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CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Jared Lee Loughner,

Defendant.

CR 11-0187-TUC-LAB

VICTIM CASE

SUPERSEDING
INDICTMENT

18 U.S.C. § 351(c)
(Attempted Assassination of a Member of Congress)
(Count 1)

18 U.S.C. §§ 1114 and 1113
(Attempted Murder of a Federal Employee)
(Counts 3, 11, 13)

18 U.S.C. § 924(c)(1)(A)(i), (ii) & (iii)
(Use, Carry, Brandish and Discharge of a Firearm in
Relation to a Crime of Violence)
(Counts 2, 4, 6, 9, 12, 14, 16, 19, 22, 25, 28, 31, 33, 35,
37, 39, 41, 43, 45, 47, 49)

18 U.S.C. §§ 1114 & 1111
(Murder of a Federal Employee)
(Counts 5, 8)

18 U.S.C. § 924(j)(1)
(Causing Death Through Use of a Firearm)
(Counts 7, 10, 17, 20, 23, 26, 29)

18 U.S.C. § 245(b)(1)(B)
(Causing Death to Participants at a Federally Provided
Activity)
(Counts 15, 18, 21, 24, 27)

18 U.S.C. § 245(b)(1)(B)
(Injuring Participants at a Federally Provided Activity)
(Counts 30, 32, 34, 36, 38, 40, 42, 44, 46, 48)

Notice of Special Findings

1 THE GRAND JURY CHARGES:

3 COUNT 1

4 *(Attempted Assassination of a Member of Congress)*

5 On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant,
6 JARED LEE LOUGHNER, with the intent to kill, attempted to kill Gabrielle D. Giffords,
7 a Member of Congress.

8 In violation of Title 18, United States Code, Section 351(c).

10 COUNT 2

11 *(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)*

12 On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant,
13 JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that
14 is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which
15 he may be prosecuted in a court of the United States as charged in Count One of this
16 Indictment.

17 In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

19 COUNT 3

20 *(Attempted Murder of a Federal Employee)*

21 On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant,
22 JARED LEE LOUGHNER, with the intent to kill, attempted to kill Gabrielle D. Giffords,
23 an officer and employee of the United States, while Gabrielle D. Giffords was engaged in
24 and on account of the performance of her official duties.

25 In violation of Title 18, United States Code, Sections 1114 and 1113.

COUNT 4

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Three of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 5

(Murder of a Federal Employee)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did, with premeditation and malice aforethought, unlawfully kill John M. Roll, a United States District Judge for the District of Arizona, an employee of the United States, while John M. Roll was engaged in and on account of the performance of his official duties.

In violation of Title 18, United States Code, Sections 1114 and 1111.

COUNT 6

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Five of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 7

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Six of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill John M. Roll.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 8

(Murder of a Federal Employee)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did, with premeditation and malice aforethought, unlawfully kill Gabriel M. Zimmerman, an employee of the United States, while Gabriel M. Zimmerman was engaged in and on account of the performance of his official duties, and while he was assisting Gabrielle D. Giffords, an officer and employee of the United States, to wit: a Member of Congress, in the performance of her official duties and on account of that assistance.

In violation of Title 18, United States Code, Sections 1114 and 1111.

COUNT 9

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Eight of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 10

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Nine of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill Gabriel M. Zimmerman.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 11

(Attempted Murder of a Federal Employee)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, with the intent to kill, attempted to kill Ronald S. Barber, an employee of the United States, while Ronald S. Barber was engaged in and on account of the performance of his official duties, and while he was assisting Gabrielle D. Giffords, an officer and employee of the United States, to wit: a Member of Congress, in the performance of her official duties and on account of that assistance.

In violation of Title 18, United States Code, Sections 1114 and 1113.

COUNT 12

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Eleven of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 13

(Attempted Murder of a Federal Employee)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, with the intent to kill, attempted to kill Pamela K. Simon, an employee of the United States, while Pamela K. Simon was engaged in and on account of the performance of her official duties, and while she was assisting Gabrielle D. Giffords, an officer and employee of the United States, to wit: a Member of Congress, in the performance of her official duties and on account of that assistance.

In violation of Title 18, United States Code, Sections 1114 and 1113.

COUNT 14

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9 mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirteen of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 15

(Causing Death of a Participant at Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with John M. Roll, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in the death of John M. Roll.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 16

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Fifteen of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 17

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Sixteen of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill John M. Roll.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 18

(Causing Death of a Participant at Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with child victim C-T G., because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in the death of child victim C-T G.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 19

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Eighteen of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 20

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Nineteen of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill child victim C-T G.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 21

(Causing Death of a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Dorothy J. Morris, because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in the death of Dorothy J. Morris.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 22

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Twenty-One of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 23

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Twenty-Two of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill Dorothy J. Morris.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 24

(Causing Death of a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Phyllis C. Schneck, because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in the death of Phyllis C. Schneck.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 25

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Twenty-Four of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 26

(Causing Death Through Use of a Firearm)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Twenty-Five of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill Phyllis C. Schneck.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 27

(Causing Death of a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Dorwan C. Stoddard, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in the death of Dorwan C. Stoddard.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 28

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Twenty-Seven of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 29*(Causing Death Through Use of a Firearm)*

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, in the course of a violation of Title 18, United States Code, Section 924(c), as charged in Count Twenty-Eight of this Indictment, did knowingly and intentionally cause the death of a person through the use of a firearm, that is, a Glock 9mm semiautomatic pistol, which killing is a murder as defined by Title 18, United States Code, Section 1111(a), in that the defendant, with premeditation and malice aforethought, did unlawfully kill Dorwan C. Stoddard.

In violation of Title 18, United States Code, Section 924(j)(1).

COUNT 30*(Injuring a Participant at an Activity Provided by the United States)*

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Bill D. Badger, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Bill D. Badger.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 31

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirty of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 32

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Kenneth W. Dorushka, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Kenneth W. Dorushka.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 33

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirty-Two of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 34

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with James E. Fuller, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to James E. Fuller.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 35

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirty-Four of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 36

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Randy W. Gardner, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Randy W. Gardner.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 37

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirty-Six of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 38

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Susan A. Hileman, because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Susan A. Hileman.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 39

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Thirty-Eight of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 40

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with George S. Morris, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to George S. Morris.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 41

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Forty of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 42

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Mary C. Reed, because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Mary C. Reed.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 43

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Forty-Two of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 44

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Mavanell Stoddard, because she was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to Mavanell Stoddard.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 45

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Forty-Four of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 46

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with James L. Tucker, because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* event open to the public, which resulted in bodily injury to James L. Tucker.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 47

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Forty-Six of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

COUNT 48

(Injuring a Participant at an Activity Provided by the United States)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, by force and threat of force, through the use of a Glock 9mm semiautomatic pistol, a dangerous weapon, did willfully injure, intimidate and interfere with, and attempt to injure, intimidate and interfere with Kenneth L. Veeder, Sr. because he was and had been participating in and enjoying a benefit, service, privilege, program, facility, and activity provided and administered by the United States, to-wit: Congresswoman Gabrielle D. Giffords' *Congress on Your Corner* function open to the public which resulted in bodily injury to Kenneth L. Veeder, Sr.

In violation of Title 18, United States Code, Section 245(b)(1)(B).

COUNT 49

(Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence)

On or about January 8, 2011, at or near Tucson, in the District of Arizona, the defendant, JARED LEE LOUGHNER, did knowingly use, carry, brandish and discharge a firearm, that is, a Glock 9mm semiautomatic pistol, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States as charged in Count Forty-Eight of this Indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), (ii) & (iii).

NOTICE OF SPECIAL FINDINGS

1. The defendant, JARED LEE LOUGHNER, as alleged in Counts 5, 7, 8, 10, 15, 17, 18, 20, 21, 23, 24, 26, 27, and 29, was more than 18 years old at the time of the offense. Title 18, United States Code, Section 3591(a);

2. The defendant, JARED LEE LOUGHNER, intentionally killed child victim C-T G. (Counts 18 and 20); Dorothy J. Morris (Counts 21 and 23); John M. Roll (Counts 5, 7, 15, and 17); Phyllis C. Schneck (Counts 24 and 26); Dorwan C. Stoddard (Counts 27 and 29); and Gabriel M. Zimmerman (Counts 8 and 10). Title 18 United States Code, Section 3591(a)(2)(A);

3. The defendant, JARED LEE LOUGHNER, intentionally inflicted serious bodily injury that resulted in the death of child victim C-T G. (Counts 18 and 20); Dorothy J. Morris (Counts 21 and 23); John M. Roll (Counts 5, 7, 15, and 17); Phyllis C. Schneck (Counts 24 and 26); Dorwan C. Stoddard (Counts 27 and 29); and Gabriel M. Zimmerman (Counts 8 and 10). Title 18 United States Code, Section 3591(a)(2)(B);

4. The defendant, JARED LEE LOUGHNER, intentionally participated in an act, contemplating that the life of child victim C-T G. (Counts 18 and 20); Dorothy J. Morris (Counts 21 and 23); John M. Roll (Counts 5, 7, 15, and 17); Phyllis C. Schneck (Counts 24

1 and 26); Dorwan C. Stoddard (Counts 27 and 29); and Gabriel M. Zimmerman (Counts 8 and
2 10) would be taken and intending that lethal force would be used in connection with a
3 person, other than one of the participants in the offense, and that child victim C-T G.,
4 Dorothy J. Morris, John M. Roll, Phyllis C. Schneck, Dorwan C. Stoddard, and Gabriel M.
5 Zimmerman died as a direct result of the act. Title 18 United States Code, Section
6 3591(a)(2)(C);

7 5. The defendant, JARED LEE LOUGHNER, intentionally and specifically engaged in
8 an act of violence, knowing that the act created a grave risk of death to a person, other than
9 one of the participants in the offense, such that participation in the act constituted a reckless
10 disregard for human life and child victim C-T G. (Counts 18 and 20); Dorothy J. Morris
11 (Counts 21 and 23); John M. Roll (Counts 5, 7, 15, and 17); Phyllis C. Schneck (Counts 24
12 and 26); Dorwan C. Stoddard (Counts 27 and 29); and Gabriel M. Zimmerman (Counts 8 and
13 10) died as a direct result of the act. Title 18 United States Code, Section 3591(a)(2)(D);

14 6. The defendant, JARED LEE LOUGHNER, caused the death, and injury resulting in
15 death of child victim C-T G. (Counts 18 and 20); Dorothy J. Morris (Counts 21 and 23); John
16 M. Roll (Counts 5, 7, 15, and 17); Phyllis C. Schneck (Counts 24 and 26); Dorwan C.
17 Stoddard (Counts 27 and 29); and Gabriel M. Zimmerman (Counts 8 and 10) during the
18 commission and attempted commission of an offense under Section 351 (violence against
19 Member of Congress) as charged in Count One of this Indictment. Title 18 United States
20 Code, Section 3592(c)(1);

21 7. The defendant, JARED LEE LOUGHNER, in commission of offenses alleged in
22 Counts 5, 7, 8, 10, 15, 17, 18, 20, 21, 23, 24, 26, 27, and 29, knowingly created a grave risk
23 of death to one or more persons, to wit: Bill D. Badger, Ronald S. Barber, Kenneth W.
24 Dorushka, James E. Fuller, Randy W. Gardner, Gabrielle D. Giffords, Susan A. Hileman,
25 George S. Morris, Mary C. Reed, Pamela K. Simon, Mavanell Stoddard, James L. Tucker,
26 Kenneth L. Veeder, Sr., Carol A. Dorushka, Robert C. Gawlick, Daniel Hernandez, Mark S.

1 Kimble, Patricia R. Maisch, child victim E. E. M., child victim O. A. M., Thomas J.
2 McMahon, Sara M. Rajca, Faith M. Salzgeber, Roger D. Salzgeber, Doris Tucker, and
3 Alexander J. Villec, in addition to the deaths of child victim C-T G., Dorothy J. Morris, John
4 M. Roll, Phyllis C. Schneck, Dorwan C. Stoddard, and Gabriel M. Zimmerman. Title 18
5 United States Code, Section 3592(c)(5);

6 8. The defendant, JARED LEE LOUGHNER, as alleged in Counts 5, 7, 8, 10, 15, 17,
7 18, 20, 21, 23, 24, 26, 27, and 29, committed the offenses after substantial planning and
8 premeditation to cause the death of a person. Title 18 United States Code, Section
9 3592(c)(9).

10 9. The defendant JARED LEE LOUGHNER, caused the death of victims child victim
11 C-T G., age 9 (Counts 18 and 20), Dorothy J. Morris, age 76 (Counts 21 and 23), Phyllis C.
12 Schneck, age 79 (Counts 24 and 26), and Dorwan C. Stoddard, age 75 (Counts 27 and 29).
13 who were all particularly vulnerable due to old age or youth. Title 18 United States Code,
14 Section 3592(c)(11).


15 10. The defendant, JARED LEE LOUGHNER, committed offenses charged in Counts
16 15 and 17 against John M. Roll, a federal public servant who was at the time a United States
17 District Judge and Chief Judge for the District of Arizona, while he was engaged in the
18 performance of his official duties. Title 18 United States Code, Section 3592(c)(14)(D)(i).

19 11. The defendant, JARED LEE LOUGHNER, intentionally killed and attempted to kill
20 more than one person in a single criminal episode, as alleged in Counts 5, 7, 8, 10, 15, 17,
21 18, 20, 21, 23, 24, 26, 27, and 29, to wit: Bill D. Badger, Ronald S. Barber, Kenneth W.
22 Dorushka, James E. Fuller, Randy W. Gardner, Gabrielle D. Giffords, Susan A. Hileman,
23 George S. Morris, Mary C. Reed, Pamela K. Simon, Mavanell Stoddard, James L. Tucker,
24 Kenneth L. Veeder, Sr., child victim C-T G., Dorothy J. Morris, John M. Roll, Phyllis C.

1 Schneck, Dorwan C. Stoddard, and Gabriel M. Zimmerman. Title 18 United States Code.
2 Section 3592(c)(16).
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4 A TRUE BILL
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11 United States Attorney
12 District of Arizona

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14 Wallace H. Kleindienst
15 Assistant United States Attorney
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