

# Gun-tracking operation caught top suspect, let him go

By Richard A. Serrano / Tribune Washington Bureau  
Monday, March 19, 2012 - Added 6 days ago

WASHINGTON — Seven months after federal ATF agents launched the ill-fated Fast and Furious gun-tracking operation, they stumbled upon their main suspect in a remote Arizona outpost on the Mexican border, driving an old BMW with 74 rounds of ammunition and nine cellphones hidden inside.

Detained for questioning that day in May 2010, Manuel Fabian Celis-Acosta described his close association with a top Mexican drug cartel member, according to documents obtained this weekend by the Los Angeles Times/Tribune Washington Bureau. The top Fast and Furious investigator, Special Agent Hope MacAllister, scribbled her phone number on a \$10 bill after he pledged to cooperate and keep in touch with investigators.

Then Celis-Acosta disappeared into Mexico. He never called.

Had they arrested him red-handed trying to smuggle ammunition into Mexico, Fast and Furious could have ended quickly. Instead, the program dragged on for another eight months, spiraling out of control.

Celis-Acosta continued slipping back and forth across the border, allegedly illegally purchasing more U.S. weapons and financing others. He was not arrested until February 2011, a month after Fast and Furious closed down.

The operation, run by the ATF's Phoenix field office, allowed illegal gun purchases in Arizona in hopes of tracking the weapons to Mexican drug cartel leaders. Instead, about 1,700 guns vanished, and scores turned up at crime scenes in Mexico. Two were found south of Tucson where U.S. Border Patrol agent Brian Terry was shot to death in December 2010.

Why the federal Bureau of Alcohol, Tobacco, Firearms and Explosives did not arrest Celis-Acosta immediately is not clear. He was their prime suspect and the subject of secret wiretaps approved by the Department of Justice.

“Due to the fact that the criminal case is still ongoing in the courts, and the Inspector General's office is still investigating, we cannot comment about this,” ATF chief spokesman Drew Wade said.

Other law enforcement officials, speaking anonymously because of ongoing investigations, acknowledged it was a crucial blunder in a deeply flawed program. “I don't know why they didn't arrest him,” said one. “They certainly could have.”

But, argued another, agents might have viewed Celis-Acosta as a possible conduit to the cartels. “He was cooperating and talking a lot and giving up a lot,” he said. “From an investigative standpoint, that's pretty good information you're getting. Maybe he can hook you into even bigger fish.”

Fast and Furious, which is under investigation by the Justice Department's Inspector General, Rep. Darrell Issa, R-Calif., and Sen. Charles E. Grassley, R-Iowa, began on Oct. 31, 2009. From the start, Celis-Acosta, now 24, was the main target, according to internal ATF documents that have not been publicly released. An ATF flow chart listed him at the top of more than two dozen individuals involved in the gun-smuggling ring.

The documents state that Celis-Acosta led the smuggling ring and that he was paid from drug proceeds to illegally acquire firearms for cartels. He carried a permanent U.S. resident card, a Social Security number and an Arizona driver's license. He moved easily between homes in Mexico and Phoenix. Eventually arrested by U.S. marshals at a relative's home in El Paso, he pleaded not guilty to gun-smuggling charges as one of 19 Fast and Furious defendants. None of the 19 has gone to trial.

According to an ATF "Report of Investigation," prepared by MacAllister, authorized by her supervisor, David J. Voth, and reviewed by William D. Newell, then the ATF special agent-in-charge in Arizona, U.S. authorities stopped Celis-Acosta as he headed south through the border town of Lukeville, Ariz.

The document said an ammunition magazine containing 74 rounds was hidden in a spare tire, and the phones in the dash. In the trunk of the 2002 BMW 754i was a ledger referring to money given to "Killer" and a list of firearms.

Celis-Acosta first said he did not know the ammunition was inside. He said a friend's mother bought the BMW "with a credit card."

MacAllister was called to the scene, and Celis-Acosta began to open up. He admitted he knew "a lot about firearms." He conceded he was en route to a birthday party for "Chendi," a close associate who he said was a Mexican cartel member and "right-hand man" to Joaquin "Chapo" Guzman, head of the Sinaloa cartel.

Celis-Acosta said Chendi moved 6,000 pounds of marijuana a week into the U.S., terrorized Mexican police, wore a \$15,000 wristwatch and lived in a home with "a lot of gold" inside and a landing strip outside.

MacAllister checked with the Drug Enforcement Administration and learned Chendi — real name Claudio Jamie Badilla — was a "large-scale marijuana and multi-kilogram cocaine trafficker."

MacAllister asked Celis-Acosta if he "would be willing to cooperate." When he said yes, they confiscated the ammunition and let him go.