

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:14-CR-41
	§	Judge Schneider
OMAR BONIFACIO BONILLA (01)	§	
a/k/a "Pelon"		

ELEMENTS OF THE OFFENSE

The defendant is charged in Count Two of the indictment with an illegal gambling business, in violation of 18 U.S.C. § 1955. The essential elements which must be proven to establish this violation are:

1. That five or more persons, including the defendant, knowingly conducted, financed, managed, supervised, directed, or owned all or part of a gambling business, as charged;
2. That such gambling business violated the laws of the state of Texas or some political subdivision thereof. Using any real estate as a gambling place is against the laws of the state of Texas. In addition, it is illegal under Texas law to conduct a horse race without an appropriate license from the Texas Racing Commission when betting on the outcome of the race occurs; and
3. That such gambling business was in substantially continuous operation for a period in excess of 30 days, or had gross revenue of \$2,000 or more on any one day.

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/s/ L. Frank Coan, Jr. _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading has been served on counsel for the defendant via the Court's CM/ECF system on this the 8th day of June, 2015.

/s/ L. Frank Coan, Jr. _____

L. Frank Coan, Jr.