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FEB 21 2017	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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**REDACTED FOR  
PUBLIC DISCLOSURE**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

vs.

Israel Torres,  
Defendants.

CR-17-00265-PHX-JAT(JZB)

**INDICTMENT**

VIO: 18 U.S.C. §§ 922(g)(1) and 924(a)(2)  
(Felon in Possession of a Firearm)  
Counts 1 and 2

18 U.S.C. § 924(d) and 28 U.S.C. §  
2461(c)  
(Forfeiture Allegation)

**THE GRAND JURY CHARGES:**

At all times material to this indictment, within the District of Arizona and elsewhere:

**COUNT 1**

Between January 5, 2017, and January 10, 2017, in the District of Arizona, ISRAEL TORRES, having been previously convicted of Aggravated DUI with a person under the age of 15 in the vehicle on July 9, 2004, in Superior Court of Arizona, Maricopa County, case number CR2004-013289-001 and of Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs on August 3, 2010, in Superior Court of Arizona, Maricopa County, case number CR2009-175836-001, both crimes punishable by imprisonment for a term exceeding one year, did knowingly possess a Colt .45 caliber, model M1991A1, Series 80 pistol which had been shipped and transported in interstate and foreign commerce.

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1 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

2 **COUNT 2**

3 On or about February 17, 2017, in the District of Arizona, ISRAEL TORRES, having  
4 been previously convicted of Aggravated DUI with a person under the age of 15 in the  
5 vehicle on July 9, 2004, in Superior Court of Arizona, Maricopa County, case number  
6 CR2004-013289-001 and of Aggravated Driving or Actual Physical Control While Under  
7 the Influence of Intoxicating Liquor or Drugs on August 3, 2010, in Superior Court of  
8 Arizona, Maricopa County, case number CR2009-175836-001, both crimes punishable by  
9 imprisonment for a term exceeding one year, did knowingly possess 10 firearms,  
10 specifically:

- 11 1. Colt .45 caliber, model M1991A1, Series 80 pistol;
- 12 2. Smith and Wesson, .357 revolver;
- 13 3. Mossberg 5.56 rifle;
- 14 4. New Haven by Mossberg 12 gauge shotgun;
- 15 5. Omni .22 caliber long rifle;
- 16 6. WASR-10 7.52 x 39mm rifle;
- 17 7. Russian M1938 7.62 x 54R rifle;
- 18 8. Marlin 30/30 caliber, model 336CS;
- 19 9. Remington .22 caliber, model 511-X long rifle with scope; and
- 20 10. Draco 7.62 x 39 mm rifle

21 the firearms were shipped and transported in interstate and foreign commerce.

22 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

23 **FORFEITURE ALLEGATION**

24 A. The allegations contained in Counts 1 and 2 of this Indictment are hereby realleged  
25 and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18,  
26 United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

27 B. Upon conviction of the offenses in violation of Title 18, United States Code,  
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1 Section 922(g)(1) set forth in this Indictment, defendant shall forfeit to the United States  
2 pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code,  
3 Section 2461(c), any firearms and/or ammunition involved in or used in the knowing  
4 violation of the statute set forth above, including, but not limited to ten firearms listed in  
5 Count 2.

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

- 8 1. cannot be located upon the exercise of due diligence;
- 9 2. has been transferred or sold to, or deposited with, a third party;
- 10 3. has been placed beyond the jurisdiction of the court;
- 11 4. has been substantially diminished in value; or
- 12 5. has been commingled with other property which cannot be divided without  
13 difficulty,

14 the United States of America shall be entitled to forfeiture of substitute property pursuant  
15 to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States  
16 Code, Section 2461(c).

17 All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

18  
19 A TRUE BILL

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21 S/  
22 FOREPERSON OF THE GRAND JURY  
Date: February 21, 2017

23 ELIZABETH A. STRANGE  
24 Acting United States Attorney  
25 District of Arizona

26 S/  
27 LISA E. JENNIS  
28 Assistant U.S. Attorney