

**FILED**  
At Albuquerque NM

MAR 29 2010

**MATTHEW J. DYKMAN**  
CLERK

**UNITED STATES DISTRICT COURT**

for the

United States of America )

v. )

Jake SKINNER )  
(aka Jack SKINNER) )  
Year of Birth 1965 )

Case No. 10-MJ-885

Defendant(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 26, 2006 in the county of Bernalillo in the  
State and District of New Mexico, the defendant(s) violated:

*Code Section*  
18 USC 2252(a)(4)(B)  
18 USC 2252(b)(2)  
18 USC 2256

*Offense Description*  
Possession Of A Matter Containing A Visual Depiction Of A Minor

This criminal complaint is based on these facts:  
See attached affidavit incorporated herein by reference.

Continued on the attached sheet.

Complainant's signature

Christine Brital, ICE Senior Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/29/2010

Judge's signature

Alan C. Torgerson

Printed name and title

U.S. Magistrate Judge

City and state: Albuquerque, New Mexico



Training with United States Customs Service also at FLETC. Your Affiant attended Cyber Undercover Training at the Cyber Crimes Center (C3) and is certified as a cyber undercover agent with ICE. Your Affiant has also attended courses in Cyber Investigation and Peer Precision. Your Affiant has received various training in investigating and enforcing federal child pornography and exploitation laws in which computers are used as the means for receiving, transmitting, distributing, storing, and possessing images of minors engaged in sexually explicit conduct (hereafter referred to as "child pornography"). Since September 2006, your Affiant has been a part of the Albuquerque Internet Crimes Against Children (ICAC) task force in Albuquerque, New Mexico. The Albuquerque ICAC is a cooperative effort of members from the New Mexico Attorney General's Office (AGO), the ICE Albuquerque office and other law enforcement agencies, whose purpose is to investigate criminal violations of both federal and state child pornography and child exploitation laws. Your Affiant has worked several child pornography and child exploitation investigations and has been trained in the investigation of computer related child exploitation and child pornography cases, including Title 18, United States Code, Section 2252. Your Affiant holds a Bachelor's Degree in Criminal Justice and Psychology from California State University, Stanislaus, and a Master's of Forensic Science Degree from George Washington University.

3. This affidavit is made in support of a Criminal Complaint against Jake SKINNER (aka Jack SKINNER; Year of Birth 1965) for Possession Of A Matter Containing A Visual Depiction Of A Minor in violation of 18 U.S.C. §§ 2252(a)(4)(B), 2252(b)(2), and 2256. The information set forth herein was obtained as a result of my investigation and that of other law enforcement officers.

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4. Between April of 2007 and July of 2007, New Mexico Attorney General's Office (NMAGO) Special Agent (SA) Lois Kinch and a member of the New Mexico Internet Crimes Against Children (ICAC) Task Force was performing a forensic examination on a suspect's computer from a separate and independent investigation. During the examination, SA Kinch found several email messages in which visual depictions of minors engaged in sexually explicit conduct (hereafter "child pornography") were exchanged between her suspect and other suspects. SA Kinch began working a joint investigation, pertaining to these suspects, with Immigration and Customs Enforcement (ICE), which is also a member of the New Mexico ICAC Task Force.

5. SA Kinch's suspect was using the screen name of "Cutebutbald@aol.com" and he was in contact with another suspect utilizing the screen name of "TradeHottPixxx@aol.com". Based on the information obtained from SA Kinch, which included the forensic examination of the computer associated with "Cutebutbald", "Cutebutbald" had sent five (5) emails containing child pornography to "TradeHottPixxx" on March 26, 2006.

6. On or about August 15, 2007, SA Kinch provided ICE Group Supervisor (GS) Davalu Cummings with several screen names and email addresses that were located on the computer belonging to "Cutebutbald" who were distributing, receiving and/or possessing child pornography. That information was passed on to your Affiant by ICE GS Cummings on or about August 17, 2007.

7. On or about August 23, 2007, your Affiant served a Customs Summons to America Online (AOL) for subscriber information of the persons using the screen names to distribute, receive and/or possess child pornography images in connection with "Cutebutbald," which included "TradeHottPixxx." On or about September 7, 2007, your Affiant received information

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from AOL. AOL indicated that the subscriber for screen name "TradeHottPixxx" was Jake SKINNER of 4607 Overland, NE, Albuquerque, NM 87109.

8. On or about September 12, 2007, NMGAO SA Kinch advised NMAGO SA Marc Laws of the information SA Kinch learned from her investigation and also the information received from AOL pursuant to the ICE Summons. The NMAGO had previously investigated Jake SKINNER during a prior ICAC related child pornography investigation where a user in Florida and an account associated with Jake SKINNER were distributing, receiving and possessing child pornography images with one another. SA Laws determined that the individual, Jake SKINNER, sold his home at 4607 Overland NE, Albuquerque, NM, and currently resided at 7526 2<sup>nd</sup> Street NW, Albuquerque, NM 87107. Based upon the aforementioned information, NMAGO SA Law applied for and obtained a state search warrant for Jake SKINNER's residence for evidence related to distribution, receipt and possession of child pornography.

9. On or about October 5, 2007, agents with the NMAGO, ICE, and the Federal Bureau of Investigation (FBI) executed the search warrant at 7526 2<sup>nd</sup> Street NW, Albuquerque, NM 87107. Once inside the residence, agents located two (2) vehicles in a large warehouse. Agents acquired a second state search warrant, also executed on or about October 5, 2007, for these two (2) vehicles.

10. On or about October 5, 2007, Jake SKINNER was advised of his Miranda rights and signed a waiver of his rights. During an interview, Jake SKINNER told ICE SA Sonny Garcia and FBI SA Robert Henderson that he received and distributed child pornography for ten (10) years. SKINNER admitted he used America Online and Comcast as his Internet Service Providers; however, SKINNER admitted to agents that he only utilized his AOL accounts to

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receive and distribute child pornography.

11. Your Affiant knows that AOL servers are located in Alexandria, Virginia, thus, child pornography images which SKINNER possessed, received and distributed would pass through a server in Virginia to satisfy interstate nexus.

12. On or about March 5, 2008, SA Kinch began a computer forensic examination of the computers and computer-related media seized pursuant to the SKINNER search warrants. The below items were found to contain identified victims of child pornography files, pursuant to a report from the National Center for Missing and Exploited Children (NCMEC), which is a national clearinghouse utilized by law enforcement to identify known images of child pornography. The items containing child pornography included the following:

Item #2 (forensic exam #2): One (1) Silver and Black Gateway Laptop Computer (Serial Number T355C110006481) containing the following: One (1) Hitachi Travelstar 80 GB Hard Disk Drive (Serial Number AQGD3GVB); and

Item #22 (forensic exam #4): One (1) Hot Drive Mobile 2.5 HDD casing containing the following: One (1) IBM Travelstar 20 GB Hard Disk Drive (Serial Number 631E3840).

13. On or about March 28, 2008, NMAGO SA Kinch sent approximately 1,059 images and 31 video files of child pornography and child erotica to NCMEC for comparison against their national database of known (identified) images and videos of child pornography.

14. On or about June 16, 2008, SA Kinch received a report from NCMEC, which detailed that 107 files were identified from 23 different series and 3 video files were identified from 2 different series. A series is one or more files depicting a previously identified victim of child pornography.

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15. The following are two files which SA Kinch found in her forensic examination of SKINNER's computer (Item #2), which were located in an AOL email directory:

File Name: untitled111.jpg

Full Path: Hitachi 80GB HDD s\_nAQGD3GVB\Part\_1\NONAME-NTFS\Documents and Settings\All Users\Application Data\AOL\C\_America Online 9.0a\organize\abqnorthvalley>>abqnorthvalley>>newmail>>MessageO244>>aoladp://MA14 325659-0030/Untitled111.jpg.

NCMEC Series: Jessie

Description: This is an image file of a boy, who appears to be less than 15 years of age. The boy is nude, sitting down and holding his erect penis in his hand.

File Name: bbondage209a.jp

Full Path: Hitachi 80GB HDD s\_n AQGD3GVB\Part\_1\NONAME-NTFS\Documents and Settings\All Users\Application Data\AOL\C\_America Online 9.0a\organize\nadalisababa>>nadalisababe>>newmail>>MessageO196>>aoladp://MA13229517-0046/bbondata209a.jpg

NCMEC Series: Hotel

Description: This is an image file with a nude boy, who appears to be less than 16 years of age. The boy is sitting down with a rope tied around both of his upper arms and an adult male is standing in front of the boy. The adult male has his penis in the boy's mouth.

16. On or about March 26, 2010, your Affiant spoke with Probation and Parole Officer Rachel Fischbach-Saiz. According to Probation and Parole Officer Fischbach-Saiz, Jake SKINNER's current physical address is 7526 2<sup>nd</sup> Street, NW, Albuquerque, NM 87107, and a mailing address of P.O. Box 27308, Albuquerque, NM 87125.


17. On or about March 26, 2010, your Affiant contacted United States Postal Inspection Service (USPIS) Inspector Greg Cliadakis. Your Affiant requested the physical mailing address

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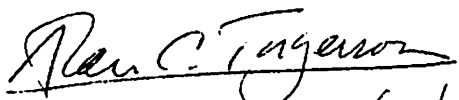
for Jake SKINNER at P.O. Box 27308, Albuquerque, NM 87125. On the same date, your Affiant received a copy of Postal Form 1093 from USPIS Inspector Cliadakis showing an address for Jake SKINNER of 7526 2<sup>nd</sup> Street, NW, 87107.

18. Based upon the above, Your Affiant believes she has probable cause to charge Jake SKINNER (aka Jack SKINNER) with Possession Of A Matter Containing A Visual Depiction Of A Minor in violation of 18 U.S.C. §§ 2252(a)(4)(B), 2252(b)(2), and 2256. Your Affiant therefore prays upon this Court to authorize this Criminal Complaint and summons Jake SKINNER (aka Jack SKINNER) into United States District Court for purposes of arraignment on this criminal complaint.

I swear this information is true to the best of my knowledge and belief:

  
\_\_\_\_\_  
CHRISTINE BRITAL  
Senior Special Agent  
Immigration and Customs Enforcement

*March 29, 2010*

  
\_\_\_\_\_  
U.S. Magistrate Judge