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MEXICAN NATIONAL SENTENCED FOR HIS ROLE IN CONSPIRACY TO ACQUIRE “STINGER” MISSILE AND OTHER MILITARY GRADE WEAPONS

PHOENIX – On August 22, 2012, David Diaz-Sosa, 27, of Sinaloa, Mexico, was sentenced by U.S. District Judge James A. Teilborg to 25 years in federal prison, to be followed by five years supervised release. Diaz-Sosa entered a guilty plea on April 19, 2011, to all four counts of the superseding indictment, which are, conspiracy to acquire and export an anti-aircraft missile; conspiracy to possess unregistered firearms (machine guns) and transfer firearms for use in a drug trafficking crime; conspiracy to possess with intent to distribute methamphetamine; and possession with intent to distribute methamphetamine. In imposing the sentence, Judge Teilborg referred to the offenses as an “evil enterprise” that, “carried out to its ultimate conclusion,” would put serious weapons in the hands of “bloodthirsty, ruthless, and savage gang members.”

“With the confiscation of a significant quantity of methamphetamine and U.S. currency, this operation not only delivered a financial blow to a Mexican Drug Trafficking Organization, but it also prevented further cartel violence by keeping dangerous weapons out of their hands,” said U.S. Attorney John S. Leonardo. “I commend the ATF, the DEA, and the DCIS for their coordinated efforts in this case and pledge to continue to work with all of our law enforcement partners to bring to justice those involved in the illicit business of trafficking drugs and weapons.”

“The Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) remains steadfast on the front line of violent crime and committed to work with our law enforcement partners to disrupt criminal networks involved in the illegal trafficking and distribution of weapons and narcotics,” said ATF Special Agent in Charge Thomas Atteberry. “Mexico based criminal organizations and drug cartels continue to look towards the United States and in particular the Southwest Border States as a source

of supply for firearms and in this case military grade weapons of war such as; grenades, machine guns, and Man-Portable Air Defense Systems (MANPADS). ATF is committed to keeping America safe along with our law enforcement partners to ensure that these dangerous weapons are kept out of the hands of those that would turn them against the United States. I wish to commend the leadership of U.S. Attorney John S. Leonardo and his office in their prosecution of these criminals,” stated ATF Special Agent in Charge Thomas Atteberry.

“This sentencing was a result of a highly successful joint investigative effort by the Defense Criminal Investigative Service (DCIS), ATF, DEA, and the U.S. Attorney's Office for the District of Arizona,” said Janice M. Flores, Special Agent-in-Charge of the DCIS, Southwest Field Office. “The DCIS is committed to protecting America from this type of activity, and this commitment combined with the courage and determination of the law enforcement agents involved prevented military-grade weapons, including anti-aircraft and anti-tank weapons, from falling into the hands of a Mexican drug cartel. I believe this speaks volumes and serves as a warning for those intent on committing this type of criminal activity that law enforcement will pursue these crimes relentlessly.”

According to court documents, in late 2009, Diaz-Sosa, a weapons and narcotics broker, began negotiating the purchase of high-powered, military-grade weapons for the Sinaloa Drug Cartel, the oldest and largest of the Mexican Drug Cartels. Shortly after the weapons negotiations began, Diaz-Sosa arranged for the delivery of 4.5 pounds of methamphetamine to serve as a down payment for the weapons. A co-conspirator, Emilia Palomino-Robles, made that initial delivery on behalf of Diaz-Sosa. For approximately the next three months, Diaz-Sosa and his associates negotiated with undercover federal agents for the purchase of the following weapons:

- A Dragon Fire anti-tank weapon;
- Two AT-4s (an 84-mm unguided, portable, single-shot recoilless smoothbore weapon);
- A Law Rocket (a Light Anti-Tank Weapon);
- A Stinger Missile (a portable infrared homing anti-aircraft surface-to-air missile);
- Two Def Tech grenade launchers and a dozen 40 mm grenades;
- One M-60 machine gun;
- One .30 caliber machine gun; and
- Three cases of hand grenades.

As negotiations continued, Diaz-Sosa and his associates agreed to exchange both cash and methamphetamine as a final payment for the weapons. On February 17, 2010, Diaz-Sosa arrived at a pre-determined time and location to finalize the weapons exchange. After a brief conversation, and an exchange of over 11 pounds of methamphetamine, Diaz-Sosa and another associate were taken into custody by federal agents. Later that same evening, Palomino-Robles was arrested in possession of \$139,900, which was determined to be an additional portion of the weapons payment.

On March 5, 2012, Palomino-Robles was sentenced to 10 years in federal prison, to be followed by five years supervised release, for her role in the methamphetamine and weapons conspiracy.

The investigation leading to the convictions in this case was conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, and the Defense Criminal Investigative Service. The prosecution was handled by Josh Patrick Parecki, Assistant U.S. Attorney, District of Arizona, Phoenix, and Robert J. Sander, Trial Attorney, Counterterrorism Section, National Security Division, Department of Justice.

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