

From: Newell, William D.

Sent: Wednesday, December 15, 2010 11:43 PM

To: Voth, David J.; Needles, James R.; Gillett, George T. Jr.

CC: Zicha, Marjorie L.; Serrano, Ricardo

Subject: Re: Avila in custody

Great job.

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From: Voth, David J.

To: Newell, William D.; Needles, James R.; Gillett, George T. Jr.

Cc: Zicha, Marjorie L.; Serrano, Ricardo

Sent: Wed Dec 15 23:41:30 2010

Subject: Avila in custody

We (ATF) have Jaime Avila in our custody. We are coordinating with the USAO to charge him in the morning via Complaint. We are holding him overnight in custody.

We are charging Avila with a standalone June 2010 firearms purchase where he used a bad (old) address on the 4473. [924(a)(1)(A) – False records required to be kept by dealer.] This way we do not divulge our current case (Fast & Furious) or the Border Patrol shooting case.

Thanks,

David Voth

Group Supervisor

Phoenix Group VII



[REDACTED]

From: Voth, David J.
Sent: Thursday, December 16, 2010 10:11 AM
To: Newell, William D.; Gillett, George T. Jr.
Subject: change in charging

Gentlemen,

After speaking with Emory he saw the wisdom in not charging the AK-47 rifles in question so as to not complicate the FBI's investigation. As such we are back to our original plan to charge the June guns purchased by Jaime AVILA.

David Voth
Group Supervisor
Phoenix Group VII
[REDACTED]