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U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TOMMY ALAN CAIN,

Defendant.

INDICTMENT

_____ /
The Grand Jury charges:

COUNT 1
(Abusive Sexual Contact by Threat)

Between in or about June, 2007, and July, 2007, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in sexual contact, to wit, intentional hand to genital contact, with P.W., an Indian female, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person, by threat or placing P.W. in fear.

18 U.S.C. § 2244(a)(2)

18 U.S.C. § 2246(3)

18 U.S.C. § 1151

18 U.S.C. § 1152

COUNT 2
(Sexual Abuse by Threat)

In or about August, 2007, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, penetration of the vulva by a finger, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person, by threat or placing P.W. in fear.

18 U.S.C. § 2242(1)
18 U.S.C. § 2246(2)(C)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 3
(Sexual Abuse of a Minor)

In or about August, 2007, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in a sexual act with P.W., an Indian female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the defendant, to wit, penetration of the vulva by a finger, with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

18 U.S.C. § 2243(a)
18 U.S.C. § 2246(2)(C)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 4
(Sexual Abuse by Threat)

On or about August 26, 2007, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, penis to vulva contact, by threat or placing P.W. in fear.

18 U.S.C. § 2242(1)

18 U.S.C. § 2246(2)(A), (B)

18 U.S.C. § 1151

18 U.S.C. § 1152

COUNT 5
(Sexual Abuse of a Minor)

On or about August 26, 2007, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in a sexual act, to wit, penis to vulva contact, with P.W., an Indian female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the defendant.

18 U.S.C. § 2243(a)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 6
(Sexual Abuse by Threat)

On or about March 2, 2008, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, penis to vulva contact, by threat or placing P.W. in fear.

18 U.S.C. § 2242(1)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 7
(Sexual Abuse of a Minor)

On or about March 2, 2008, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in a sexual act, to wit, penis to vulva contact, with P.W., an Indian female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the defendant.

18 U.S.C. § 2243(a)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 8
(Sexual Abuse by Threat)

In or about September, 2009, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, mouth and penis to vulva contact, by threat or placing P.W. in fear.

18 U.S.C. § 2242(1)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 9
(Sexual Abuse of a Minor)

In or about September, 2009, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in a sexual act, to wit, mouth and penis to vulva contact, with P.W., an Indian female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the defendant.

18 U.S.C. § 2243(a)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 10
(Sexual Abuse by Threat)

On or about July 4, 2010, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, mouth and penis to vulva contact, by threat or placing P.W. in fear.

18 U.S.C. § 2242(1)

18 U.S.C. § 2246(2)(A), (B)

18 U.S.C. § 1151

18 U.S.C. § 1152

COUNT 11
(Sexual Abuse of a Minor)

On or about July 4, 2010, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians, in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly engage in a sexual act, to wit, mouth and penis to vulva contact, with P.W., an Indian female, who had attained the age of 12 years but had not attained the age of 16 years and was at least four years younger than the defendant.

18 U.S.C. § 2243(a)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

COUNT 12
(Sexual Abuse by Threat)

Between in or about August, 2011, and in or about November, 2011, in Chippewa County, on land that is held in trust by the United States for the Sault Ste. Marie Tribe of Chippewa Indians in the Northern Division of the Western District of Michigan,

TOMMY ALAN CAIN,

a non-Indian, did knowingly cause the victim, P.W., an Indian female, to engage in a sexual act, to wit, mouth and penis to vulva contact, by threat or placing P.W. in fear.

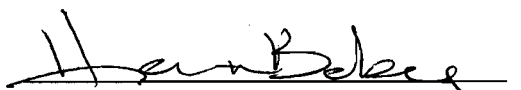
18 U.S.C. § 2242(1)
18 U.S.C. § 2246(2)(A), (B)
18 U.S.C. § 1151
18 U.S.C. § 1152

A TRUE BILL



GRAND JURY FOREPERSON

PATRICK A. MILES, JR.
United States Attorney



HANNAH N. BOBEE
Assistant United States Attorney