

AO 257 (Rev. 6/78)

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

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

OFFENSE CHARGED

43 C.F.R. § 2808.10(a) - Trespass (Class A Misdemeanor); 43 C.F.R. § 4140.1(b)(3) - Damaging United States Property (Class A Misdemeanor)
 Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Maximum Prison Term: 1 year
Maximum Fine: \$100,000
Maximum Supervised Release Term: 1 year
Mandatory Special Assessment Fee: \$25

DEFENDANT - U.S.

▶ **WAYNE ALAN WATERS and JOYCE LINNETTE WATERS**

DISTRICT COURT NUMBER **CR 09 0381**

NJV

DEFENDANT

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)

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 been filed? Yes } If "Yes" give date filed
 No } 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

PROCEEDING

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

Bureau of Land Management

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 reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. ATTORNEY DEFENSE } **SHOW DOCKET NO.**

this prosecution relates to a pending case involving this same defendant } **MAGISTRATE CASE NO.**

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

Name and Office of Person Furnishing Information on this form **JOSEPH P. RUSSONIELLO**
 U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) **WENDY M. THOMAS**

ADDITIONAL INFORMATION OR COMMENTS

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
05 APR 10 11:09 AM
NICHAL...
CLERK OF DISTRICT COURT
EUREKA, CALIFORNIA

1 JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 EUREKA DIVISION

NJV

11
12 UNITED STATES OF AMERICA,

CR No. 09

0381

13 Plaintiff,

14 v.

15 WAYNE ALAN WATERS, and
16 JOYCE LINNETTE WATERS,

17 Defendants.

VIOLATIONS: 43 C.F.R. § 2808.10(a) -
Trespass (Class A Misdemeanor); 43 C.F.R.
§ 4140.1(b)(3) - Damaging United States
Property (Class A Misdemeanor)

EUREKA VENUE

18 INFORMATION

19 The United States Attorney charges:

20 COUNT ONE: 43 C.F.R. § 2808.10(a) - Trespass

21 On or about and between February of 2004, and December 5, 2008, on federal lands in the
22 Northern District of California, within the boundaries of an area administered by the Bureau of
23 Land Management, the defendants,

24
25 WAYNE ALAN WATERS, and
26 JOYCE LINNETTE WATERS,

27 did wilfully use, occupy, and develop public lands and their resources without the required
28 authorization, and in a way that is beyond the scope and terms and conditions of received

1 authorization from the Bureau of Land Management, in violation of Title 43, Code of Federal
2 Regulations, Section 2808.10(a), a Class A misdemeanor.

3 COUNT TWO: 43 C.F.R. § 4140.1(b)(3) - Damaging United States Property

4 On or about and between February of 2004, and December 5, 2008, on federal lands in the
5 Northern District of California, on lands administered by the Bureau of Land Management, the
6 defendants,
7 WAYNE ALAN WATERS, and
8 JOYCE LINNETTE WATERS,
9 did cut, burn, spray, destroy, remove, and otherwise damage vegetation, without appropriate
10 federal authorization, in violation of Title 43, Code of Federal Regulations, Section 4140.1(b)(3),
11 a Class A misdemeanor.

11 DATED April 9, 2009

12 JOSEPH P. RUSSONIELLO
13 United States Attorney

14 Kyle F. Waldinger
15 KYLE F. WALDINGER
16 Deputy Chief, Major Crimes Section

17 (Approved as to form: Wendy M. Thomas)

18 WENDY M. THOMAS
19 Special Assistant United States Attorney

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