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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
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SOUTHERN DISTRICT  
OF INDIANA  
LAURA A. BRIGGS  
CLERK

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) Cause No.  
 )  
 JAMES NATHAN EMMONS, )  
 )  
 Defendant. )

**3 : 13 -cr- 0054 RLY -WGH**

**INFORMATION**

The United States Attorney charges that:

**COUNT ONE**

(Theft of Public Money, Property, or Records)  
(Title 18, United States Code, Section 641)

Between in or about January 2010 and in or about September 2012, in the Southern District of Indiana and elsewhere, the Defendant, JAMES NATHAN EMMONS, did willfully and knowingly embezzle and convert to his own use property of the United States having a value of at least \$150,000, that is: items the Defendant purchased, without authorization, using a Government Purchase Credit Card that was billed to the United States Department of Defense, including: notebook computers, televisions, professional-grade sound and DJ equipment, digital cameras, MP3 players, printers, electronics, electronics accessories, and firearms, which came into the possession and under the care of JAMES NATHAN EMMONS by virtue of his employment by the United States Department of Defense as a United States Army Production Facilitator at Crane Army Ammunition Activity, which is located in the Southern District of Indiana.

All of which is in violation of Title 18, United States Code, Section 641.

### Forfeiture Allegations

1. Pursuant to Federal Rule of Criminal Procedure 32.2, the United States hereby gives the Defendant notice that it will seek forfeiture of property pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 1956(c)(7)(D), and Title 28, United States Code, Section 2461(c) as part of any sentence imposed for the offense set forth in the Information.

2. If convicted of the offense set forth in the Count 1 of the Information, the Defendant shall forfeit to the United States:

- a. any property, real or personal, which constitutes or is derived from proceeds traceable to the offense set forth in Count 1; or
- b. a sum of money equal to the total amount of the proceeds of the offense.

3. The property subject to forfeiture as a result of the offense charged in Count 1 of the Information includes the proceeds of the offense seized during the execution of a search warrant at the Defendant's home on October 19, 2012, a search of the Defendant's storage unit on October 24, 2012, and items recovered from the Defendant on November 8, 2012, including, but not limited to:

- a. Televisions
  - i. Samsung model UN48C800XF
  - ii. Samsung model UN48E5800
- b. Printer
  - i. Cannon Pixma MG 8220 printer
- c. Professional-Grade Audio and DJ Equipment, including:
  - i. HT-Distx-AMP amplifier

- ii. ONKYO AV receiver
- iii. Fender Strato Caster guitar
- iv. Furman M-8 PX power supply
- v. Samsung HW-0551/ZA speaker bar
- vi. Samsung HW-E550 speaker bar
- vii. Two (2) JBL model PRX618SXLf speakers
- viii. Two (2) JBL model PRX535 speakers
- ix. Two (2) JBL model PRX525 speakers
- x. Two (2) JBL model PRX518S speakers
- xi. Two (2) JBL model PRX515 speakers
- xii. Two (2) JBL model P1080 speakers
- xiii. Four (4) JBL model PO976 speakers
- xiv. Two (2) Studio Live 24.4.2 digital mixers
- xv. Denon Ultragraph Pro model DN-X500
- xvi. Pioneer DJ Mixer
- xvii. Two (2) Behringer brand audio mixers
- xviii. Fifteen (15) DJ LED lights

d. Camera and Video Equipment

- i. Samsung Blu-Ray Player, model D7500
- ii. Nikon digital camera
- iii. Canon video camera
- iv. Sharp LCD Projector
- v. InFocus brand LCD Projector

e. Computers

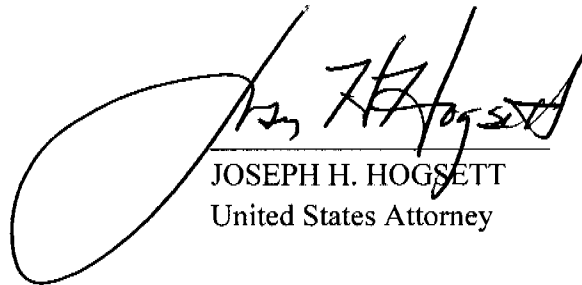
- i. MacBook Laptop Computer
- ii. Apple iPad with keyboard
- iii. Two (2) HP Pavilion laptops

f. Firearms & Ammunition

- i. Kimber Model STS Nightsight II Semiautomatic .45 pistol, serial number: K356830
- ii. FNH Model Five-Seven Semiautomatic 5.7x28 pistol, serial number: 386227312
- iii. Glock Model 17 Semiautomatic 9mm Pistol, serial number: PSR355
- iv. Mossberg Model 500 pump action 12 gauge shotgun, serial number: T908887
- v. ISSC Sporting model MK22 .22 caliber rifle, serial number: A384720
- vi. Hi-Point Model 459FGTS .45 caliber rifle, serial number: R11321
- vii. Eight (8) .45 caliber bullets
- viii. Twenty (20) 5.7x28 caliber bullets
- ix. Sixteen (16) 9mm bullets
- x. Twenty (20) .22 caliber bullets

4. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the Court shall order the forfeiture of any other property of the Defendant, up to the value of any property, real or personal, which constitutes or is derived from proceeds traceable to the offense set forth in the Information, if, by any act or omission of the Defendant, such property, or any portion thereof:

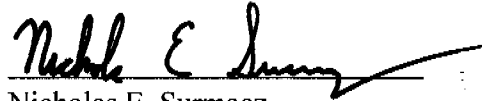
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.




JOSEPH H. HOGSETT  
United States Attorney

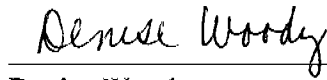
STATE OF INDIANA        )  
                                  )        SS:  
COUNTY OF MARION     )

Nicholas E. Surmacz, being first duly sworn, upon his oath deposes and says that he is an Assistant United States Attorney in and for the Southern District of Indiana, that he makes this affidavit for and on behalf of the United States of America and that the allegations in the foregoing Information are true as he is informed and verily believes.

  
\_\_\_\_\_  
Nicholas E. Surmacz  
Assistant United States Attorney



Subscribed and sworn to before me, a notary public, on this 23<sup>rd</sup> day of September, 2013.

  
\_\_\_\_\_  
Denise Woody  
Notary Public

My Commission Expires:

January 25, 2019

My County of Residence:

Hendricks