

The Hon. Richard A. Jones

Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington.

May 25 20 11
WILLIAM M. McCOOL, Clerk
By H. Brent Zachary Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

COLTON HARRIS-MOORE,

Defendant.

NO. CR10-336-RAJ

FIRST SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT 1
(Bank Burglary)

On or about September 5, 2009, at Eastsound, within the Western District of Washington, COLTON HARRIS-MOORE did enter and attempt to enter Islanders Bank, at 475 Fern Street, Eastsound, Washington, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, with the intent to commit in such bank larceny, in violation of Title 18, United States Code, Section 2113(b).

All in violation of Title 18, United States Code, Section 2113(a).

COUNT 2

(Interstate Transportation of Stolen Aircraft)

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3 Between on or about September 29, 2009, and October 1, 2009, at Granite Falls,
4 within the Western District of Washington, COLTON HARRIS-MOORE did unlawfully
5 transport in interstate commerce a stolen aircraft, that is, one 2005 Cessna T182T, from
6 the State of Idaho to the State of Washington, knowing the same to be stolen.

7 All in violation of Title 18, United States Code, Section 2312.

COUNT 3

(Interstate and Foreign Transportation of a Stolen Firearm)

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10 Between on or about September 24, 2009, and October 4, 2009, at Granite Falls,
11 within the Western District of Washington, COLTON HARRIS-MOORE knowingly
12 transported in interstate and foreign commerce, from British Columbia, Canada, through
13 the State of Idaho, to the State of Washington, a stolen firearm, that is, a .32 caliber pistol,
14 knowing and having reasonable cause to know the firearm was stolen.

15 All in violation of Title 18, United States Code, Sections 922(i) and 924(a)(2).

COUNT 4

(Fugitive in Possession of a Firearm)

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19 Beginning on or about October 1, 2009, and continuing until a time unknown, but
20 before May 6, 2010, at Granite Falls and elsewhere, within the Western District of
21 Washington, COLTON HARRIS-MOORE, then being a fugitive from justice, did
22 knowingly possess in and affecting interstate commerce a firearm, that is, a Jennings .22
23 caliber pistol, said firearm having been shipped or transported in interstate commerce.

24 All in violation of Title 18, United States Code, Sections 922(g)(2) and 924(a)(2).

1 **COUNT 5**

2 **(Piloting an Aircraft Without a Valid Airman's Certificate)**

3 On or about February 10, 2010, at Anacortes and elsewhere, within the Western
4 District of Washington, COLTON HARRIS-MOORE knowingly and willfully did serve
5 and attempt to serve in any capacity as an airman, without an airman's certificate
6 authorizing him to serve in that capacity.

7 All in violation of Title 49, United States Code, Section 46306(b)(7).

8 **COUNT 6**

9 **(Interstate Transportation of Stolen Vessel)**

10 On or about May 31, 2010, at Ilwaco, within the Western District of Washington,
11 COLTON HARRIS-MOORE did unlawfully transport in interstate commerce a stolen
12 vessel, that is, one 34' Ocean Sport, from the State of Washington to the State of Oregon,
13 knowing the same to be stolen.

14 All in violation of Title 18, United States Code, Section 2312.

15 **ALLEGATION OF FORFEITURE**

16
17 1. The allegations contained in Counts 1, 2, 3, 4 and 6 of this Indictment are
18 hereby realleged and incorporated by reference for the purpose of alleging forfeitures to
19 the United States of America pursuant to Title 18, United States Code, Sections 924,
20 981(a)(1)(C), and 982(a)(5), and Title 28, United States Code, Section 2461(c).

21 2. Upon conviction of the offense alleged in Count 1 of this Indictment, the
22 defendant, COLTON HARRIS-MOORE, shall forfeit to the United States any property,
23 real or personal, which constitutes or is derived from proceeds traceable to a violation of
24 Title 18, United States Code, Section 2113(a), pursuant to Title 18, United States Code,
25 Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c). The property to
26 be forfeited includes, but is not limited to, the following:

- 27 a. Any and all intellectual property or other proprietary rights belonging
28 to the defendant, based upon or pertaining to any narration,

1 description, publication, dissemination, or disclosure of information
2 relating to any conduct, event, or action, or sequence thereof, alleged
3 in the First Superseding Indictment.

4 b. Any profits or proceeds received in connection with any publication
5 or dissemination of information relating to illegal conduct alleged in
6 the First Superseding Indictment, including the right to any such
7 future profits or proceeds.

8 3. Upon conviction of the offense(s) alleged in Count 2 or Count 6 of this
9 Indictment, the defendant, COLTON HARRIS-MOORE, shall forfeit to the United States
10 any property, real or personal, which represents or is traceable to the gross proceeds
11 obtained, directly or indirectly, as a result of such violation, pursuant to Title 18, United
12 States Code, Section 982(a)(5). The property to be forfeited includes, but is not limited
13 to, the following:

14 a. Any and all intellectual property or other proprietary rights belonging
15 to the defendant, based upon or pertaining to any narration,
16 description, publication, dissemination, or disclosure of information
17 relating to any conduct, event, or action, or sequence thereof, alleged
18 in the First Superseding Indictment.

19 b. Any profits or proceeds received in connection with any publication
20 or dissemination of information relating to illegal conduct alleged in
21 the First Superseding Indictment, including the right to any such
22 future profits or proceeds.

23 4. Upon conviction of the offense(s) alleged in Count 3 or Count 4 of this
24 Indictment, the defendant, COLTON HARRIS-MOORE, shall forfeit to the United States
25 any firearms involved in the commission of the offense(s), including, but not limited to:

26 Count 3: One .32 caliber pistol;

27 Count 4: One Jennings .22 caliber pistol.

28 All pursuant to Title 18, United States Code, Section 924(d), and Title 28, United
States Code, Section 2461(c).

5. If any forfeitable property, as a result of any act or omission of the
defendant—

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

1 (d) has been substantially diminished in value; or,

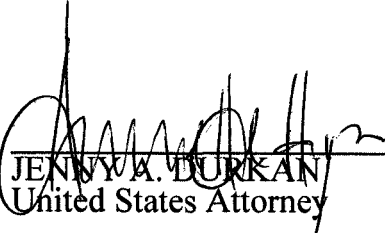
2 (e) has been commingled with other property which cannot be divided without
3 difficulty;

4 the United States of America shall be entitled to forfeiture of substitute property pursuant
5 to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States
6 Code, Section 2461(c).

7 All pursuant to 18 U.S.C. §§ 924, 981(a)(1)(C), and 982(a)(5), and 28 U.S.C.
8 § 2461(c).

10 A TRUE BILL:
11 DATED:

12
13 *Signature of foreperson redacted pursuant to*
14 *the policy of the Judicial Conference of the*
United States
15 _____
16 FOREPERSON

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18 
19 _____
20 JENNY A. DURKAN
United States Attorney

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23 _____
ANDREW C. FRIEDMAN
Assistant United States Attorney

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25 
26 _____
DARWIN P. ROBERTS
Assistant United States Attorney