if any) Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATT) person is awaiting trial in another Federal or State Court,	Sammons was served on assets analysis 4
person is awaiting trial in another Federal or State Court,	2) Is a Fugitive
give name of court	3) Son Bail or Release from (show District)
	o, is on build it to be a series of the seri
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	5) El Ou month ou constitution
charges previously dismissed which were dismissed on motion	5) On another conviction Federal State
of:	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	
pending case involving this same	Has detainer Yes If "Yes" give date
defendant MAGISTRA* CASE NO	Little lined
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Or if Arresting Agency & Warrant were not
	DATE TRANSFERRED Month/Day/Year
Name and Office of Person Furnishing Information on this form BRIAN STRETCH	TO U.S. CUSTODY
□ U.S. Attorney □ Other U.S. Agence	cy
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) Hallie Hoffman/Shiao Lee	
PROCESS: ADDITIONAL IN	IFORMATION OR COMMENTS ————————————————————————————————————
SUMMONS NO PROCESS* WARRANT	Bail Amount: No bail
If Summons, complete following:	
Arraignment Initial Appearance	 Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	THE STATE OF THE PROPERTY OF THE PROPERTY OF THE STATE OF THE PROPERTY OF THE STATE
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BRIAN J. STRETCH (CABN 163973) United States Attorney FILED 2 3 DEC 0 5 2017 4 SUSAN Y. SOONG CLERK, U.S. DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 SAN FRANCISCO DIVISION 10 UNITED STATES OF AMERICA 11 609 12 18 U.S.C. § 922(g)(1) – Felon in Possession of 13 Firearm and Ammunition; 18 U.S.C. § 922(g)(5) – Alien in Possession of 14 Firearm and Ammunition; 28 U.S.C. § 2461 - Criminal Forfeiture JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra, a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, 16 a/k/a Juan Francisco Lopez-Sanchez, 17 Defendant. SAN FRANCISCO VENUE 18 19 20 INDICTMENT 21 The Grand Jury charges: 22 (18 U.S.C. § 922(g)(1) — Felon in Possession of Firearm and Ammunition) COUNT ONE: 23 On or about July 1, 2015, in the Northern District of California, the defendant, 24 JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra, 25 a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez, 26 having previously been convicted of a felony crime punishable by a term of imprisonment exceeding 27 one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and 28 INDICTMENT

ammunition, to wit, one (1) .40 caliber Sig Sauer P239 semi-automatic pistol, serial number SA4 144 075, and multiple rounds of Winchester ranger 165 grain .40 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO: (18 U.S.C. § 922(g)(5) - Alien in Possession of Firearm and Ammunition)

On or about July 1, 2015, in the Northern District of California, the defendant,

JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra,

a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez, then being an alien illegally and unlawfully in the United States, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and ammunition, to wit, one (1) .40 caliber Sig Sauer P239 semi-automatic pistol, serial number SA4 144 075, and multiple rounds of Winchester ranger 165 grain .40 caliber ammunition, in violation of Title 18, United States Code, Section 922(g)(5).

FORFEITURE ALLEGATIONS: (18 U.S.C. § 924(d), 28 U.S.C. § 2461)

The allegations contained in Counts One and Two of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

Upon conviction of the offense alleged herein, the defendant,

JOSE INEZ GARCIA-ZARATE, a/k/a Juan Jose Dominguez De La Parra, a/k/a Jose Luis Garcia Sanchez, a/k/a Juan Garcia Sanchez, a/k/a Juan Francisco Lopez-Sanchez, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including but not limited to the following property:

a. One (1) .40 caliber Sig Sauer P239 semi-automatic pistol, serial number SA4 144
 075, and any ammunition seized or associated with the handgun.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

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1	e. has been commingled with other property which cannot be divided without
2	difficulty,
3	the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
4	United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).
5	All pursuant to 18 U.S.C. § 924(d), 28 U.S.C. § 2461, and Federal Rule of Criminal Procedure
6	32.2.
7	DATED: $12/5/17$ A TRUE BILL.
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9	FOREPERSON
10	TOKETEROON
11	BRIAN J. STRETCH
12	United States Attorney
13	P. J. Washing
14	BARBARA J. VALLIERE
15	Chief, Criminal Division
16	(Approved as to form: 19 (Approved as to form:
17	AUSAs HALLIE HOFFMÁN & SHIAO LEE
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