

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

SEP 24 2003
FILED
STUART W. WHELAN
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA

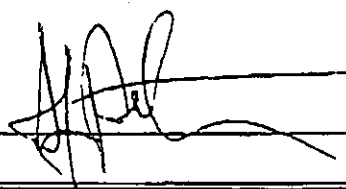
vs.

BRIAN BRABAZON

INDICTMENT

COUNT ONE: Title 29, United States Code, Section 501(c)-Embezzlement of Assets by Labor Organization Officer.

A true bill.

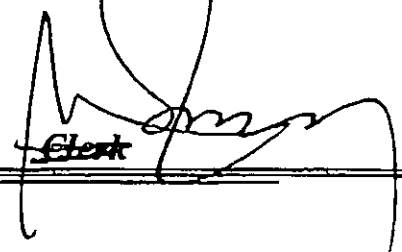


L.L. PETERSON

Foreperson

Filed in open court this 24th day of September

A.D. 2003


Clerk

Bail. \$ Summons to issue

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

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

OFFENSE CHARGED

29 U.S.C. Section 501(c)-Embezzlement of Assets by Labor Organization Officer

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:

5 years imprisonment
 \$250,000 fine
 3 years supervised release
 \$100 special assessment

PROCEEDING

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

S/A Don McKenna, Department of Labor

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 representation of charges previously dismissed which were dismissed on motion of:

U.S. Atty Defense

this prosecution relates to a pending case involving this same defendant

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

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person Furnishing Information on THIS FORM

KEVIN V. RYAN

U.S. Atty Other U.S. Agency

Name of Asst. U.S. Atty (if assigned)

CARLOS SINGH

DEFENDANT - U.S.

BRIAN BRABAZON

DISTRICT COURT NUMBER

CR 03 201

Filed
 SEP 24 2003
 RICHARD W. WIEKINS
 Clerk, U.S. District Court
 Northern District of California
 SAN JOSE

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. 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
- 6) Awaiting trial on other charges
- } Fed'l State

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

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Ball Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

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

Date/Time: November 6, 2003 9:30am

Before Judge: Magistrate Judge Richard Seeborg

Comments:

Filed
SEP 24 2003
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

1 KEVIN V. RYAN(CABN 118321)
2 United States Attorney

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 BRIAN BRABAZON

15 Defendant.

CR 03 201

VIOLATION: 29 U.S.C. § 501(c) -
Embezzlement of Assets by Labor
Organization Officer

SAN JOSE VENUE

16
17 INDICTMENT

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19 The Grand Jury charges:

20 On or about May 25, 2001, in Santa Clara County, the Northern District of California and
21 elsewhere, the defendant

22 BRIAN BRABAZON

23 did embezzle, steal and willfully and unlawfully abstract and convert to his own use monies,
24 funds and assets of Local 294-C of the United Food and Commercial Workers, AFL-CIO, a labor
25 organization, in which he was an officer and employee thereof; that is, as President of Local 294-
26 C, the defendant wrote to himself union check number 125 in the amount of \$3,672.84 for the

27 ///

28 ///

INDICTMENT

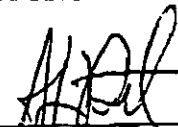
J
RS

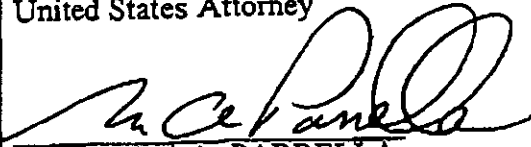
1 purpose of attending a union convention in June 2001 when in fact he did not attend the
2 convention but cashed the check and kept the money for his own personal use.


3 All in violation of Title 29, United States Code, Section 501(c).

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DATED:
9/24/2003

A TRUE BILL.

FOREPERSON

KEVIN V. RYAN
United States Attorney

MATTHEW A. PARRELLA
Chief, San Jose Branch Office

(Approved as to form: 
AUSA Singh