

E-filing

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

SEALED BY ORDER
OF THE COURT

UNITED STATES OF AMERICA,

v.

CR14 00114

EJD

FILED

MAR 05 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HRL


JASON DAVID MILLER

DEFENDANT(S).

INDICTMENT

VIOLATION: 18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B)(i) – Intentionally Causing
Damage to a Protected Computer

A true bill.



Foreman

Filed in open court this 5th day of March, 2014

res. quare

Clerk U.S. Magistrate Judge

Bail, \$ no bail arrest warrant

CRIMINAL JUSTICE DIVISION
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE, CALIFORNIA

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

HRL

EJD

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 v.
16 JASON DAVID MILLER,
17 Defendant.

CR 14 00114

CASE NO.

VIOLATION: 18 U.S.C. §§ 1030(a)(5)(A) and
(c)(4)(B)(i) – Intentionally Causing Damage to a
Protected Computer

SAN JOSE VENUE

18
19
20 INDICTMENT

21 The Grand Jury charges:

22 At all times relevant to this Indictment, unless otherwise indicated:

23 Background

24 1. Hacker Dojo was a non-profit community center in Mountain View, California, that
25 provided a working space and events venue for its members. Those members paid a monthly fee in
26 exchange for working space, an email account, and access to high speed Internet through Hacker Dojo's
27 internal computer network.

28 //

INDICTMENT

1 2. A "Distributed Denial of Service" ("DDoS") is generally described as a hacking attack
2 that attempts to flood a victim computer or network with a large amount of data in order to prevent
3 legitimate users from accessing information or services on that target computer or network. In order to
4 initiate a DDoS attack, the person or persons conducting the attack must know the Internet Protocol (IP)
5 address of the target. An IP address is a unique identifier for a computer or device on a network.

6 3. Hacker Dojo's internal computer network suffered a series of DDoS attacks between June
7 22 and July 14, 2013. Those attacks resulted in the temporary loss of an Internet connection for Hacker
8 Dojo's members.

9 4. The defendant, Jason David Miller, who resided in Mountain View, California, first
10 joined Hacker Dojo as a member on May 19, 2013, using the first name "ad" and the last name "min,"
11 such that his username became "ad.min" and his email address "ad.min@hackerdojo.com." Hacker
12 Dojo management would not permit the defendant to continue using that username and address. As a
13 result of this dispute, the defendant's membership was terminated on May 20, 2013. On June 1, 2013,
14 the defendant re-registered with Hacker Dojo under the pseudonym "Dallas Smith."

15 COUNT ONE: (18 U.S.C. §§ 1030(a)(5)(A) and (c)(4)(B)(i) – Intentionally Causing Damage to a
16 Protected Computer)

17 5. Paragraphs 1 through 4 are realleged and incorporated as if fully set forth here.

18 6. On or about July 13, 2013, in the Northern District of California, the defendant,

19 JASON DAVID MILLER,

20 knowingly caused the transmission of a program, information, code, and command, namely, a DDoS
21 attack, and, as a result of such conduct, intentionally caused damage without authorization to a protected
22 computer;

23 //
24 //
25 //
26 //
27 //
28 //

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A) and (c)(4)(B)(i).

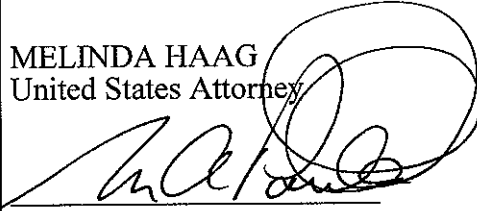
DATED:

3/5/14

A TRUE BILL


FOREPERSON

MELINDA HAAG
United States Attorney


MATTHEW A. PARRELLA
Chief, Computer Hacking/Intellectual Property

(Approved as to form: 
AUSA David R. Callaway

SEALED BY ORDER OF THE COURT

E-filing

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 1030(a)(5)(A) and (c)(4)(B)(i) - Intentionally Causing Damage to a Protected Computer

CR 14 00114 DEFENDANT - JS

- Petty
 Minor
 Misdemeanor
 Felony

PENALTY: Up to 10 years imprisonment, \$250,000 fine (or twice the gross loss), 3 years TSR, \$100 SAF, plus restitution

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jason David MILLER

DISTRICT COURT NUMBER

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PROCEEDING

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

S/A Greg Fine, FBI

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 motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) 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)

IS IN CUSTODY

- 4) On this charge
5) On another conviction Federal State
6) Awaiting trial on other charges
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

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) DAVID R. CALLAWAY

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: No Bail

If Summons, complete following:

Arraignment Initial Appearance

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

Defendant Address:

Date/Time: Before Judge:

Comments: