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MAN SENTENCED TO NINE YEARS IN PRISON FOR SELLING PIPE BOMBS

LAS VEGAS - - An El Paso, Texas man who sold 28 pipe bombs to undercover agents with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in Nevada and Texas in exchange for \$6,300 has been sentenced to nine years in federal prison following his guilty plea to multiple counts of transfer of unregistered destructive devices, announced Gregory A. Brower, United States Attorney for the District of Nevada.

Alfredo Rubio, 24, was sentenced by U.S. District Judge Kent J. Dawson on February 13, 2008. His guilty plea, entered in November 2007, included the resolution of federal charges filed in both Nevada and the Western District of Texas. He pleaded guilty to one count of Transfer of an Unregistered Destructive Device in the Nevada case, and to two counts of Transfer of an Unregistered Destructive Device in the Texas case.

“Individuals who manufacture and sell pipe bombs or other types of unlawful explosives pose a significant threat to the community,” said U.S. Attorney Brower. “The facts of this case are particularly reprehensible, in that the defendant initiated contact with the purchaser of the bombs, and was told that the buyer wished to obtain bombs capable of causing vehicles to explode with such force as to kill or seriously injure the occupants. We take these cases very seriously and will do everything necessary to ensure that individuals who conduct such unlawful activities will be prosecuted in federal court, where stiff penalties can be imposed and defendants are ineligible for parole.”

On or about November 6, 2006, Alfredo Rubio telephonically contacted an individual whom he had heard was interested in purchasing pipe bombs. Rubio had heard from an acquaintance that the individual needed the pipe bombs to “handle some problems” with several individuals in Nevada. Unbeknownst to Rubio, the individual he contacted and was negotiating with was actually an undercover ATF Agent. Over the next several days, the ATF agent had several conversations with Rubio, during which the agent informed Rubio that he needed bombs capable of blowing up a vehicle or SUV and killing or seriously injuring the occupants. Rubio told the agent that the pipe bombs could be attached to vehicles with magnets and that the bombs would “indeed eliminate the individuals inside the vehicles.” On November 9, 2006, in Henderson, Nevada, Rubio sold six pipe bombs to the undercover ATF agent in exchange for \$1,300 dollars. Rubio explained to the agent that he had intentionally made one of the devices

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more powerful than the other five, and had designed and wired it to detonate when the ignition to a vehicle was started. The agent also discussed with Rubio the possibility of obtaining more explosive devices in the future.

The undercover ATF agent continued to have more telephone conversations with Rubio, which led to a January 20, 2007, meeting between Rubio and a second undercover ATF agent in El Paso, Texas. On that date, Rubio sold the second ATF agent seven pipe bombs, which he said he had manufactured himself, in exchange for \$2,000. Following that sale, agents continued negotiating with Rubio for the purchase of still more explosive devices.

On February 21, 2007, Rubio met with undercover ATF agents in Canutillo, Texas, to sell additional pipe bombs. On this occasion, Rubio was accompanied by Juan Ortiz and a juvenile female. Rubio sold the ATF agents 15 pipe bombs, which Rubio told agents that he and Ortiz had manufactured, in exchange for \$3,000. Immediately following the exchange, agents with ATF arrested Rubio and Ortiz. Ortiz told agents that Rubio had taught him how to build pipe bombs, and Ortiz has pleaded guilty to charges relating to the manufacture of the pipe bombs sold to undercover agents on February 21, 2007. He is currently awaiting sentencing in the Western District of Texas.

“ATF consistently investigates cases that involve the illegal use of explosives and explosive devices, such as pipe bombs,” said Stephen K. Martin, Special Agent in Charge of ATF’s San Francisco Field Division.. “These pipe bombs were destined for our communities and communities as far away as Texas. We are happy they made it into our hands instead.”

An ATF forensic examination revealed that all of the 28 pipe bombs sold by Rubio to the undercover agents contained explosive powder and components. Additionally, a search of Rubio’s vehicle following his arrest in Texas revealed numerous items, including: pvc pipes, fuses, electrical tape, magnets, explosive smokeless powder, numerous sizes of BBs, CO2 cartridges, charcoal lighter fluid, and other miscellaneous items used in the manufacture of explosive devices.

The case was investigated by ATF and prosecuted by Assistant United States Attorney Christina M. Brown.

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