

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

2017 SEP 20 PM 3:40

JULIANA U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

(1) James Matthew BRADLEY Jr.,  
(2) Pedro SILVA-SEGURA

Defendants.

CRIMINAL NO: SA17-CR-649(DAE)  
1st SUPERSEDING  
INDICTMENT

[Vio: **Count 1-8** U.S.C. §1324(a)(1)(A)(v)(I), & 8 U.S.C. § 1324(a)(1)(A)(ii)(iii), (B)(i), & (B)(iv) Conspiracy to Transp. Aliens for Financial Gain Resulting in Death  
**Count 2 - 8** U.S.C. § 1324(a)(1)(A)(v)(I), (a)(1)(A)(ii)(iii),(B)(iii) & 8 U.S.C. §1324 (a)(1), Conspiracy to Transp. Aliens for Financial Gain Resulting in Serious Bodily Injury and Placing lives in Jeopardy; **Count 3- 8** U.S.C. § 1324(a)(1)(A)(ii), (B)(iv) Transp. of Aliens Resulting in Death; **Count 4-6** 8 U.S.C. § 1324(a)(1)(A), (a)(1)(A)(ii), (iii), (B)(iii) Transp. and Harboring of Aliens Resulting in Serious Bodily Injury and Placing lives in Jeopardy; **Count 7-18** § 922(g)(1) Possession of a Firearm by Felon]

COUNT ONE

[8 U.S.C. § 1324(a)(1)(A)(v)(I)]  
[8 U.S.C. § 1324(a)(1)(A)(ii), (A)(iii), (B)(i), & (B)(iv)]

Beginning on or about July 12, 2017 and continuing through on or about July 24, 2017, in the Western District of Texas, and elsewhere, Defendants,

(1) James Matthew BRADLEY Jr. and  
(2) Pedro SILVA-SEGURA

and others, for the purpose of commercial advantage and private financial gain, conspired, combined, and confederated with each other and with others known and unknown to the Grand Jury to commit offenses against the United States, namely the Defendants and others conspired to

a. Transport and move and attempt to transport and move aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that

the aliens had come to, entered, and remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii); and

b. To conceal, harbor, and shield and to attempt to conceal, harbor and shield from detection, in buildings and other places and by means of transportation, aliens who had come to, entered, and remained in the United States in violation of law, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

During which and in relation to this offense, Defendants conduct resulted in the death of persons, all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii); (B)(i) and (iv).

COUNT TWO

[8 U.S.C. § 1324(a)(1)(A)(v)(I)]

[8 U.S.C. § 1324(a)(1)(A)(ii), (A)(iii), (B)(i), & (B)(iii)]

Beginning on or about July 12, 2017 and continuing through on or about July 24, 2017, in the Western District of Texas, and elsewhere, Defendants,

- (1) James Matthew BRADLEY Jr. and
- (2) Pedro SILVA-SEGURA

and others, for the purpose of commercial advantage and private financial gain, conspired, combined, and confederated with each other and with others known and unknown to the Grand Jury to commit offenses against the United States, namely the Defendants and others conspired to

a. Transport and move and attempt to transport and move aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii); and

b. To conceal, harbor, and shield and to attempt to conceal, harbor and shield from detection, in buildings and other places and by means of transportation, aliens who had come to, entered, and remained in the United States in violation of law, while knowing and in reckless

disregard of the fact that the aliens had come to, entered, and remained in the United States in violation of law in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii).

During which and in relation to this offense, Defendants conduct caused serious bodily injury to and placed in jeopardy the life of one or more persons all in violation of Title 8, United States Code, Section 1324(a)(1),(B)(iii) and (B)(iii).

COUNT THREE

[8 U.S.C. § 1324(a)(1)(A)(ii), (B)(iv)]

[8 U.S.C. § 1324(a)(1)(A)]

That beginning on or about July 22, 2017 through and including on or about July 23, 2017, in the Western District of Texas, Defendant,

(1) James Matthew BRADLEY Jr.

and others known and unknown to the grand jury, knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move, in furtherance of such violation of law, certain aliens, namely, Ruben Hernandez-Vargas, Osbaldo Rodriguez-Cerda, Frank Fuentes-Gonzalez, Jorge Reyes-Noveron, Mariano Lopez-Cano, Jose Rodriguez-Aspeitia, Benjamin Martinez-Arredondo, Ricardo Martinez-Esparza, unidentified male 1, and unidentified male 2 in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), and such offense resulted in the death of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iv).

COUNT FOUR

[8 U.S.C. § 1324(a)(1)(A)(ii), (B)(iii)]

[8 U.S.C. § 1324(a)(1)(A)(v)(II)]

That beginning on or about July 18, 2017 through and including on or about July 23, 2017, in the Western District of Texas, Defendants,

(1) James Matthew BRADLEY Jr. and  
(2) Pedro SILVA-SEGURA

and others, aided and abetted by each other, knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move, in furtherance of such violation of law, certain aliens, namely, M.A.R-M, J.S.R. and C.I.C. all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), and Title 8, United States Code, Section 1324(a)(1)(A)(v)(II) and such offense caused serious bodily injury to and placed in jeopardy the life of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iii).

COUNT FIVE

[8 U.S.C. § 1324(a)(1)(A)(iii), (B)(iii)]  
[8 U.S.C. § 1324(a)(1)(A)(v)(II)]

That beginning on or about July 18, 2017 through and including on or about July 23, 2017, in the Western District of Texas, Defendants,

- (1) James Matthew BRADLEY Jr. and
- (2) Pedro SILVA-SEGURA

and others, aided and abetted by each other, knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, did conceal, harbor, and shield from detection such aliens in buildings and other places and by means of transportation, certain aliens, namely, M.A.R-M, J.S.R. and C.I.C. all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iii), and Title 8, United States Code, Section 1324(a)(1)(A)(v)(II) and such offense caused serious bodily injury to and placed in jeopardy the life of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iii).

COUNT SIX

[8 U.S.C. § 1324(a)(1)(A)(ii), (B)(iii)]  
[8 U.S.C. § 1324(a)(1)(A)(v)(II)]

That beginning on or about July 22, 2017 through and including on or about July 23, 2017, in the Western District of Texas, Defendant,

- (1) James Matthew BRADLEY Jr.

aided and abetted others, knowing and in reckless disregard of the fact that the hereinafter named aliens had come to, entered and remained in the United States in violation of law, transported and moved, and attempted to transport and move, in furtherance of such violation of law, certain aliens, namely, J.D.M.J., D.D.L-C., J.D.T-A., E. R.M., C.A.R., H.V.H., G.L.G., T.H.C., R.E.V., M.F-C., F.L.A., V.P.V., L.D.S.J., J.L.G.M., M.H.C., H.L.C., A.L.V., M.A.R-M, G. H.C., J.S.R., H.C.C., and C. I.C. all in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii), and Title 8, United States Code, Section 1324(a)(1)(A)(v)(II) and such offense caused serious bodily injury to and placed in jeopardy the life of one or more persons in violation of Title 8, United States Code, Section 1324(a)(1)(B)(iii).

COUNT SEVEN

[18 §§ 922(g)(1) & 924(a)(2)]

That on or about July 23, 2017, in the Western District of Texas, Defendant,

(1) James Matthew BRADLEY Jr.

being a person who has been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce, a firearm, specifically a Cobra, model CB 38, Derringer pistol, .38 caliber serial number CT206902 such firearm having been shipped and transported in interstate commerce, all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE**

**[See Fed. R. Crim. P. 32.2]**

This Notice of Demand for Forfeiture includes but is not limited to the properties in Paragraphs III and IV.

**I.**

**Alien Smuggling Violations and Forfeiture Statutes**

**[Title 8 U.S.C. §§ 1324 (a)(1)(A)(v)(I), (II), (a)(1)(A)(ii), (iii), (iv), B(i), (iii), and (iv), subject to forfeiture pursuant to Title 18 U.S.C. § 982(a)(6) and 8 U.S.C. § 1324(b), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461.**

As a result of the foregoing criminal violations set forth in Count One through Five, the United States of America gives notice to Defendants JAMES MATTHEW BRADLEY Jr. (1), and PEDRO SILVA-SEGURA (2), of its intent to seek the forfeiture of the below described properties upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. §§ 982(a)(6)(A) and 8 U.S.C. § 1324(b), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which state:

**Title 18 U.S.C. § 982. Criminal Forfeiture**

(a)(6)(A) The court, in imposing sentence on a person convicted of a violation of, or conspiracy to violate, . . . the Immigration and Nationality Act . . . shall order that the person forfeit to the United States, regardless of any provision of State law -

- (i) any conveyance, including any . . . vehicle . . . used in the commission of the offense of which the person is convicted; and
- (ii) any property real or personal -
  - (I) that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the person is convicted; . . .

**Title 8 U.S.C. § 1324(b) Seizure and forfeiture**

(1) In general

Any conveyance, including any vessel, vehicle, or aircraft that has been or is being used in the commission of a violation of subsection (a) of this section, the gross proceeds of such violation, and any property traceable to such conveyance or proceeds, shall be seized and subject to forfeiture.

**II.**

**Firearm Violation and Forfeiture Statutes**

**[Title 18 U.S.C. § 922(g)(1), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]**

As a result of the criminal violation set forth in Count Six, the United States of America gives notice to Defendant JAMES MATTHEW BRADLEY Jr. (1) and PERDRO SILVA SEGURA (2) of its intent to seek the forfeiture of the below described properties upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which states:

**Title 18 U.S.C. § 924. Penalties**

(d)(I) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (g) . . . of section 922 . . . shall be subject to seizure and forfeiture. . . under the provisions of this chapter. . . .

**III.**

**Real Property**

Real Property located and situated at 1120 Reynolds St., Laredo, Webb County, Texas, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title, and interests, if any, more fully described as:

**LOT 7 BLK 643 ED.**

**IV.**

**Personal Property**

1. **Cobra, model CB 38, Derringer pistol, .38 caliber serial number CT206902;**
2. **Any related ammunition and firearm accessories; and**
3. **One (1) 1978 Mobile home 14x66 American-White & Yellow S#PTLU51068 located on LOT 7 BLK 643 ED.**

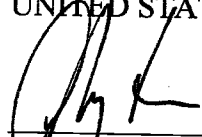
**A TRUE BILL**



**FOREPERSON OF THE GRAND JURY**

**RICHARD L. DURBIN, JR  
UNITED STATES ATTORNEY**

**BY:**

  
\_\_\_\_\_  
**CHRISTINA PLAYTON  
MATTHEW LATHROP  
Assistant U.S. Attorneys**