

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography; 18 U.S.C. § 2252(a)(4)(B)- Possession of Child Pornography; 18 U.S.C. § 2253(a) - Forfeiture Allegation

Petty
 Minor
 Misdemeanor
 Felony

PENALTY:
See attachment



Name of District Court, and/or Judge, Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA

FILED
MAY - 9 2013

DEFENDANT - U.S. RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DISTRICT COURT NUMBER

CR13-00304

YGR

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges _____
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District) _____

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction
 - 6) Awaiting trial on other charges
- } Fed'l State

If answer to (6) is "Yes", show name of institution _____

Has detainer been filed? Yes No } If "Yes" give date filed _____

DATE OF ARREST _____
Month/Day/Year

Or... if Arresting Agency & Warrant were not _____
Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY _____

This report amends AO 257 previously submitted

PROCEEDING
Name of Complainant Agency, or Person (& Title, if any)
Homeland Security Investigations, U.S. Department of Homeland Security

person is awaiting trial in another Federal or State Court, give name of court _____

this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District _____

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. Att'y Defense

this prosecution relates to a pending case involving this same defendant

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO. _____

MAGISTRATE CASE NO. _____

Name and Office of Person Furnishing Information on THIS FORM MELINDA HAAG
 U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned) ANDREW S. HUANG

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT Bail Amount: No Bail

If Summons, complete following:

Arraignment Initial Appearance

Defendant Address: _____

**Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment*

Date/Time: _____

Before Judge: _____

Comments: _____

PENALTY SHEET ATTACHMENT

United States of America v. Russell Patrick Pfister

Count One: 18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography

- Mandatory *minimum* of 5 years imprisonment
- Maximum of 20 years imprisonment
- \$250,000 fine
- Maximum of lifetime supervised release
- \$100 special assessment.
- Forfeiture
- Sex offender registration

Count Two: 18 U.S.C. § 2252(a)(4) - Possessing Child Pornography

- 10 years imprisonment
- \$250,000 fine
- Maximum of lifetime supervised release
- \$100 special assessment.
- Forfeiture
- Sex offender registration

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

CR13-00304YGR

UNITED STATES OF AMERICA,

v.

RUSSELL PATRICK PFIESTER,



FILED

MAY - 9 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

DEFENDANT.

INDICTMENT

18 U.S.C. § 2252(a)(2) - Receipt of Child
Pornography; 18 U.S.C. § 2252(a)(4)(B)-
Possession of Child Pornography;
18 U.S.C. § 2253(a) - Forfeiture Allegation

A true bill.

Foreman

Filed in open court this 9 day of May, 2013

Clerk

Bail \$ no bail warrant
Kandi Wehde 5/9/13

1 MELINDA HAAG (CABN 132612)
United States Attorney

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FILED
MAY - 9 2013
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 **CR13-00304 YGR**

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 RUSSELL PATRICK PFIESTER,
16 Defendant.

No.
VIOLATIONS: 18 U.S.C. § 2252(a)(2) -
Receipt of Child Pornography; 18 U.S.C.
§ 2252(a)(4)(B)- Possession of Child
Pornography; 18 U.S.C. § 2253(a) - Forfeiture
Allegation
OAKLAND VENUE

17
18
19 INDICTMENT

20 The Grand Jury charges:

21 COUNT ONE: (18 U.S.C. § 2252(a)(2) - Receipt of Child Pornography)

22 On dates unknown to the Grand Jury, but beginning at least as early as on or about May 8,
23 2012, and continuing through at least on or about May 30, 2012, within the Northern District of
24 California, the defendant,

25 RUSSELL PATRICK PFIESTER,

26 knowingly received at least one visual depiction using a means and facility of interstate
27 commerce, knowing that the production of such visual depiction involved the use of a minor
28 engaging in sexually explicit conduct, and that such visual depiction is of such conduct, in

INDICTMENT

Document No. **114**
District Court
Criminal Case Processing

1 violation of Title 18, United States Code, Section 2252(a)(2).

2
3 COUNT TWO: (18 U.S.C. § 2252(a)(4)(B) - Possession of Child Pornography)

4 On or about June 15, 2012, within the Northern District of California, the defendant,
5 RUSSELL PATRICK PFIESTER,
6 knowingly possessed and accessed with intent to view at least one matter which contained a
7 visual depiction that had been shipped and transported using any means and facility of interstate
8 and foreign commerce, and which was produced using materials which were transported in
9 interstate and foreign commerce, by any means including by computer, the production of such
10 visual depiction having involved the use of a minor engaging in sexually explicit conduct and
11 such depiction was of such conduct, in violation of Title 18, United States Code, Section
12 2252(a)(4)(B).

13
14 FORFEITURE ALLEGATION: (18 U.S.C. §§ 2253(a)(1) and (a)(3) - Criminal Forfeiture)

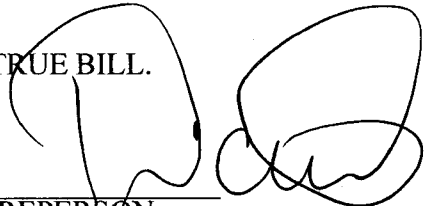
15 Upon conviction of the offenses alleged in Counts One and Two, the defendant,
16 RUSSELL PATRICK PFIESTER,
17 shall forfeit to the United States, all visual depictions described in Title 18, United States Code,
18 Section 2252, and all property, real or personal, used or intended to be used to commit or
19 promote the commission of the offenses of conviction, including but not limited to the following


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1 item that was obtained from the defendant on June 15, 2012:

- 2 1. HP laptop computer, serial number 4CA0202WML
- 3 all pursuant to Title 18, United States Code, Sections 2253(a)(1) and (a)(3).

4
5 DATED: 5/9/2013

A TRUE BILL.

FOREPERSON

9 MELINDA HAAG
United States Attorney
10 
11
12 THOMAS E. STEVENS
Chief, Oakland Branch

16 (Approved as to form: 
AUSA HUANG

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United States District Court
Northern District of California

[REDACTED]
BY [REDACTED] ER

FILED

MAY - 9 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

CRIMINAL COVER SHEET

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

Case Name:

USA v. RUSSELL PATRICK PFIESTER

Case Number:

CR13-00304 YGR

Total Number of Defendants:

1 2-7 _____ 8 or more _____

Is This Case Under Seal?

Yes No _____

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes _____ No

Venue (Per Crim. L.R. 18-1):

SF _____ OAK SJ _____

Is this a death-penalty-eligible RICO Act gang case?

Yes _____ No

Assigned AUSA (Lead Attorney):

ANDREW HUANG

Comments:

[Empty rectangular box for comments]

Date Submitted:

MAY 9, 2013

PRINT