

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:18-CR-36-1B0 (4)

UNITED STATES OF AMERICA)
)
 v.) INDICTMENT
)
SCOTT DOUGLAS BROWNING)

The Grand Jury charges:

COUNT ONE

Beginning at a time unknown to the Grand Jury but not earlier than January 5, 2012, and continuing to on or about July 16, 2014, in the Eastern District of North Carolina, the defendant, SCOTT D. BROWNING, did conspire, confederate, and agree with others, both known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 641, by willfully and knowingly receiving, concealing and retaining stolen property of the United States, that is, various articles belonging to the United States military, of a value exceeding \$1,000.00, with intent to convert said property to his own use, the defendant, SCOTT D. BROWNING, then knowing said property to have been stolen.

PURPOSE OF THE CONSPIRACY

It was the purpose of the conspiracy for the defendant, SCOTT D. BROWNING, to unlawfully enrich himself, by among other things, receiving stolen equipment belonging to the United States military and selling the stolen equipment for profit.

OVERT ACTS

In furtherance of the conspiracy and to achieve the object thereof, at least one of the following overt acts, among others, were committed by the defendant, SCOTT D. BROWNING, in the Eastern District of North Carolina, between 2012 and 2014:

1. The defendant purchased stolen military equipment from United States servicemembers.
2. When United States servicemember B.C. was departing Fort Bragg, North Carolina while transporting stolen military equipment in his vehicle and was in route to meet the defendant, the defendant called B.C. and warned him to "watch out" for the Military Police who were searching vehicles.
3. The defendant provided B.C. with bolt cutters to utilize when stealing military equipment.
4. The defendant paid S.W. monthly to utilize her Ebay account, "blondiesteph2," in order to sell various articles belonging to the United States military.
5. The defendant, utilizing Ebay account "blondiesteph2," did

list for sale two MX-11769 Image Intensifier Tubes with their serial numbers blacked out.

6. The defendant paid J.B. monthly to utilize his Ebay account, "jrb00332012," in order to sell various articles belonging to the United States military.

7. The defendant did attempt to dispose of shipping labels for Dell computers that had been recently reported stolen from Fort Bragg, North Carolina.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

Beginning at a time unknown to the Grand Jury but not earlier than January 5, 2012, and continuing to on or about July 16, 2014, in the Eastern District of North Carolina, the defendant, SCOTT D. BROWNING, willfully and knowingly did receive, conceal and retain stolen property of the United States, that is, various articles belonging to the United States military, of a value exceeding \$1,000.00, with intent to convert said property to his own use, the defendant, SCOTT D. BROWNING, then knowing said property to have been stolen, in violation of Title 18, United States Code, Section 641.

COUNT THREE

Beginning on or about January 3, 2013, and continuing to on or about September 8, 2014, in the Eastern District of North Carolina, the defendant, SCOTT D. BROWNING, knowingly and willfully exported and caused to be exported from the United States to the Netherlands defense articles, that is, Image Intensifier Generation 3 MX-10130, Image Intensifier Generation 3 MX-10160, Image Intensifier Generation 3 MX-11769, and the BAE Systems OASYS SkeetIR Micro Thermal Imaging Monocular 640x480, which are all designated as defense articles on the United States Munitions List, without having first obtained from the Department of State a license for such export or written authorization for such export, in violation of Title 22, United States Code, Sections 2778 (b) (2) and 2778 (c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, and 127.1.

COUNT FOUR

On or about January 7, 2014, in the Eastern District of North Carolina, the defendant, SCOTT D. BROWNING, knowingly and intentionally possessed oxycodone, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 844 (a).

COUNT FIVE

On or about January 7, 2014, in the Eastern District of North Carolina, the defendant, SCOTT D. BROWNING, knowingly and intentionally possessed testosterone, a Schedule III controlled substance, in violation of Title 21, United States Code, Section 844(a).

FORFEITURE NOTICE

The defendant is given notice of the provisions of Title 18, United States Code, Section 981(a)(1)(C) (as made applicable by Title 18, United States Code, Section 2461(c)), that all the defendant's interest in the property specified herein is subject to forfeiture.

As a result of the foregoing offenses in Counts One, Two and Three of the indictment, the defendant shall forfeit to the United States any and all property, real or personal, constituting, or derived from, any proceeds the defendant obtained directly or indirectly as a result of the said offenses. The property includes, but is not limited to, the gross proceeds of the offense.

If any of the above-described forfeitable property, as a result of any act or omission of the defendants --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;

- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty --

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853 (p) (made applicable by Title 28, United States Code, Section 2461 (c)), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

~~FOREPERSON~~ ✓

2/6/18
DATE

ROBERT J. HIGDON, JR.
United States Attorney


BY: JASON M. KELLHOFER
Assistant United States Attorney