

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

UNITED STATES OF AMERICA) No. _____
)
v.) Violations: Title 18, United States
) Code, Sections 844(i) and 844(n)
JASON VANDUYN,)
BRIAN BURD, and)
ROBERT WARMOTH)

COUNT ONE

The NOVEMBER 2015 GRAND JURY charges:

1. At times material to this indictment:

a. Individual A operated Company A, which was a drywall business, in Northern Illinois and Southern Wisconsin.

b. Individual A owned a 2004 Ford F-150 pickup truck that Individual A used as part of the operations of Company A. The pickup truck contained tools and other equipment that Individual A used for drywall work and had a sign for Company A on the side of the pickup truck.

2. Beginning as early as on or about June 7, 2015, and continuing to on or about June 12, 2015, at Loves Park, in the Northern District of Illinois, Western Division, and elsewhere,

JASON VANDUYN,
BRIAN BURD, and
ROBERT WARMOTH,

defendants herein, did conspire with each other and with others known and

unknown to the Grand Jury, to maliciously damage and destroy, and attempt to maliciously damage and destroy, by means of an explosive, a vehicle, namely a 2004 Ford F-150 pickup truck located on Theodore Street in Loves Park, Illinois, which vehicle was being used in interstate commerce and in an activity affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i).

3. It was a part of the conspiracy that defendant JASON VANDUYN recruited defendants BRIAN BURD and ROBERT WARMOTH to detonate an explosive in a 2004 Ford F-150 pickup truck belonging to Individual A that was parked on Theodore Street in Loves Park, Illinois, because VANDUYN had been in a fistfight with Individual A on June 7, 2015, and wanted to exact revenge.

4. It was further part of the conspiracy that on June 12, 2015, at VANDUYN's direction, WARMOTH drove BURD to the Theodore Street area where Individual A's truck was parked and BURD smashed a window on Individual A's truck, lit the explosive, and placed it in Individual A's truck, where it exploded.

5. It was a further part of the conspiracy that the defendants would and did misrepresent, conceal, and hide, and cause to be misrepresented, concealed and hidden the existence of the conspiracy, the purpose of the conspiracy, and the acts done in furtherance of the conspiracy.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the objects thereof, the members of the conspiracy, defendants VANDUYN, BURD, and WARMOTH,

committed a number of overt acts in the Northern District of Illinois, Western Division, including but not limited to the following:

a. Between on or about June 7, 2015, and on or about June 12, 2015, VANDUYN met with BURD and WARMOTH and offered to pay them to detonate an explosive in Individual A's truck. During this meeting, WARMOTH agreed to drive and BURD agreed to detonate the explosive in the truck.

b. On or about June 11, 2015, BURD and WARMOTH met with VANDUYN and VANDUYN provided BURD and WARMOTH with the explosive they were to use to blow up Individual A's truck.

c. On or about June 12, 2015, WARMOTH drove BURD to a place near Theodore Street in Loves Park, Illinois.

d. On or about June 12, 2015, BURD smashed a window on Individual A's truck with a rock, lit the explosive, and placed it in Individual A's truck, where it detonated.

e. On or about June 12, 2015, BURD and WARMOTH called VANDUYN and informed VANDUYN that the explosion was complete.

In violation of Title 18, United States Code, Sections 844(i) and (n).

COUNT TWO

The NOVEMBER 2015 GRAND JURY further charges:

1. The allegations set forth in paragraph one of Count One are realleged here.
2. On or about June 12, 2015, at Loves Park, in the Northern District of Illinois, Western Division, and elsewhere,

JASON VANDUYN,
BRIAN BURD, and
ROBERT WARMOTH,

defendants herein, did maliciously damage and destroy, and attempt to maliciously damage and destroy, by means of an explosive, a vehicle, namely a 2004 Ford F-150 pickup truck located on Theodore Street in Loves Park, Illinois, which was then being used in interstate commerce and in an activity affecting interstate commerce;

In violation of Title 18, United States Code, Section 844(i) and 2.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY