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FILED

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CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
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7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 2:10-~~CR~~-0117-~~FO~~

11 UNITED STATES OF AMERICA,) CR. NO.
12)
12 Plaintiff,) VIOLATIONS: 18 U.S.C. § 875(c) -
13) Interstate Communication of
13 v.) Threat to Injure the Person of
14) Another; 18 U.S.C. § 922(g)(1) -
14 MICAH JAMES GODFREY,) Felon in Possession of Firearm
15) (2 counts); 18 U.S.C. § 924(d) &
15 Defendant.) 28 U.S.C. § 2461(c) - Criminal
16) Forfeiture
16)

17 I N D I C T M E N T

18 COUNT ONE: [18 U.S.C. § 875(c) - Interstate Communication of
19 Threat to Injure the Person of Another]

20 The Grand Jury charges: T H A T

21 MICAH JAMES GODFREY,
22 defendant herein, on or about March 5, 2010, in Siskiyou County,
23 State and Eastern District of California, did knowingly transmit
24 in interstate and foreign commerce a communication containing a
25 threat to injure the person of another, specifically, the
26 defendant emailed a message to an internet web site which
27 contained a threat to kill DEA agents and their families, in
28 violation of Title 18, United States Code, Section 875(c).

1 COUNT TWO: [18 U.S.C. § 922(g)(1) - Felon in Possession of
2 Firearm]

3 The Grand Jury further charges: T H A T

4 MICAH JAMES GODFREY,
5 defendant herein, on or about March 11, 2010, in Siskiyou County,
6 State and Eastern District of California, having been convicted
7 of one or more crimes punishable by a term of imprisonment
8 exceeding one year, that is:

9 a. First Degree Burglary, in violation of California
10 Penal Code Section 459, on or about January 31, 1992,
in the Superior Court of Placer County, California, and

11 b. Obstructing/Resisting Executive Officer, in
12 violation of California Penal Code Section 69, on or
about January 29, 2001, in the Superior Court of Placer
13 County California,

14 did knowingly possess a firearm, to wit: a .44 caliber black
15 powder revolver, serial no. R384476, manufactured by Fratelli
16 Pietta imported from Italy, which had been converted to fire .45
17 caliber centerfire ammunition, in and affecting commerce, in that
18 said firearm had been transported in foreign and interstate
19 commerce, in violation of Title 18, United States Code, Section
20 922(g)(1).

21 COUNT THREE: [18 U.S.C. § 922(g)(1) - Felon in Possession of
22 Firearm]

23 The Grand Jury further charges: T H A T

24 MICAH JAMES GODFREY,
25 defendant herein, on or about March 12, 2010, in Siskiyou County,
26 State and Eastern District of California, having been convicted
27 of one or more crimes punishable by a term of imprisonment
28 exceeding one year, that is:

1 a. First Degree Burglary, in violation of California
2 Penal Code Section 459, on or about January 31, 1992,
in the Superior Court of Placer County, California, and

3 b. Obstructing/Resisting Executive Officer, in
4 violation of California Penal Code Section 69, on or
about January 29, 2001, in the Superior Court of Placer
5 County California,

6 did knowingly possess one or more firearms, to wit:

7 a. Winchester Model 06, .22 caliber rifle, serial
8 number 816621, and

9 b. Wards Western Field, Model 36D, .22 caliber rifle
(no serial number),

10 in and affecting commerce, in that each of said firearms had been
11 transported in interstate commerce, in violation of Title 18,
12 United States Code, Section 922(g)(1).

13 FORFEITURE ALLEGATION: [18 U.S.C. § 924(d) & 28 U.S.C.
14 § 2461(c)-Criminal Forfeiture]

15 The Grand Jury further charges:

16 MICAH JAMES GODFREY,


17 defendant herein, as follows:

18 Upon conviction of one or more of the offenses alleged in
19 Counts Two and Three of this Indictment, the defendant shall
20 forfeit to the United States pursuant to 18 U.S.C. § 924(d) and
21 28 U.S.C. § 2461(c), any firearms and ammunition involved or used
22 in the knowing commission of the offense.

23 A TRUE BILL

24 /s/ Signature on file w/AUSA

25 FOREPERSON

26 
27 BENJAMIN B. WAGNER
28 United States Attorney

No. 2:10-cr-0117-JD

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

THE UNITED STATES OF AMERICA

vs.

MICAH JAMES GODFREY

INDICTMENT

VIOLATION(S): 18 U.S.C. § 875(c) - Interstate Communication of Threat to Injure the Person of Another; 18 U.S.C. § 922(g)(1) - Felon in Possession of Firearm (2 counts); 18 U.S.C. 924(d) & 28 U.S.C. § 2461(c) - Criminal Forfeiture

A true bill,

/s/
Foreman.

Filed in open court this 25th day

of March, A.D. 20 10

RBu
Clerk.

Bail, \$ No Bail - Previously Ordered Detained.

Dale A. Dyd

210-0117-0

PENALTY SLIP

DEFENDANT: MICAH JAMES GODFREY

COUNT ONE

VIOLATION: 18 U.S.C. § 875(c) - Interstate Communication of Threat to Injure the Person of Another

PENALTY: up to 5 years in prison
up to \$ 250,000 fine
up to 3 years TSR

COUNTS TWO and THREE

VIOLATION: 18 U.S.C. § 922(g)(1) - Felon in Possession of Firearms

PENALTY: up to 10 years in prison
up to \$250,000 fine
up to 3 years TSR

PENALTY

ASSESSMENT: \$100.00 special assessment (per count)