January 23, 2003

U.S.
Department of Justice
United States Attorney
Western District of Pennsylvania
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Pittsburgh, Pennsylvania Man Convicted of Hacking a Judge's Personal E-Mail Account

United States Attorney Mary Beth Buchanan announced today, January 23, 2003, that after deliberating 2 hours, a jury of five men and seven women found Brian T. Ferguson guilty of three counts of unauthorized access to a protected computer. Ferguson, age 43, of 414 Dewalt Drive was tried before Chief United States District Judge Donetta W. Ambrose in Pittsburgh, Pennsylvania.

According to Assistant United States Attorney Paul E. Hull, who prosecuted the case, the evidence presented at trial established that Ferguson broke into the America Online account of Common Pleas Court Judge Kim D. Eaton on three occasions. He obtained personal e-mail messages belonging to Judge Eaton, files, and other information that were part of her AOL account.

Judge Ambrose scheduled sentencing for April 11, 2003 at 10:00 a.m. The law provides for a total sentence of 3 years in prison, a fine of $300,000, or both. Under the Federal Sentencing Guidelines, the actual sentence imposed is based on the seriousness of the offense and the criminal history, if any, of the defendant. Pending sentencing, Ferguson remains free on bond. The Federal Bureau of Investigation's High Technology Crime Task Force and the Allegheny County District Attorney's Office conducted the investigation that led to the prosecution of Ferguson.

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