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UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	,))	INFORMATION CR 13-85 PJS
Plaintiff,)	(18 U.S.C. § 2252(a)(4)(B)) (18 U.S.C. § 2252(b)(2))
v.)	(18 U.S.C. § 2253)
JAMES RICHARD DARLING,)	(21 U.S.C. § 853(p))
Defendant.)	

THE UNITED STATES ATTORNEY CHARGES THAT:

<u>COUNT 1</u> (Possession of Child Pornography)

On or about September 22, 2009, in the State and District of Minnesota, the defendant,

JAMES RICHARD DARLING,

having been previously convicted under the laws of the State of Minnesota relating to aggravated sexual abuse, sexual abuse, or abusive sexual conduct involving a minor or ward, namely, a conviction on or about October 5, 1988, in Ramsey County, Minnesota, for Criminal Sexual Conduct in the Second Degree, did knowingly possess one or more matters which contained visual depictions that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce, and had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means including by computer, where the production of such visual depictions involved the use of a minor

SCANNED APR 18 2013 U.S. DISTRICT COURT MPLS FILED APR 1 7 2013 RICHARD D. SLETTEN JUDGMENT ENTD DEPUTY CLERK engaging in sexually explicit conduct and such visual depictions were of such conduct, including, but not limited to, the following computer image files:

- 1. 2ac7cc5a2bad7520.jpg
- 2. 18fadf86f161be53.jpg
- 3. f083890abebab0dc.jpg
- 4. 116d0ed4e40e80d3.jpg
- 5. 535cd1d1c75cade1.jpg
- 6. fe82057e0b4f245d.jpg
- 7. f4a06255e1f8a1c3.jpg
- 8. e1f059707b1e9b0e.jpg
- 9. 52b211fb8914ff27.jpg
- 10. 21ac2696464710ac.jpg
- 11. 671ca906021d186b.jpg
- 12. bca132c5258a90b9.jpg
- 13. e15e72e782733574.jpg
- 14. 120499e719c95f28.jpg
- 15. JPEG_19722629[27097].jpg
- 16. JPEG 17104896[434281].jpg

all in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

FORFEITURE ALLEGATIONS

Count 1 of this Information is hereby realleged and incorporated as if fully set forth herein by reference, for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253(a).

As a result of the foregoing offenses, the defendant,

JAMES RICHARD DARLING,

shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253(a):

(1) any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B or 2260 of Chapter 110 of Title 18, United States Code, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18, United States Code;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including a Hewlett Packard computer, serial number MXU82504GR.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

All in violation of Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2), and 2253(a).

Dated: 4 17 13

B. TODD JONES United States Attorney

BY: Lola Velazquez-Aguilu Assistant U.S. Attorney Attorney ID No. 389486