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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
U.S. DISTRICT COURT
N.D. OF ALABAMA

SOUTHERN DIVISION

UNITED STATES OF AMERICA)
)
-v-) CR 00-S-0422-S
) Superseding
ERIC ROBERT RUDOLPH)

INDICTMENT

COUNT ONE: [18 U.S.C. § 844(i)]

The Grand Jury charges that:

On or about the 29th day of January, 1998, in Jefferson County, within the Northern District of Alabama, the defendant,

ERIC ROBERT RUDOLPH,

did maliciously damage, by means of an explosive, a building and property used in an activity affecting interstate and foreign commerce, namely the New Woman All Women Health Care Clinic located at 1001 17th Street South in Birmingham, Alabama, which prohibited conduct resulted in the death of Robert D. Sanderson and personal injury to Emily Lyons, in violation of Title 18, United States Code, Section 844(i).

COUNT TWO: [18 U.S.C. §§ 924(c)(1)]

The Grand Jury charges that:

On or about the 29th day of January, 1998, in Jefferson County, within the Northern

District of Alabama, the defendant,

ERIC ROBERT RUDOLPH,

knowingly used a firearm, that is a destructive device, during and in relation to a crime of violence for which he may be prosecuted in a Court of the United States, that is the damage to a building and property used in an activity affecting interstate and foreign commerce, as described above in Count One, and in the course of such conduct caused the death of Robert D. Sanderson through the use of said firearm, in violation of Title 18, United States Code, Sections 924(c)(1).

NOTICE OF SPECIAL FINDINGS

The allegations of Count One of this Indictment are hereby realleged as if fully set forth herein and incorporated by reference. With regard to Count One of this Indictment, the Grand Jury makes the following special findings:

1. The defendant, ERIC ROBERT RUDOLPH, was 18 years of age or older at the time of the offense. (18 U.S.C. § 3591(a)).
2. The defendant, ERIC ROBERT RUDOLPH,:
 - a. intentionally killed the victim. (18 U.S.C. § 3591(a)(2)(A));
 - b. intentionally inflicted serious bodily injury that resulted in the death of the victim. (18 U.S.C. § 3591(a)(2)(B)).
 - c. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, who died as a direct result of the act. (18 U.S.C. §3591(a)(2)(C)).
 - d. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person and constituted a reckless disregard for

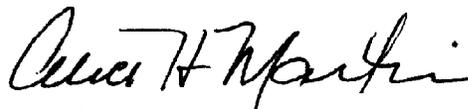
human life and the victim died as a direct result of the act. (18 U.S.C. §3591(a)(2)(D)).

3. The defendant, ERIC ROBERT RUDOLPH,:
 - a. during the commission of an offense under section 844(i), as alleged herein, caused the death of and injuries resulting in the death of a person. [18 U.S.C. §3592(c)(1)].
 - b. in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense. [18 U.S.C. §3592(c)(5)].
 - c. committed the offense in an especially heinous, cruel and depraved manner in that it involved torture or serious physical abuse to the victims. [18 U.S.C. §3592(c)(6)].
 - d. committed the offense after substantial planning and premeditation to cause the death of a person or commit an act of terrorism. [18 U.S.C. § 3592(c)(9)].
 - e. intentionally attempted to kill more than one person in a single criminal episode. [18 U.S.C. §3592(c)(16)].

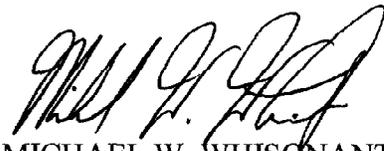
A TRUE BILL



FOREMAN OF THE GRAND JURY



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