

**FILED**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

AUG 16 2017

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY Ruth Rose, DEPUTY

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
-vs- )  
)  
DAVID CHESLEY GOODYEAR, )  
a/k/a JamesSober, )  
a/k/a Wolfman\_4\_Ever, )  
a/k/a HawaiiAPUser, )  
)  
Defendant. )

No. CR 17-179 HE

Violations:  
18 U.S.C. § 1030(a)(5)(A)  
18 U.S.C. § 1030(c)(4)(B)(i)  
18 U.S.C. § 2

**INDICTMENT**

The Federal Grand Jury charges:

**Introduction**

At all times relevant to this Indictment:

1. **DAVID CHESLEY GOODYEAR** is a resident of El Segundo, California.
2. Astronomics is a family-owned retail company that sells telescopes and astronomy accessories, with its principal place of business in Norman, Oklahoma, in the Western District of Oklahoma. In addition to a brick and mortar retail location, Astronomics also operates a retail website at [www.astronomics.com](http://www.astronomics.com).
3. Astronomics also owns a website called Cloudy Nights, the world's largest free astronomy forum on the Internet, with over 65,000 registered users. The website is [www.cloudynights.com](http://www.cloudynights.com).

4. HackForums.net (“Hack Forums”) is a website that describes itself as the ultimate security technology and social media forum. Hack Forums users are known to discuss hacking computers and digital systems, as well as conducting denial of service attacks on computer networks and websites. Registered users may request that other members carry out denial-of-service attacks on particular websites.

5. A denial-of-service attack or distributed denial-of-service attack (“DOS attack”) is a cyber-attack where the perpetrator seeks to make a machine or network resource unavailable to its intended users by temporarily or indefinitely disrupting services of a host connected to the Internet.

6. A “protected computer” is a computer which is used in or affecting interstate or foreign commerce or communication, including a computer located outside the United States that is used in a manner that affects interstate or foreign commerce or communication of the United States.

#### **DOS Attacks of Astronomics**

7. **GOODYEAR** was a user of Cloudy Nights and a customer of Astronomics. He used multiple usernames on Cloudy Nights and some of his usernames, as well as his main IP address, had been banned from Cloudy Nights for violating the terms of service. **GOODYEAR**’s username Wolfman\_4\_Ever had been banned in August 2013, and his main IP address had been banned in December 2014.

8. Other **GOODYEAR** usernames on Cloudy Nights include Skunky, C0sM0s, ReFracAsCt, DeepSpacBlakHole, JamesSober, and HawaiiAPUser.

9. On or about August 13, 2016, **GOODYEAR** attempted to access Cloudy Nights as JamesSober, but his access to the community was denied because his JamesSober account had been banned on August 8, 2016.

10. On or about August 13, 2016, **GOODYEAR** posted a message on Cloudy Nights from username HawaiiAPUser with a screenshot of his failed login attempt. In the message, **GOODYEAR** used profanity toward the owner of Astronomics and the administrators and moderators of Cloudy Nights. He included pornography and threatened, “I have so many usernames on [Cloudy Nights] and access to proxy servers that you can’t stop me! . . . I think I will talk with my contacts and just DOS this site as well as A55tronomics.”

11. On or about August 13, 2016, **GOODYEAR** created and registered a username on HackForums.net in the name of Wolfman\_4\_Ever.

12. On or about August 13, 2016, **GOODYEAR** posted a request for HackForums.net users to take down the website www.Astronomics.com.

13. Between on or about August 13, 2016, and August 30, 2016, DOS attacks on www.Astronomics.com hindered the operation of www.Astronomics.com.

**COUNT 1**

(Intentional Damage to a Protected Computer)

14. The Federal Grand Jury incorporates paragraphs 1–14 by reference.

15. From on or about August 13, 2016, through on or about August 30, 2016, in the Western District of Oklahoma and elsewhere,

----- **DAVID CHESLEY GOODYEAR,**  
**a/k/a JamesSober,**  
**a/k/a Wolfman\_4\_Ever,**  
**a/k/a HawaiiAPUser,** -----

knowingly caused the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused damage without authorization to a protected computer. During a 1-year period from the Defendant's course of conduct, the offense caused a loss to Astronomics aggregating to at least \$5,000.00 in value.

All in violation of Title 18, United States Code, Sections 1030(a)(5)(A) and (c)(4)(B)(i), and Title 18, United States Code, Section 2.

A TRUE BILL

  
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FOREPERSON OF THE GRAND JURY

MARK A. YANCEY  
United States Attorney

  
K. MCKENZIE ANDERSON  
Assistant United States Attorney