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13 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

14 CR 04-0046-S-EJL

15 UNITED STATES OF AMERICA,

Case No. CR- \_\_\_\_\_

16 Plaintiff,

INDICTMENT

17 vs.

21 U.S.C. § 841(a)(1)

18 U.S.C. § 924(c)

18 JUAN DELGADO-DELGADO,

18 U.S.C. § 922(g) (3) & (5)

18 U.S.C. § 922(v)

19 Defendant.

20 The Grand Jury charges that:

21 COUNT ONE

22 Possession with Intent to Distribute Methamphetamine  
23 21 U.S.C. § 841(a)(1)

24 On or about January 28, 2004, in New Plymouth, Payette County, in the District of Idaho,  
25 the defendant, **JUAN DELGADO-DELGADO**, did knowingly and intentionally possess with  
26 intent to distribute approximately 89 grams of a mixture and substance containing  
27 methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code,  
28 Sections 841(a)(1) and 841(b)(1)(B).



1 made 7 mm bolt action rifle, serial number U7711; and, a Savage Arms bolt action .22 rifle with the  
2 serial number filed off, in violation of Title 18, United States Code, Section 922(g)(5).

3 **COUNT FIVE**

4 **Unlawful User of Controlled Substance in Possession of Firearms**  
5 **18 U.S.C. § 922(g)(3)**

6 On or about January 28, 2004, in New Plymouth, Payette County, in the District of Idaho,  
7 the defendant, **JUAN DELGADO-DELGADO**, an unlawful user of the controlled substance  
8 methamphetamine, did knowingly and intentionally possess firearms, namely, a Chinese semi-  
9 automatic SKS 7.62 mm rifle, serial number 20049788 with a 30 round detachable magazine, an  
10 after market muzzle flash suppressor, a ram line pistol grip stock and a bayonet; a 1929 "Mauser  
11 style" Spanish-made 7 mm bolt action rifle, serial number U7711; and, a Savage Arms bolt action  
12 .22 rifle with the serial number filed off, in violation of Title 18, United States Code, Section  
13 922(g)(3)

14 **COUNT SIX**

15 **Forfeiture**  
16 **18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)**

17 Upon conviction of one or more of the offenses alleged in this Indictment, defendant Juan  
18 Delgado-Delgado, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. §  
19 2461(c), all firearms and ammunition involved in the commission of the offense, including but not  
20 limited to the following: a Chinese semi-automatic SKS 7.62 mm rifle, serial number 20049788  
21 with a 30 round detachable magazine, an after market muzzle flash suppressor, a ram line pistol grip  
22 stock and a bayonet; a 1929 "Mauser style" Spanish-made 7 mm bolt action rifle, serial number  
23 U7711; and, a Savage Arms bolt action .22 rifle with the serial number filed off.

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

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

1 (e) has been commingled with other property which cannot be divided without difficulty;  
2 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C.  
3 § 2461(c), to seek forfeiture of any other property of Juan Delgado-Delgado up to the value of the  
4 forfeitable property described above.

5 DATED this 9<sup>th</sup> day of March, 2004.

6  
7 A TRUE BILL:

8 Kristine J. Crawford  
9 FOREPERSON

10 THOMAS E. MOSS  
11 United States Attorney  
12 By:

13 Lynne W. Lamprecht  
14 LYNNE W. LAMPRECHT  
Assistant United States Attorney

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**CRIMINAL COVERSHEET**

**ORIGINAL**

DEFENDANT'S NAME: Juan Delgado-Delgado

Juvenile: No

DEFENSE ATTORNEY:  
Address

Service Type: Warrant/ Non-Secret

Telephone No.:

Interpreter: Yes  
If yes, language: Spanish

INVESTIGATING  
AGENCY & AGENT:

S/A James Watts  
DHS/ICE  
(208) 685-6674

**CR 04-0046-S-EJL**

**CASE INFORMATION:** (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)

**CRIMINAL CHARGING INFORMATION**

Complaint       Indictment       Information       Superseding Indictment  
 Felony       Class A Misdemeanor       Class B or C Misdemeanor (Petty Offense)  
 County of Offense: Payette      Estimated Trial Time: 3 Days

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES <i>(Include Supervised Release and Special Assessments)</i>
21 U.S.C. § 841(a)(1)	1	<i>Possession with Intent to Distribute Methamphetamine</i>	<i>5-40 yrs. prison and/or \$2,000,000 fine; min. 4 yrs. supervised release; \$100 special assessment</i>
18 U.S.C. § 924(c)	2	<i>Possession of a Firearm During and in Relation to a Drug Trafficking Crime</i>	<i>60 months consecutive to Count 1</i>
18 U.S.C. §§ 922(v)(1) and 921 (a)(30)(B)	3	<i>Possession of a Semi-Automatic Weapon</i>	<i>Max. 5 yrs. prison and/or \$250,000 fine; 3 yrs. supervised release; \$100 special assessment</i>
18 U.S.C. § 922(g)(5)	4	<i>Unlawful Possession of Firearms by Alien Illegally and Unlawfully in the U.S.</i>	<i>Max. 10 yrs. prison and/or \$250,000 fine; 3 yrs. supervised release; \$100 special assessment</i>
18 :922(g)(3)	5	<i>Unlawful User of Controlled Substance in Possession of Firearms</i>	<i>Max. 10 yrs. prison and/or \$250,000 fine; 3 yrs. supervised release; \$100 special assessment</i>

TITLE/SECTION	COUN	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessments)
18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)	6	Forfeiture	Forfeiture of firearms and ammunition

Date: March 9, 2004

  
AUSA: Lynne W. Lamprecht  
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