

ORIGINAL
FILED

AUG 8 2001

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE
U.S. DISTRICT COURT
NO. DIST. OF CAL. S.D.

1 ROBERT S. MUELLER, III (CSBN 59775)
2 United States Attorney

3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 CR 01 20127 JF

12 UNITED STATES OF AMERICA,

No.

13 Plaintiff,

14 v.

15 ROGER VER,

16 Defendant.

VIOLATIONS: 18 U.S.C. 842(a)(1) -
Dealing in Explosives without a License; 18
U.S.C. § 842(j) - Illegally Storing
Explosives; 18 U.S.C. § 1716 - Mailing
Injurious Articles

SAN JOSE VENUE

17
18
19 I N F O R M A T I O N

20 The United States Attorney charges:

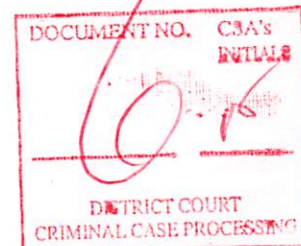
21 Count One: (18 U.S.C. § 842(a)(1) - Dealing in Explosives without a License)

22 On or about and between December 1, 1998, and December 14, 2000, both dates being
23 approximate and inclusive, in Santa Clara County in the Northern District of California, the
24 defendant

25 ROGER VER

26 did engage in the business of dealing in explosive materials without a license in violation of Title
27 18, United States Code, Section 842(a)(1).

28
INDICTMENT



1 Count Two: (18 U.S.C. § 842(j) and 27 C.F.R. §§ 55.201(f), 55.208(b) – Storing Explosives in
2 a Manner Not in Conformity with Treasury Regulations)

3 On or about and between December 1, 1998, and December 14, 2000, both dates being
4 approximate and inclusive, in Santa Clara County in the Northern District of California, the
5 defendant

6 ROGER VER

7 did store explosive material in a manner not in conformity with regulations promulgated by the
8 Secretary of the Treasury, namely he stored explosive material in a residence and dwelling, and did
9 store such materials without notifying the authority having jurisdiction for fire safety in Santa Clara
10 County of the type, magazine capacity, and location of each site where such explosive materials were
11 stored, all in violation of Title 18, United States Code, Section 842(j), Title 27, Code of Federal
12 Regulations, Sections 55.201(f) and 55.208(b).

13 Count Three: (18 U.S.C. § 1716 – Mailing Injurious Articles)

14 On or about April 2, 1999, in Santa Clara County, in the Northern District of California, the
15 defendant

16 ROGER VER

17 did knowingly deposit for mailing and delivery, and knowingly caused to be delivered by mail,
18 according to the direction thereon, items declared nonmailable in Title 18, United States Code,
19 Section 1716, namely explosives, inflammable materials, infernal machines, and mechanical,
20 chemical, and other devices or compositions which may ignite or explode, and not in accordance
21 with the rules and regulations authorized by the Postal Service, as follows, in violation of Title 18,
22 United States Code, Section 1716.

23 DATED: Aug. 8, 2001

24 ROBERT S. MUELLER, III
United States Attorney

25 
26 ELIZABETH DE LA VEGA
27 Chief, San Jose Branch Office

28 (Approved as to form: )
AUSA FREWING

INDICTMENT

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Count 1: 18 U.S.C. 842(a)(1) - Dealing in Explosives without a license ☐ Petty
 Count 2: 18 U.S.C. 842(j) - Storing Explosives contrary to Treasury Regulations ☐ Minor
 Count 3: 18 U.S.C. 1716 - Mailing Injurious Articles ☒ Misdemeanor
☒ Felony
PENALTY:
 Count 1: Max. imprisonment 10 years; Max. fine \$250,000; Max. supervised release 3 years; \$100 special assessment;
 Counts 2 and 3: Max imprisonment 1 year; Max fine \$100,000; Max. supervised release 1 year; \$25 special assessment
PROCEEDING

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

S/A Micah Wellman (ATF)

☐ 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

☐ U.S. Att'y ☐ 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.
5 01 196 RS
 Name and Office of Person
 Furnishing Information on
 THIS FORM

ROBERT S. MUELLER, III

☒ U.S. Att'y ☐ Other U.S. Agency

 Name of Asst. U.S. Att'y
 (if assigned)

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

DEFENDANT - U.S.

 AUG 8 2001
 ROGER VER

 DISTRICT COURT NUMBER
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE
 U.S. DISTRICT COURT
 NO. DIST. OF CAL. S.J.
DEFENDANT**IS NOT IN CUSTODY**

- 1)
- ☐
- Has not been arrested, pending outcome this proceeding.
-
- 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)

Northern District of California

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction
-
- 6)
- ☐
- Awaiting trial on other }
- ☐
- Fed'l
- ☐
- State

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

 Has detainer
 been filed?

☐ Yes
☐ No

 If "Yes"
 give date
 filed

 DATE OF
 ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

 DATE TRANSFERRED
 TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

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

Date/Time:

Before Judge:

Comments:

