

INDICTMENT

Capital Murder §97-3-19(2)(f)
Kidnapping §97-3-53 – 2 Counts
Sexual Battery, §97-03-95(1)(d) - 3 Counts
Possession Stolen Vehicle, §97-17-70(4)

CIRCUIT COURT NO. 24-466 JH G

FILED

THE STATE OF MISSISSIPPI

JUN 28 2024

Circuit Court

FIRST DISTRICT, HINDS COUNTY

ZACK WALLACE, CIRCUIT CLERK

June Term, A.D., 2024

BY _____

First Judicial District
of Hinds County

The Grand Jurors of the State of Mississippi, taken from the body of good and lawful persons of the First Judicial District of Hinds County, in the State of Mississippi, elected, impanelled, sworn and charged to inquire in and for said District, County and State aforesaid, in the name and by the authority of the State of Mississippi, upon their oath present: That

Daniel Wayne Callihan
while acting alone and/or in concert with and/or aiding, assisting or encouraging
another or others; to-wit, Victoria Cox

In said District, County and State

COUNT I

on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, the said defendant being a male human being above the age of eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, willfully, unlawfully, and feloniously kill, a human being, Erin Nicole Brunett, a four (4) year old female child, whose date of birth is October 28, 2019, without the authority of law by any means or in any manner, done with or without design to effect death of Erin Nicole Brunett, while in the commission of the crime of felonious abuse and/or battery of a Erin Nicole Brunett as prohibited by Mississippi Code Annotated §97-5-39(2), all occurring within the jurisdiction of this court and in violation of Section 97-3-19(2)(f) Mississippi Code Annotated (1972, as amended); and,

COUNT II

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, feloniously and without lawful authority forcibly seized, inveigled, kidnapped and/or confined Erin Nicole Brunett, a four (4) year old female child, whose date of birth is October 28, 2019, against her will and/or against the will of her parents, guardian(s) or persons having lawful custody of her, by forcibly confining her at or near 3980 Boozier Drive, Jackson, Mississippi, all occurring within

the jurisdiction of this court, in violation of Mississippi Code Annotated Section 97-3-53(1972, as amended); and,

COUNT III

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, feloniously and without lawful authority forcibly seized, inveigled, kidnapped and/or confined J.B. a six (6) year old female child, whose date of birth is October 5, 2017, against her will and/or against the will of her parents, guardian(s) or persons having lawful custody of her, by forcibly confining her at or near 3980 Boozier Drive, Jackson, Mississippi, all occurring within the jurisdiction of this court, in violation of Mississippi Code Annotated Section 97-3-53(1972, as amended); and,

COUNT IV

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously engage in sexual penetration, as defined by Mississippi Code Annotated §97-3-97, with J.B. a six (6) year old female child, whose date of birth is October 5, 2017, by aiding, assisting, encouraging and/or participating in the act of Victoria Cox engaging in cunnilingus with six year old J.B., at a time when said Daniel Wayne Callihan and Victoria Cox were each more than twenty-four (24) months older than J.B., all occurring within the jurisdiction of this court and in violation of Section §97-03-95(1)(d), Mississippi Code Annotated (1972, as amended); and,

COUNT V

based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously engage in sexual penetration, as defined by Mississippi Code Annotated §97-3-97, with J.B. a six (6) year old female child, whose date of birth is October 5, 2017, by penetrating J.B.'s vaginal and/or anal opening with any part of his, Daniel Wayne Callihan's body at a time when said Daniel Wayne Callihan was more than twenty-four (24) months older than J.B., all occurring within the jurisdiction of this court and in violation of Section §97-03-95(1)(d), Mississippi Code Annotated (1972, as amended); and,

COUNT VI

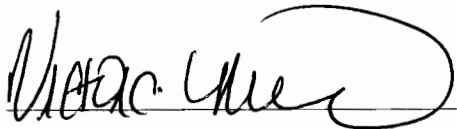
based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously engage in sexual penetration, as defined by Mississippi Code Annotated §97-3-97, with J.B. a six (6) year old female child, whose date of birth is October 5, 2017, by engaging in fellatio with J.B., at a time when said Daniel Wayne Callihan was more than twenty-four (24) months older than J.B., all occurring within the jurisdiction of this court and in violation of Section §97-03-95(1)(d), Mississippi Code Annotated (1972, as amended); and,

COUNT VII

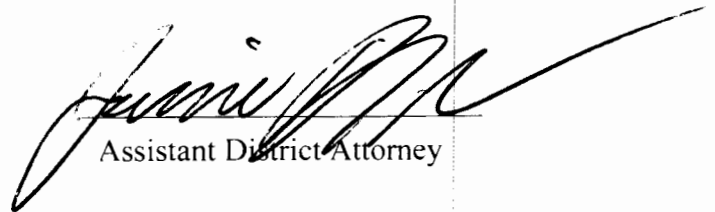
based upon a series of acts connected together and constituting parts of a common scheme and plan, said Daniel Wayne Callihan being a male human being above the age eighteen (18) years, did, while acting alone and/or in concert with and/or aiding, assisting or encouraging Victoria Cox and/or others known and unknown to the grand jury, on and about the 13th day of June, 2024, in the county aforesaid and within the jurisdiction of this Court, willfully, unlawfully, and feloniously, intentionally possessed, received, retained or disposed of stolen property, a black in color 2012 Chrysler 200, VIN Number 1C3CCBABXCN138446 , a motor vehicle, the property of another, that had been stolen from Tangipahoa Parish, Louisiana, having a property value of more than \$1,000.00 but less than \$5,000.00, knowing that said motor vehicle had been stolen or having reasonable grounds to believe it had been stolen, all occurring within the jurisdiction of this court and in violation of Section §97-17-70(4), Mississippi Code Annotated (1972, as amended).

All of the above, Count I, Count II, Count III, Count IV, Count V, Count VI and Count VII being contrary to the form of the statute in such cases made and provided, and against the peace and dignity of the State of Mississippi.

Endorsed: A True Bill



Foreman of the Grand Jury



Assistant District Attorney