

FILED

OCT 25 2012

CLERK, U.S. DISTRICT COURT

By _____ Deputy

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

Javier RUIZ-Guzman (1)
Isaias DURAN-Duran (2)
Jose Jesus DESCARENA-Duran (3)
Andres DURAN-Duran (4)

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No. 4:12-MJ- 458

CRIMINAL COMPLAINT

I, F. Scott Corage, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On October 24, 2012 in the Fort Worth Division of the Northern District of Texas and elsewhere, the defendants, Javier RUIZ-Guzman, Isaias DURAN-Duran, Jose Jesus DESCARENA-Duran, Andres DURAN-Duran did intentionally and knowingly conspire, confederate and agree with each other and with others, to possess with intent to distribute 36.5 kilograms of marijuana.

In violation of 21 U.S.C. § 846 and 21 U.S.C. §§ 841(a)(1) and (b)(1)(D).

I further state:

1. I am a Special Agent with the United States Homeland Security Investigations. I have been so employed for three years. During the course of my law enforcement career, I have participated in numerous criminal investigations involving criminal aliens. I am currently assigned to Counter Proliferation Investigations, and I investigate crimes involving weapons trafficking and illegal firearms possession in the Dallas-Fort Worth area.
2. On October 24, 2012, at approximately 06:00 a.m., Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) officers went to 921 East Biddison Street, Fort Worth, Texas in an effort to serve an administrative

arrest warrant on Javier RUIZ-Guzman, who was targeted for administrative arrest and deportation based on being a criminal alien, illegally present in the United States. Records checks on RUIZ prior to the operation revealed he was a convicted felon.

3. Officer Jackson Kirkland knocked on the door and RUIZ opened the door. While Officer Kirkland spoke with RUIZ to confirm his identity, Officer Kirkland observed a handgun in plain view on an entertainment center within the reach of RUIZ. Kirkland gained control of RUIZ and secured the firearm for officers' safety. Kirkland asked if there were other firearms in the residence. RUIZ's wife Rose ~~Hernandez~~ ^{EX} Hernandez, who had walked from the hall to the entry area, said that there were. Hernandez led Kirkland to the Master bedroom where she and RUIZ slept and there was a pistol on the vanity, and a rifle between the bed frame and wall with the stock in plain view.
4. RUIZ was read his Miranda rights at approximately 6:15 a.m. RUIZ waived his right to remain silent and gave consent for officers to search his residence for contraband. A records check on the pistol found close to the front door revealed it was stolen. RUIZ stated that there was a lot of marijuana in a detached room behind the house. RUIZ provided consent and a key to the locked structure in the back yard where the marijuana was located. Officers searched the room, where they observed a large black bag which contained a large quantity of a leafy substance believed to be marijuana. The substance was wrapped on cellophane bricks consistent with illegal narcotics. At approximately 6:30 a.m. RUIZ stated that others were coming to his house to pick up the narcotics.
5. RUIZ told officer that "Isaias", phone number 214-880-8851 was supposed to call RUIZ around 8:00 am on October 24, 2012 to arrange to pick up the narcotics. At approximately 8:31 a.m. RUIZ received a call from "Isaias" who said that he was on his way. In a second call, "Isaias" told RUIZ that his brother was coming, as well. At approximately 8:40, a dark-colored Honda truck arrived and parked in front of 921 East Biddison Street, Fort Worth, Texas. Officers approached the vehicle which was occupied by a lone male who identified himself as Isaias DURAN-Duran. At approximately 8:50 am a dark-colored Toyota extended-cab truck pulled into the side yard of the residence. When the occupants exited the vehicle, they were approached by officers who identified the driver as Jose Jesus DESCARENA-Duran and the passenger as Andres DURAN-Duran. Under the driver-side door of the Toyota truck driven by DESCARENA-Duran was approximately twenty-four thousand dollars wrapped in bundles. DESCARENA-Duran was determined to be illegally present in the United States.

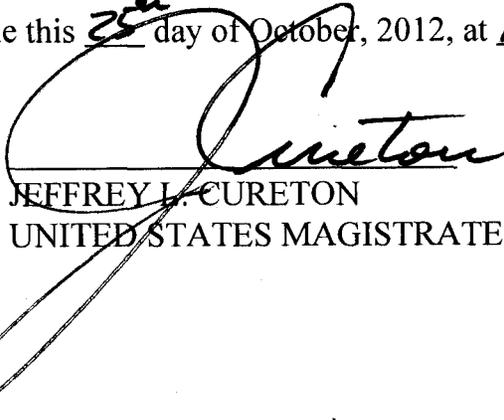
6. RUIZ stated that he was contacted by Isaias DURAN-Duran on October 23, 2012, who asked if he would keep the marijuana overnight. RUIZ agreed and expected to get paid one thousand dollars to keep the marijuana overnight. RUIZ stated that this was the third time he had done something like this.

I believe, based on the above information, that Javier RUIZ-Guzman, Isaias DURAN-Duran, Jose Jesus DESCARENA-Duran, Andres DURAN-Duran, did intentionally and knowingly conspire, confederate and agree with each other and with others, to possess with intent to distribute 36.5 kilograms of marijuana, in violation of 21 U.S.C. § 846 and 841(a)(1) and (b)(1)(D).



Special Agent F. Scott Corage
United States Homeland Security Investigations

Sworn to and subscribed before me this 25th day of October, 2012, at 10:14
o'clock, a.m.



JEFFREY L. CURETON
UNITED STATES MAGISTRATE JUDGE