

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,) INDICTMENT **CR-08-324 DSD/RLE**
)
Plaintiff,) (18 U.S.C. § 1855)
) (18 U.S.C. § 1856)
v.) (16 U.S.C. § 551)
) (36 C.F.R. § 261.3(b))
STEPHEN GEORGE POSNIAK,)
)
Defendant.)

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1
(Setting Timber Afire)

On or about May 5, 2007, in the State and District of
Minnesota, the defendant,

STEPHEN GEORGE POSNIAK,

did willfully and without authority set on fire timber, underbrush,
grass, and other inflammable material upon lands owned by the
United States within the Superior National Forest, namely: the
defendant burned paper trash and other items that ignited a fire in
the Superior National Forest that burned approximately 75,000 acres
in the United States and Canada, and resulted in fire suppression
costs of approximately \$11 million, in violation of Title 18,
United States Code, Section 1855.

SCANNED

OCT 20 2008

U.S. DISTRICT COURT MPLS

OCT 20 2008
FILED
RICHARD D. SLETTEN
JUDGMENT ENTD _____
DEPUTY CLERK _____

COUNT 2

(Leaving Fire Unattended and Unextinguished)

On or about May 5, 2007, in the State and District of Minnesota, the defendant,

STEPHEN GEORGE POSNIAK,

having kindled and caused to be kindled a fire in and near forest, timber, and other inflammable material upon lands owned and controlled by the United States within the Superior National Forest, did leave said fire without totally extinguishing the same, and did permit and suffer said fire to burn and spread beyond his control and to burn unattended, in violation of Title 18, United States Code, Section 1856.

COUNT 3

(Giving False Information to a Forest Officer)

On or about May 5, 2007, in the State and District of Minnesota, the defendant,

STEPHEN GEORGE POSNIAK,

did knowingly give false, fictitious, and fraudulent information to U.S. Forest Service Officers Barry Huber and David Spain, who were engaged in the performance of their official duties, namely: the defendant stated that he camped overnight on Cross Bay Lake, not Ham Lake, on the evening of May 4, 2007, and that he encountered a fire already burning out of control at a Ham Lake campsite on the morning of May 5, 2007 while paddling back through Ham Lake to

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Tuscarora Lodge, when in truth and in fact, as the defendant knew, he camped overnight on Ham Lake on the evening of May 4, 2007, and he started a paper trash fire at his Ham Lake campsite on the morning of May 5, 2007 that spread to nearby timber, underbrush, grass, and other inflammable material; all in violation of Title 16, United States Code, Section 551, and Title 36, Code of Federal Regulations, Section 261.3(b).

A TRUE BILL

UNITED STATES ATTORNEY

FOREPERSON