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5 DISTRICT OF IDAHO
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U.S. DISTRICT COURT
POCATELLO, IDAHO
JUL 22 2003
CLERK'S OFFICE

6 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

9 UNITED STATES OF AMERICA,)

10 Plaintiff,)

11 vs.)

12 DUSTIN HOLM,)

13 Defendant.)
14

Case No. **03-220-E-BLW**

SUPERSEDING INDICTMENT

Vio. 18 U.S.C. § 876 (c)

15 **The Grand Jury charges:**

16 **COUNT ONE**

17 That on or about the 2nd day of July, 2003, in the State and District of Idaho, the defendant,
18 **DUSTIN HOLM**, knowingly did cause to be delivered by the Postal Service according to the
19 directions thereon, with the intent to threaten, a written communication, the envelope postmarked
20 01 Jul 2003, addressed to "U.S. District Court Clerk, 801 S. Sherman #198, Pocatello, Idaho
21 83201," and containing a threat to injure the persons inside the U.S. Courthouse in Pocatello, Idaho;
22 in violation of Title 18, United States Code, Section 876(c).

23 **COUNT TWO**

24 That on or about the 3rd day of July, in the State and the District of Idaho, the
25 defendant, **DUSTIN HOLM**, knowingly did cause to be delivered by the Postal Service
26 according to the directions thereon, with the intent to threaten, a written communication, the
27 envelope postmarked 01 Jul 2003, addressed to "Security Personnel [sic], Idaho Nuclear
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1 Engineering Laboratories, 850 Energy Dr., Idaho Falls, Idaho 83402", and containing a threat to
2 injure the persons inside the building at 850 Energy Drive, Idaho Falls, Idaho; in violation of
3 Title 18, United States Code, Section 876(c).

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5 **COUNT THREE**

6 That on or about the 8th day of July, 2003, in the State and District of Idaho, the
7 defendant, **DUSTIN HOLM**, knowingly did cause to be delivered by the Postal Service
8 according to the directions thereon, with the intent to threaten, a written communication, the
9 envelope postmarked 01 Jul 2003, addressed to "Dept. of Air Force, 1920 E. 17th St., Idaho Falls,
10 Id. 83401", and containing a threat to injure the person who opened the envelope and other
11 persons in the building; in violation of Title 18 United States Code. Section 876(c).

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13 **COUNT FOUR**

14 That on or about the 1st day of July, 2003, in the State and District of Idaho, the
15 defendant, **DUSTIN HOLM**, knowingly deposited in an authorized repository for mail matter,
16 with the intent to threaten, by giving it to a jailer in the Bingham County Jail, Blackfoot, Idaho,
17 to be sent or delivered by the Post Office, a written communication, the envelope postmarked 01
18 Jul 2003, addressed to "Federal Bureau of Investigations, 545 W. Broadway, Jackson, Wyoming
19 83025," and containing a threat to injure persons in that building; in violation of Title 18, United
20 States Code, Section 876(c).

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22 **COUNT FIVE**

23 That on or about the 1st day of July, 2003, in the State and District of Idaho, the
24 defendant, **DUSTIN HOLM**, knowingly deposited in an authorized repository for mail matter,
25 with the intent to threaten, by giving it to a jailer in the Bingham County Jail, Blackfoot, Idaho,
26 to be sent or delivered by the Post Office, a written communication, the envelope postmarked 01
27 Jul 2003, addressed to "U.S. Customs Dept., * c/o* U.S. Marshals, 250 S. 4th Ave., Pocatello,
28 Idaho 83201," and containing a threat to injure persons in that building; in violation of Title 18,

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United States Code, Section 876(c).

COUNT SIX

That on or about the 1st day of July, 2003, in the State and District of Idaho, the defendant, **DUSTIN HOLM**, knowingly deposited in an authorized repository for mail matter, with the intent to threaten, by giving it to a jailer in the Bingham County Jail, Blackfoot, Idaho, to be sent or delivered by the Post Office, a written communication, the envelope postmarked 01 Jul 2003, addressed to "U.S. Marshals, 135 E. Simpson Ave, Jackson, Wyoming 83025," and containing a threat to injure persons in that building; in violation of Title 18, United States Code, Section 876(c).

DATED this 27 day of June, 2004.

A TRUE BILL:


FOREPERSON

THOMAS E. MOSS
United States Attorney

By: 
JACK B. HAYCOCK
Assistant United States Attorney

CRIMINAL COVERSHEET

DEFENDANT'S NAME: Dustin Holm

DEFENDANT'S STREET ADDRESS:

DEFENSE ATTORNEY: Steve V. Richert
 Address: 801 E. Sherman, #177
 Pocatello, Idaho 83201
 Telephone No.: 208-478-4155

Juvenile: No

Service Type: Non-Secret/Warrant

Interpreter: No
 If yes, language:

INVESTIGATING AGENCY & AGENT: S/A Kyle Wright, FBI
 Pocatello, Idaho

CASE INFORMATION: (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)

CRIMINAL CHARGING INFORMATION

Complaint
 Indictment
 Information
 Superseding Indictment

Felony
 Class A Misdemeanor
 Class B or C Misdemeanor (Petty Offense)

County of Offense: Bingham
 Estimated Trial Time: 3 days

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES <i>(Include Supervised Release and Special Assessments)</i>
18 U.S.C. § 876(c)	1-6	Mailing Threatening Communications	Maximum of 5 years incarceration and/or \$250,000 fine, 3 years supervised release, and \$100 special assessment, on each count

Date: June 18, 2004

AUSA: Jack B. Haycock
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