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U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

FILED

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION
September 2009 Grand Jury

UNITED STATES OF AMERICA,)	SA CR 08-251 (A)
)	
Plaintiff,)	<u>F I R S T</u>
)	
V.)	<u>S U P E R S E D I N G</u>
)	
TAN DUC NGUYEN,)	<u>I N D I C T M E N T</u>
)	
Defendant.)	[18 U.S.C. § 1512(b)(3):
)	Obstruction of Justice]
)	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1512(b)(3)]

On or about October 18, 2006, in Orange County, within the Central District of California, defendant TAN DUC NGUYEN, then a candidate for the United States House of Representatives, did knowingly attempt to corruptly persuade another person, C.D., to provide a false account relating to a Spanish-language letter that was mailed to voters in the 47th United States Congressional

1 District of the State of California, with the intent to hinder,
2 delay, or prevent the communication to a law enforcement officer
3 or judge of the United States of information relating to the
4 possible commission of a federal offense, in violation of Title
5 18, United States Code, Section 1512(b)(3).

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COUNT TWO

[18 U.S.C. § 1512(b)(3)]

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3 1. On or about October 19, 2006, in Orange County, within
4 the Central District of California, defendant TAN DUC NGUYEN,
5 then a candidate for the United States House of Representatives,
6 knowingly engaged in misleading conduct toward another person
7 with the intent to hinder, delay or prevent the communication to
8 a law enforcement officer of the United States of information
9 relating to the possible commission of a Federal offense.

10 2. Specifically, during an interview with Special Agent
11 Williams of the California Department of Justice on October 19,
12 2006, defendant NGUYEN made several statements with the intent to
13 mislead the state investigator and, thereby, undermine the
14 integrity of the information that the state investigator
15 communicated to federal investigators.

16 3. The content of defendant NGUYEN's statements include
17 the following:

18 i. Defendant NGUYEN withheld the full and entire
19 extent of his participation in the drafting of the
20 Spanish-language letter that was mailed to approximately 14,000
21 registered voters who had Spanish surnames and were born outside
22 of the United States;

23 ii. Defendant NGUYEN stated that a paid campaign
24 worker, C.D., used the campaign's voter mailing list data file
25 without defendant NGUYEN's authorization to facilitate the
26 dissemination of the Spanish-language letter to approximately
27

1 14,000 registered voters who had Spanish surnames and were born
2 outside of the United States;

3 iii. Defendant NGUYEN withheld the full and entire
4 extent of his knowledge of campaign worker M.N.'s activities
5 regarding the authorization and/or dissemination of the Spanish-
6 language letter that was mailed to approximately 14,000
7 registered voters who had Spanish surnames and were born outside
8 of the United States when he was asked direct questions about
9 such activities; and

10 iv. Defendant NGUYEN withheld the full and entire
11 extent of his knowledge of the activities that occurred between
12 September 17 and October 16, 2006, relating to the authorization
13 and/or dissemination of the Spanish-language letter that was
14 mailed to approximately 14,000 registered voters who had Spanish
15 surnames and were born outside of the United States when he was
16 asked direct questions about such activities.

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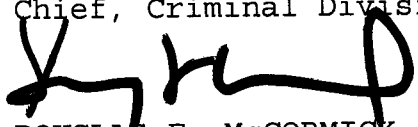
1 4. All in violation of Title 18, United States Code,
2 Section 1512(b)(3).

3 A TRUE BILL

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5 / S /
6 Foreperson

7
8 ANDRÉ BIROTTE, JR.
United States Attorney

9 CHRISTINE C. EWELL
10 Assistant United States Attorney
Chief, Criminal Division

11 
12 DOUGLAS F. McCORMICK
Assistant United States Attorney
13 Acting Chief, Santa Ana Branch Office

14 TERRI K. FLYNN
Assistant United States Attorney
15 Deputy Chief, Santa Ana Branch Office

16 THOMAS PEREZ
Assistant Attorney General
17 Civil Rights Division

18 D. W. TUNNAGE
Civil Rights Division
19 Criminal Section

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