

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

ANDREW DENNIS KROMER

CASE NUMBER: 8:12-MJ

8:12MJ1352TBM


I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about February 17, 2012, in Pinellas County, in the Middle District of Florida, defendant(s) did,

Distriubte and Possess Child Pornography

in violation of Title 18, United States Code, Section(s) 2252(a)(2) & (a)(4). I further state that I am a(n) Special Agent with Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No


Signature of Complainant
William B. Jones, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

June 13, 2012

at

Tampa, Florida

THOMAS B. MCCOUN, III
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

Your affiant, William B. Jones, being sworn to tell the truth, states the following:

1. Your affiant has been employed as a Special Agent with the Federal Bureau of Investigation ("FBI") since June 25, 1995. Beginning February, 2010, to the present, your affiant has been assigned to the FBI Innocent Images Task Force, members of which investigate the sexual exploitation of children. Your affiant has been involved in numerous investigations relating to the exploitation of children, including offenses involving the dissemination of child pornography on the Internet via computer. Your affiant has attended specialized courses involving computers and child exploitation.
2. Your affiant is authorized to investigate violations of laws of the United States, and is a law enforcement officer with authority to execute arrest and search warrants issued under the authority of the United States.
3. The statements contained in this affidavit are based on your affiant's knowledge or information provided to your affiant by other law enforcement officers. This affidavit is being submitted in support of a complaint. Your affiant has not included each and every fact known to him concerning this investigation. Your affiant has set forth only the facts necessary to establish probable cause that violations of Title 18, United States Code, Section 2252 have been committed by ANDREW DENNIS KROMER.
4. On February 15, 2012 and again on February 16, 2012, a Federal Bureau of Investigation Special Agent (SA) working in an undercover capacity and using a computer connected to the Internet, in the Federal Bureau of Investigation's office in Linthicum, Maryland, logged into Grouply.com, a social networking site. The SA reviewed some of the members and content of the groups called "shairboypics" and "B-Ass, ONLY Tight Boy Ass." On the "shairboypics" message board, the member "Brian S." updated his status to say, "Brian S. is on GIGA add me call4629." On the "B-Ass, ONLY Tight Boy Ass" a member posted, "just added 16 new pics. love to see a smooth tight ass with the balls hanging!! add me to giga call4629."
5. On February 16, 2012, a different SA working in an undercover capacity and using a computer connected to the Internet, in the Federal Bureau of Investigation's office in Linthicum, Maryland, launched a publicly available P2P file sharing program and sent an invitation to the user "call4629." On February 17, 2012, the user accepted the invitation allowing the SA to join his private network. The SA then conducted an undercover session, which lasted from 10:14am - 10:40am (EST) and involved IP address 70.126.166.182. The SA made a direct connection to call4629 and noted that the user had posted a message with his acceptance that stated, "lets trade, u see me on grouply?" The user was also sharing three password-protected "Read only" folders

titled "2bib", "zips", and "vids". Within a matter of seconds, call4629 initiated a chat communications with the SA and asked if the (undercover) account had "hot boy stuff". The call4629 user indicated he had tons of vids and pics to share, and he inquired about the "boy" folder on the undercover SA's account. The SA provided the password to this folder and the user then volunteered his own password as "boyboy".

6. Using the password provided, the SA accessed and browsed the "2bib" folder and found it contained 118 video files, many with titles indicative of CP related to boys. The "zips" folder contained 13 compressed files, some with titles related to boys or boys' names. The "vids" folder contained 73 video files, most with titles indicative of CP. Call4629 then added two new open "Read only" shared folders to his account, one titled "ewa" containing 170 files, or 19.4 MB; and the other titled "hardcock" containing 2,172 files, or 217.2 MB. Upon review, these folders contained image files that were displayed in thumbnail view, and clearly depicted CP primarily involving penetration, lascivious exhibition, oral copulation, and facial urination with pre-pubescent boys. The "ewa" folder contained a series of images with the same pre-pubescent boys, therefore SA Simon inquired if the user knew them personally. The user alleged he did know the children and provided very specific details, however it was later discovered that these photos were all part of a previously identified series known by the nickname "Erik".
7. The SA proceeded to download approximately 72 image files (22 files contained within zip file casoo11.zip) and five video files directly from call4629. Upon review, most of the image files appeared to contain CP, primarily depicting the lascivious exhibition, penetration, oral copulation, and facial urination of pre-pubescent boys, some involving bondage. All of the video files appeared to contain CP, primarily involving the lascivious exhibition, penetration, oral copulation, and masturbation of pre-pubescent boys.
8. During the session, the SA used the packet-capture program Wireshark in order to identify the Internet Protocol (IP) address utilized by call4629. According to Wireshark, all session data originated from an IP address 70.126.166.182. A query of the IP address through a publicly available database resolved to Road Runner ISP, in Saint Petersburg, Florida. On February 17, 2012, an Administrative Subpoena was served on Bright House Networks/Neustar for IP address 70.126.166.182, utilized on February 17, 2012 between 10:14am and 10:40am (EST). On April 19, 2012, Neustar provided a response identifying the subscriber to IP Address 70.126.166.182 as an individual residing at xxx Pinellas Bayway S, Apt xxx, Tierra Verde, FL 33715.
9. On June 8, 2012, a federal search warrant was authorized by United States Magistrate Judge Elizabeth Jenkins, United States District Court, Middle District of Florida, to search the residence located at xxx Pinellas Bayway South, Apartment xxx, St. Petersburg, Florida 33715, for violations of Title 18, United States Code, Sections 2252, and 2252A.

10. On June 13, 2012, Agents of the FBI and the Florida Department of Law Enforcement executed the search warrant at the xxx Pinellas Bayway South, Apartment xxx, St. Petersburg, Florida 33715 residence. Among other items located and seized during the search was a Lenovo laptop computer, with serial number 1516800329500ZZN. While on site, an FBI Task Force Officer utilized a preview tool called osTriage for the purpose of conducting a cursory forensic review. He then was able to locate approximately 341 files of child pornography. The files were located in a temporary folder used to extract compressed file known as a zip. The Officer copied 10 files to a report that is generated by osTriage, and showed those files to your affiant.
11. The following files observed by your affiant are just a sample of the files located and contained on the hard drive that are child pornography as defined in 18 U.S.C. § 2256(2)(B):
 - a. C:\users\Andrew\AppData\Local\Temp\jZip\jZip192C\jZip3B377\Raamat boy Hel-lo 20sec.avi is video which depicts a toddler being anally penetrated by an adult males penis.
 - b. C:\users\Andrew\AppData\Local\Temp\jZip\jZip12D0\jZipA1C5\000_002_12004 10.jpg is an image depicting a toddler being anally penetrated by an adult males penis. There appears to be male ejaculate on the toddler.
 - c. C:\users\Andrew\AppData\Local\Temp\jZip\jZip182F9\jZip1E31F\!!!!back.jpg is an image depicting two prepubescent males with one performing fellatio on the other.
 - d. C:\users\Andrew\AppData\Local\Temp\jZip\jZip182F9\jZip26B1\!!!dee~1.jpg is an image depicting two prepubescent males with one performing fellatio on the other.
12. On June 13, 2012, during a post Miranda interview, ANDREW DENNIS KROMER confessed to possessing and sending child pornography over the internet. KROMER confessed to using his computer to access the internet to obtain and share child pornography while living at the addresses of xxx Pinellas Bayway South, Apartment xxx, St. Petersburg, Florida 33715 and using the Brighthouse Network account subscribed to by him roommate.
13. Among other statements made, KROMER advised being the sole user of the Lenovo laptop computer. He described having downloaded the file sharing program onto the laptop computer and used it to obtain and share images of child pornography. He has also downloaded images of child pornography from other websites. He described the images as being sexually gratifying and erotic.
14. During the interview, KROMER was shown an exhibit containing six images downloaded during the undercover session on February 17, 2012, from his IP address. The images

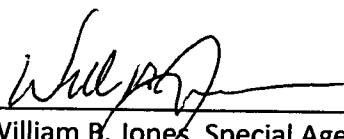
are child pornography as defined in 18 U.S.C. § 2256(2)(B) and are further described as follows.

- a. The file named "(0697).jpg" is a picture of a three pre-pubescent male children lying on a bed. Two of the children are unclothed with their genitals in a lascivious display for the camera. The other child is clothed and positioned over the unclothed child's genitalia.
 - b. The file named "00031.jpg" is a picture of two pre-pubescent male children's penis touching in a lascivious display for the camera.
 - c. The file named "126988574822_onionib.jpg" is a picture of an adult male urinating into the mouth of a pre-pubescent male child.
 - d. The file named "126988756780_onionib.jpg" is a picture of a nude pre-pubescent male child lying on a bed with his hands and feet tied together.
 - e. The file named "ew567.jpg" is a picture of an adult male's penis entering the mouth of a pre-pubescent male child in a lascivious display for the camera.
 - f. The file named "ewa513.JPG" is a picture of a nude pre-pubescent male child lying on bed with his hands bound together.
15. KROMER recognized all these images as having previously been downloaded onto the laptop by him and shared with others using the file sharing program. He confessed that all of the boys in the pictures were prepubescent, some were of children bound and all were victims of a crime. He signed the exhibit acknowledging the images were previously on his computer.

CONCLUSION

16. Based upon the physical evidence obtained during the undercover operation, physical evidence recovered during the execution of a federal search warrant, and the interview of ANDREW DENNIS KROMER, your affiant has probable cause to believe that:
- a. KROMER transported or distributed child pornography on the February 17, 2012, as defined in 18 U.S.C. § 2252(a)(2), on his personal computer;
 - b. KROMER possessed, stored and maintained images of child pornography as defined in 18 U.S.C. § 2252(a)(4), on his personal computer.

17. Therefore, probable cause exists to believe ANDREW DENNIS KROMER has violated Title 18, United States Code, Sections 2252 which prohibit transportation, possession, and attempted receipt of child pornography that has been mailed or shipped or transported in interstate or foreign commerce by any means, including by computer. It is respectfully requested that a criminal complaint and order to arrest be granted.



William B. Jones, Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me
this 19 day of June, 2012



THOMAS B. MCCOUN, III
UNITED STATES MAGISTRATE JUDGE