

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	Criminal No. 1:11cr11
)	
	)	Count 1: 18 U.S.C. § 113(a)(3)
	)	(Assault with a Dangerous Weapon with
v.	)	Intent to Do Bodily Harm and Without Just
	)	Cause or Excuse)
)	
	)	Count 2: 18 U.S.C. § 113(a)(6)
	)	(Assault Resulting in Serious Bodily Injury)
SEAN THEODORE BREHM,)	
	)	18 U.S.C. § 3261(a)(1)
	)	Military Extraterritorial Jurisdiction Act
Defendant.	)	(Counts 1 and 2)

INDICTMENT

August 2010 Term - at Alexandria, Virginia

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

1. On or about November 25, 2010, defendant SEAN THEODORE BREHM was employed by the Armed Forces outside the United States, as defined in Title 18, United States Code, Section 3267(1)(A)(ii)(I), that is, he was a contractor working for DynCorp International LLC, a contractor of the U.S. Department of Defense in the Islamic Republic of Afghanistan (“Afghanistan”), was present or residing outside the United States in connection with his employment, and was not a national of or ordinarily resident in Afghanistan.

2. On that date, the conduct described in this Indictment constituted offenses, each of which would have been punishable by imprisonment for more than one year had the conduct been engaged in within the special maritime and territorial jurisdiction of the United States.

3. The conduct alleged in this Indictment occurred in and around Kandahar Airfield, Afghanistan.

4. The conduct alleged in this Indictment occurred outside the jurisdiction of any particular State or District and within the venue of the United States District Court for the Eastern District of Virginia, in that defendant SEAN THEODORE BREHM was first brought to the Eastern District of Virginia, as provided by Title 18, United States Code, Section 3238.

COUNT ONE

(Assault with a Dangerous Weapon with Intent to Do Bodily Harm
and Without Just Cause or Excuse)

1. The General Allegations set forth in Paragraphs One through Four of the General Allegations section of this Indictment are realleged and expressly incorporated herein as if set out in full.

2. On or about November 25, 2010, at Kandahar Airfield, Afghanistan, the defendant SEAN THEODORE BREHM, did assault "J.O." with a dangerous weapon, that is, a knife, with intent to do bodily harm, and without just cause or excuse.

(In violation of Title 18, United States Code, Sections 113(a)(3) and 3261(a).)

COUNT TWO

(Assault Resulting in Serious Bodily Injury)

1. The General Allegations set forth in Paragraphs One through Four of the General Allegations section of this Indictment are realleged and expressly incorporated herein as if set out in full.

2. On or about November 25, 2010, at Kandahar Airfield, Afghanistan, the defendant SEAN THEODORE BREHM, did assault "J.O." by stabbing him, which resulted in serious bodily injury.

(In violation of Title 18, United States Code, Sections 113(a)(6) and 3261(a).)

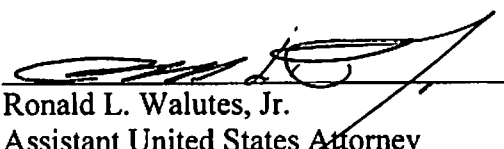
A TRUE BILL

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

Foreperson

Neil H. MacBride
United States Attorney

By:


Ronald L. Walutes, Jr.
Assistant United States Attorney


James S. Yoon
Special Assistant United States Attorney