

UNITED STATES DISTRICT COURT

for the

Western District of Texas

FILED

June 28, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

JUAN FRANCISCO D'LUNA-BILBAO

BY: Crystal Dunford

DEPUTY

Case No. SA:22-MJ-00963

*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, and \$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
09:26:31 -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 Ford F-250 leave the residence with a single Hispanic male driving. Officers stopped the F-250 and identified Juan Francisco D'LUNA-Bilbao as the driver and sole occupant. D'LUNA-Bilbao informed the officers about the presence of a firearm in the F-250's center console area. Officers searched the center console area and found a Fratelli Tanfoglio model GT380, .380 handgun with SN – T52019.
4. Officers obtained a search warrant for the residence on the 100-block of Arnold Drive, and upon successful service, they located a Mossberg model 600AT, 12-gauge Any Other Weapon (NFA) with SN – G972151 and a Beretta model 8000 Cougar F, 9mm handgun with SN – 007518MC in D'LUNA-Bilbao's bedroom.
5. Homeland Security Investigations Special Agents conducted a post-Miranda interview with D'LUNA-Bilbao following the execution of the state search warrant. D'LUNA-Bilbao admitted to possession of the Tanfoglio handgun in the F-250 and the Mossberg shotgun in his bedroom. D'LUNA-Bilbao 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 Francisco D'LUNA-Bilbao through immigration records and found D'LUNA-Bilbao is a Citizen and National of Mexico residing illegally in the United States. D'LUNA-Bilbao 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-Bilbao is an illegal alien who possessed three firearms in violation of 18 U.S.C. §922(g)(5).

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09:26:49 -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