



# Department of Justice

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## **FORMER SOLDIER INDICTED IN ILLEGAL MACHINE GUN CASE**

### ***National Guard Soldier Allegedly Smuggled Machine Guns Back to U.S. From Duty in Iraq and Traded Them For All Terrain Vehicle***

Atlanta, GA - ROBERT JAMES CLYMORE, 38, of Fayetteville, North Carolina, was arraigned in federal court today after having been indicted by a federal grand jury on June 13, 2006, on charges of unlawful importation, possession, transportation, and transfer of machine guns.

“The possession and transportation of illegal and dangerous machine guns into our state is a serious crime with the potential for serious penalties,” said United States Attorney David E. Nahmias. “This indictment confirms our continued stand against unlawful firearms smuggling in any form.”

According to United States Attorney Nahmias, the charges and other information presented in court: CLYMORE, while on active duty with his Army National Guard unit in Iraq, acquired four foreign-made machine guns and smuggled them back into the United States in his gear when his tour of duty ended. In December 2005, CLYMORE brought the firearms to a gun dealer in Taylorsville (Bartow County), Georgia, and negotiated a deal with the gun dealer to trade an All Terrain Vehicle and a pistol for the four machine guns. The gun dealer informed the FBI about the machine guns, and the FBI set up surveillance to record the transaction the following day, December 15, 2005, when CLYMORE came back to the gun dealer to complete the trade. The four machine guns were then seized by the FBI.

The six-count indictment charges CLYMORE with violations of federal firearms and tax laws, which make it federal crimes to unlawfully import, possess, transport across state lines, and transfer machine guns which are not registered per federal laws. The charges carry a maximum sentence of twenty-five years in prison and a fine of up to \$1.25 million.

This case is being investigated by Special Agents of the Federal Bureau of Investigation.

Assistant United States Attorney Todd C. Alley is prosecuting the case.

Members of the public are reminded that the indictment contains only allegations. A defendant is presumed innocent of the charges and it will be the government's burden to prove a defendant's guilt beyond a reasonable doubt at trial.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is [www.usdoj.gov/usao/gan](http://www.usdoj.gov/usao/gan).