

FILED
MAR 20 2019

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT - WVND
MARTINSBURG, WV 26101**

UNITED STATES OF AMERICA,

v.

MICHAEL KENNEDY,

Defendant.

Criminal No.

3:19CR29

Violation:

18 U.S.C. § 242

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(Deprivation of Rights under Color of Law)

On or about November 19, 2018, in Berkeley County, West Virginia, within the Northern District of West Virginia, the defendant, **MICHAEL KENNEDY**, while acting under color of law, physically assaulted J.H., a person known to the Grand Jury, during his arrest, and thereby willfully deprived J.H. of the right, secured and protected by the Constitution and laws of the United States, to be free from unreasonable seizures, which includes the right to be free from the use of unreasonable force by one acting under color of law. As a result of the defendant's actions, J.H. suffered bodily injury.

All in violation of Title 18, United States Code, Section 242.

A true bill,

/s/
Grand Jury Foreperson
(Signature on File)

/s/
William J. Powell
United States Attorney

Jarod J. Douglas
Assistant United States Attorney

Christine M. Siscaretti
Department of Justice Trial Attorney
Criminal Section
Civil Rights Division