



**U.S. Department of Justice**

*United States Attorney  
Northern District of New York*

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*100 South Clinton Street  
Room 900; P.O. Box 7198  
Syracuse, New York 13261-7198  
(315) 448-0672*

**Hand-Delivered**  
September 18, 2007

The Honorable Gustave J. Di Bianco  
United States Magistrate Judge  
Federal Building and U.S. Courthouse  
P.O. Box 7346  
Syracuse, NY 13261-7346

Re: Superseding Information in *United States v. Murtari*, 5:07-CR-387 (GJD)

Dear Judge DiBianco:

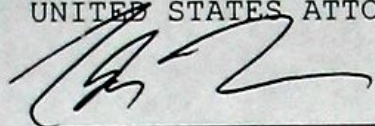
I have enclosed a courtesy copy of a first superseding information in the case of *United States v. Murtari*, Criminal Case No. 5:07-CR-387 (GJD). We government filed the superseding information today. It simply adds two new charges, violations of 41 CFR § 102-74.385 [failure to comply with lawful directives of an authorized official] for the incidents on August 30, 2007 and September 4, 2007. We believe that the Court need not set a special arraignment date for the superseding information. Rather, the defendant can be arraigned on the superseding information on October 3, 2007, the day of trial on these charges and the related contempt of court charges in Criminal Case No. 5:07-CR-406 (GJD).

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States Marshals, in violation of Title 18, United States Code,  
Section 401(3).

GLENN T. SUDDABY  
UNITED STATES ATTORNEY

By:



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John M. Katko  
Assistant U.S. Attorney  
Bar Roll No. 502457

COPY

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN MURTARI,

Defendant.

Crim. No. 5:07-CR-387 (GJD)

41 CFR §102-74.380(b)  
[Damage to Federal Property];  
41 CFR § 102-74-385 [Failure  
to Comply with Lawful  
Directive]

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FIRST SUPERSEDING INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

On or about August 30, 2007, in Onondaga County, in the Northern  
District of New York, the defendant,

**JOHN MURTARI,**

entered on to property that was under authority of the General Services  
Administration and did willfully destroy or damage such property, to wit: the

defendant did write on the surface of the plaza outside the James M. Hanley Federal building there by defacing and damaging said property,

All in violation of 41 CFR 102-74 .380(b)

**COUNT TWO**

On or about August 30, 2007, in Onondaga County, in the Northern District of New York, the defendant,

**JOHN MURTARI,**

while on property that was under authority of the General Services Administration, failed to comply with the lawful direction of Federal police officers and other authorized individuals, to wit: after being told by an authorized official to stop writing on the surface of the plaza outside the James M. Hanley Federal building, the defendant returned and continued to write on the plaza surface,

All in violation of 41 CFR 102-74 .385

**COUNT THREE**

On or about September 4, 2007, in Onondaga County, in the Northern District of New York, the defendant,

**JOHN MURTARI,**

entered on to property that was under authority of the General Services Administration and did willfully destroy or damage such property, to wit: the

defendant did write on the surface of the plaza outside the James M. Hanley Federal building there by defacing and damaging said property,

All in violation of 41 CFR 102-74 .380(b)

**COUNT FOUR**

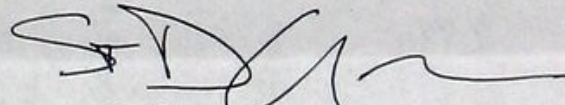
On or about September 4, 2007, in Onondaga County, in the Northern District of New York, the defendant,

**JOHN MURTARI,**

while on property that was under authority of the General Services Administration, failed to comply with the lawful direction of Federal police officers and other authorized individuals, to wit: after being told by an authorized official on August 30, 2007 to stop writing on the surface of the plaza outside the James M. Hanley Federal building, the defendant returned and continued to write on the plaza surface,

All in violation of 41 CFR 102-74 .385

GLENN T. SUDDABY  
United States Attorney



Dated: September 18, 2007

By: Steven D. Clymer  
Assistant U.S. Attorney  
Bar Roll No. 509281