

No.

Filed

FEB 19 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION CRY 4 00090**

DLJ

PSG

**THE UNITED STATES OF AMERICA**

**vs.**

**JASON KEITH SMITH**

**INDICTMENT**

**Count One: 18 U.S.C. § 875 – Interstate Communications (Threat)**

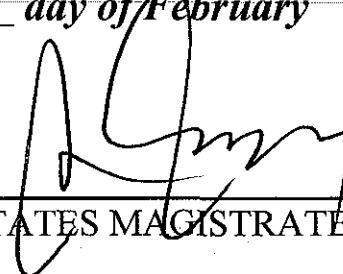
*A true bill.*



*Foreperson*

*Filed in open court this 19 day of February*

*A.D. 2014*

  
**UNITED STATES MAGISTRATE JUDGE**

*Bail. \$ No Process*

1 MELINDA HAAG (CABN 132612)  
2 United States Attorney

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FEB 1 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

DLJ

PSG

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON KEITH SMITH,

Defendant,

CR 14 00090

NO. 1 } VIOLATION: 18 U.S.C. § 875 (c) – Interstate  
} Communications (Threat)

} SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

Beginning on or about December 3, 2012, and continuing on or about December 7, 2012, the defendant,

JASON KEITH SMITH,

did knowingly and intentionally transmit in interstate and foreign commerce a threat to injure the person of another, to wit: the defendant made numerous telephone calls of bomb threats and other threats to injure the staff and students at the San Benito High School in Hollister, California, all in violation of

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1 Title 18, United States Code, Section 875(c).

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DATED: 2/19/14

A TRUE BILL

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MELINDA HAAG  
United States Attorney

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JEFF NEDROW  
San Jose Branch Chief

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Approved as to form:

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JOSEPH FAZIOLI  
Assistant United States Attorney

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FOREPERSON

## DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

## OFFENSE CHARGED

COUNT ONE: 18 U.S.C. § 875(c) - Interstate Communications  
 (Threat)

Petty  
 Minor  
 Misdemeanor  
 Felony

## PENALTY:

5 years imprisonment, \$250,000 fine, 3 years supervised release  
 and \$100 special assessment.

Name of District Court, and/or Judge/Magistrate location

NORTHERN DISTRICT OF CALIFORNIA

*FBI*  
 SAN JOSE DIVISION 414

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 SAN JOSE  
 JASON KEITH SMITH

DLJ

## DEFENDANT - U.S.

NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

## DISTRICT COURT NUMBER

CR 14 00090 PSG

## PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

S/A Gail Paresa - FBI

person is awaiting trial in another Federal or State Court,  
 give name of court

this person/proceeding is transferred from another district  
 per (circle one) FRCrp 20, 21, or 40. Show District

this is a reprocution of  
 charges previously dismissed  
 which were dismissed on motion  
 of:

U.S. ATTORNEY  DEFENSE

this prosecution relates to a  
 pending case involving this same  
 defendant

prior proceedings or appearance(s)  
 before U.S. Magistrate regarding this  
 defendant were recorded under

SHOW  
 DOCKET NO.

MAGISTRATE  
 CASE NO.

CR 13-70031 HRL

Name and Office of Person

Furnishing Information on this form

MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S.  
 Attorney (if assigned)

AUSA FAZIOLI

## IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1)  If not detained give date any prior  
 summons was served on above charges

2)  Is a Fugitive

3)  Is on Bail or Release from (show District)

Eastern District of Michigan

## IS IN CUSTODY

4)  On this charge

5)  On another conviction

}  Federal  State

6)  Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer  Yes  
 been filed?  No

} If "Yes"  
 give date  
 filed

DATE OF  
 ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

This report amends AO 257 previously submitted

## PROCESS:

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: \_\_\_\_\_

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or  
 warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: \_\_\_\_\_ Before Judge: \_\_\_\_\_

Comments:

Filed

United States District Court  
Northern District of California

FEB 19 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

## CRIMINAL COVER SHEET

**Instructions:** Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

DLJ

Case Name:

USA v. JASON KEITH SMITH

Case Number:

CR 14 00090 PSG

Total Number of Defendants:

1  2-7  8 or more 

Is This Case Under Seal?

Yes  No 

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes  No 

Venue (Per Crim. L.R. 18-1):

SF  OAK  SJ  EUR  MON 

Is any defendant charged with a death-penalty-eligible crime?

Yes  No 

Assigned AUSA (Lead Attorney):

JOSEPH A. FAZIOLI

Is this a RICO Act gang case?

Yes  No 

Date Submitted:

February 19, 2014

Comments:

Save

Print

Clear Form