

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
June 2004 Grand Jury

UNITED STATES OF AMERICA,) CR No. 04-1619-GHK
)
Plaintiff,) I N D I C T M E N T
)
v.) [18 U.S.C. § 1030(a)(5)(A)(i);
) Unauthorized Impairment Of A
NICHOLAS LEE JACOBSEN,) Protected Computer; 18 U.S.C.
) § 1030(a)(5)(A)(ii):
Defendant.) Unauthorized Access Of A
) Protected Computer]
)

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1030(a)(5)(A)(i)]

Between on or about March 15, 2004, and on or about October
26, 2004, in Orange County, within the Central District of
California, and elsewhere, defendant NICHOLAS LEE JACOBSEN
knowingly caused the transmission of a program, information,
codes, and commands, and as a result of such conduct,
intentionally and without authorization caused damage by
impairing the integrity and availability of data, a program, a

///
WLH:wlh

1 system, and information on a computer system that was used in
2 interstate and foreign commerce and communications, thereby
3 causing loss to one or more persons aggregating at least \$5,000
4 in value during a one-year period beginning March 15, 2004.

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

COUNT TWO

[18 U.S.C. § 1030(a)(5)(A)(ii)]

Between on or about March 15, 2004, and on or about October 26, 2004, in Orange County, and elsewhere, within the Central District of California, defendant NICHOLAS LEE JACOBSEN intentionally accessed without authorization a computer system that was used in interstate and foreign commerce and communications, and, as a result of such conduct, recklessly caused damage by impairing the integrity and availability of data, a program, a system, and information, thereby causing loss to one or more persons aggregating at least \$5,000 in value during a one-year period beginning March 15, 2004.

1 ADDITIONAL ALLEGATIONS

2 The Grand Jury further alleges that:

3 1. The offenses charged in Counts One and Two involved
4 sophisticated means -- that is, especially complex or especially
5 intricate offense conduct pertaining to the execution or
6 concealment of the offenses.

7 2. The offenses charged in Counts One and Two involved the
8 intent to obtain personal information.

9 3. Defendant NICHOLAS LEE JACOBSEN used a special skill --
10 namely, his skill with computers -- in a manner that
11 significantly facilitated the commission and concealment of the
12 offenses charged in Counts One and Two.

13
14 A TRUE BILL

15
16 Foreperson

17
18
19 DEBRA W. YANG
20 United States Attorney

21
22 STEVEN D. CLYMER
23 Special Assistant United States Attorney
24 Chief, Criminal Division

25
26 WESLEY L. HSU
27 Assistant United States Attorney
28 Cyber and Intellectual Property Crimes Section