

# UNITED STATES DISTRICT COURT

WESTERN

DISTRICT OF

NORTH CAROLINA **FILED**

UNITED STATES OF AMERICA

IN COURT  
CHARLOTTE, N. C.

V.

PAUL G. TIMMINS

**WAIVER OF INDICTMENT** AUG 3 2004

U. S. DISTRICT COURT  
W. DIST. OF N. C.

CASE NUMBER: 5:04cr35

I, Paul G. Timmins, the above named defendant, who is accused of

intentionally accessed a protected computer without authorization and, as a result of such conduct, caused damage, and attempted to do the same and by such conduct caused and would, if completed have caused, loss to one or more persons during any one-year period aggregating at least \$5,000.00 in value (and, in this case, more than \$10,000), in violation of Title 18, United States Code, Section 1030(a)(5)(A)(iii),(a)(5)(B)(i),(b)

being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on 8/3/04 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

*Date*

Paul G. Timmins  
*Defendant*  
Joseph J. [Signature]  
*Counsel for Defendant*

Before [Signature]  
*Judicial Officer*