

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division



SEALED

UNITED STATES OF AMERICA)

v.)

MORGAN HANKS,)

Defendant.)

CRIMINAL NO. 4:10CR 87

18 U.S.C. § 1112
Involuntary Manslaughter
(Count 1)

18 U.S.C. § 113(a)(6)
Assault Resulting in
Serious Bodily Injury
(Count 2)

18 U.S.C. § 3261(a)(1)
Military Extraterritorial
Jurisdiction Act
(Counts 1 and 2)

INDICTMENT

July 2010 Term – at Newport News, Virginia

THE GRAND JURY CHARGES THAT:

GENERAL ALLEGATIONS

1. On or about November 19, 2009, the defendant MORGAN HANKS was employed by the Armed Forces outside the United States, as defined in Title 18, United States Code, Section 3267(1)(A)(iii)(I), that is:

- a. MORGAN HANKS was an employee of Combat Support Associates and Combat Support Associates, Ltd. (hereinafter "CSA"). CSA provided site security and force protection at United States bases in the State of Kuwait pursuant to Department of the Army contract #DASA02-99-C-

1234. Pursuant to this contract, MORGAN HANKS was employed by CSA as a canine handler.

b. MORGAN HANKS was present and residing outside the United States in connection with his employment with CSA.

c. MORGAN HANKS was not a national of, nor ordinarily resident in, the State of Kuwait.

2. The conduct alleged in this Indictment occurred on or near Alternate Supply Route Aspen in the State of Kuwait.

3. The conduct alleged in this Indictment constitutes offenses, each of which would be punishable by imprisonment for more than one year if the conduct had been engaged in within the special maritime and territorial jurisdiction of the United States.

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 the last known residence of the defendant MORGAN HANKS was Newport News, Virginia, as provided by Title 18, United States Code, Section 3238.

COUNT ONE

INVOLUNTARY MANSLAUGHTER

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

On or about November 19, 2009, the defendant MORGAN HANKS did kill Brian Patton in the commission, without due caution and circumspection, of a lawful act which might produce death, that is MORGAN HANKS operated a motor vehicle at a speed in excess of the posted speed limit and attempted to pass an eight-vehicle convoy on a two-lane road while travelling uphill, thereby causing a collision with another vehicle in which Brian Patton was travelling.

In violation of Title 18, United States Code, Sections 1112 and 3261(a)(1).

COUNT TWO

ASSAULT RESULTING IN SERIOUS BODILY INJURY

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

On or about November 19, 2009, the defendant MORGAN HANKS did assault David Morgan, by recklessly operating a motor vehicle, thereby causing a collision with another vehicle, in which David Morgan sustained serious bodily injuries. Specifically, David Morgan suffered, among other things, a serious brain injury, a fractured rib on his left side, and a fractured jaw.

In violation of Title 18, United States Code, Sections 113(a)(6) and 3261(a)(1).

UNITED STATES V. MORGAN HANKS: Criminal No. 4:10CR87

A TRUE BILL:

Redacted

FOREPERSON

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By: REDACTED COPY

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