

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

June 28, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASUnited States of America
v.
JUAN CLAUDIO D'LUNA-MENDEZBY: Crystal Dunford
DEPUTY

Case No. SA:22-MJ-00964

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 27, 2022 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 922(g)(5)

Offense Description

Possession of a weapon by an alien illegally in the United States.

PENALTIES: Up to 10 years imprisonment, \$250,000 fine, 3 years
supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.ERIC
WATKINSDigitally signed by ERIC
WATKINS
Date: 2022.06.28
09:27:54 -05'00'*Complainant's signature*

Special Agent Eric Watkins, ATF

*Printed name and title*Sworn to telephonically and signed electronically.
~~Sworn to before me and signed in my presence.~~Date: June 28, 2022City and state: San Antonio, Texas
Judge's signature

ELIZABETH S. CHESTNEY, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Eric Watkins, duly sworn do hereby depose and state:

1. Your affiant is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since October 2018. Additionally, between April 2014 and October 2018 your affiant was a sworn ATF Task Force Officer, and therefore, since April 2014, your affiant has participated in investigations concerning violations of Titles 18, 21, and 26.
2. On Monday June 27, 2022 at approximately 6:00pm, San Antonio PD Officers responded to an industrial area in reference to deceased humans inside a semi-truck's trailer; officers arrived and confirmed the presence of deceased individuals inside the trailer. Officers researched the Texas registration plate on the semi-truck and found a residence on the 100-block of Arnold Drive in San Antonio, Texas as the truck's registered address with Texas motor vehicle records.
3. San Antonio PD Officers established surveillance on the residence (100-block of Arnold Drive) and observed a truck leave the residence occupied by a young Hispanic male. Officers stopped the truck and identified Juan Claudio D'LUNA-Mendez as the driver.
4. Officers obtained a search warrant for the residence on the 100-block of Arnold Drive based on information gained during a related, but separate, traffic stop. Upon successful service, the officers located an American Tactical Imports model Omni Hybrid, multi-caliber rifle with SN – NS117221, a German Sport Guns model GSG-5P, .22 caliber handgun with SN – A271841, and a Smith & Wesson model M&P 9 Shield M2.0, 9mm handgun with SN – JCD0475 in D'LUNA-Mendez's bedroom.
5. Homeland Security Investigations Special Agents conducted a post-Miranda interview with D'LUNA-Mendez following the execution of the state search warrant. D'LUNA-Mendez admitted to possession of the three firearms in his bedroom. D'LUNA-Mendez also admitted to his immigration status in the United States as a Visa overstay.
6. An ATF Interstate Nexus examination revealed the firearms seized were not manufactured in the State of Texas, and therefore traveled in interstate and/or foreign commerce.
7. At SA Watkins' request, federal immigration officials researched Juan Claudio D'LUNA-Mendez through immigration records and found D'LUNA-Mendez is a Citizen and National of Mexico residing illegally in the United States. D'LUNA-Mendez once possessed valid B-2 Visa and did not return to Mexico upon expiration of the Visa.

Based on the above facts, your affiant believes there is probable cause that D'LUNA-Mendez is an illegal alien who possessed three firearms in violation of 18 U.S.C. §922(g)(5).

ERIC WATKINS

Digitally signed by ERIC
WATKINS
Date: 2022.06.28 09:28:11 -05'00'

Special Agent Eric Watkins
Bureau of Alcohol, Tobacco, Firearms and
Explosives

SUBSCRIBED AND SWORN TO ME THIS 28TH DAY OF JUNE 2022


HONORABLE ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE