

MMS:mms
AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Minnesota

UNITED STATES OF AMERICA)

v.)

MICHAEL THOMAS SCHNAPP)

Case No. 14-MJ-104 TNL

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

Count 1

On or about April 15, 2013, in the State and District of Minnesota, defendant, having been previously convicted under the laws of the State of Minnesota relating to the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, namely, a conviction on or about January 8, 2013, in Hennepin County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly receive visual depictions that had been mailed, shipped and transported in interstate commerce, by computer, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such depictions were of such conduct, including, but not limited to, the computer video file Name p_10.mpg, all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

Count 2

On or about September 4, 2013, in the State and District of Minnesota, defendant, having been previously convicted under the laws of the State of Minnesota relating to the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, namely, a conviction on or about January 8, 2013, in Hennepin County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly receive visual depictions that had been mailed, shipped and transported in interstate commerce, by computer, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such depictions were of such conduct, including, but not limited to, the computer image files ldm-012-062.jpg and ldm-028-076.jpg, all in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

Count 3

On or about September 4, 2013, in the State and District of Minnesota, the defendant, having been previously convicted under the laws of the State of Minnesota relating to the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, a conviction on or about January 8, 2013, in Hennepin County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly possess one or more matters which contained visual depictions that had been shipped and transported using a means and facility of interstate commerce, including by computer, and had been mailed, shipped and transported in and affecting interstate commerce, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of such conduct, including, but not limited to, the computer video file Name p_13.mpg, all in violation of Title 18, United State Code, Sections 2252(a)(4)(B) and 2252(b)(2).

SCANNED
FEB 19 2014
U.S. DISTRICT COURT ST. PAUL

I further state that I am an Officer with the Minnesota Child Exploitation Task Force 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

 #2712

Complainant's signature

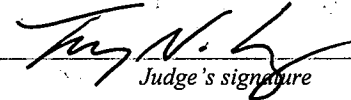
Dale Hanson, Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date:

Feb 19, 2014



Judge's signature

City and state: St. Paul, MN

The Honorable Tony N. Leung, U.S. Magistrate
Judge

Printed name and title

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) ss. AFFIDAVIT OF DALE HANSON

1. I am a Task Force Officer with the FBI Minnesota Child Exploitation Task Force, and my primary assignment is the investigation of the exploitation of children through the production and trade of child pornography. I have been a member of the Task Force since March 2011 and investigating such crimes since November 2005. In a calendar year, I investigate approximately 100 cases involving the distribution, receipt, and/or possession of child pornography.

2. This affidavit is submitted in support of a criminal complaint against MICHAEL THOMAS SCHNAPP on grounds that he committed violations of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1) (Receipt of Child Pornography) and Sections 2252(a)(4)(B) and 2252(b)(2) (Possession of Child Pornography). The elements of the offenses are as follows: (1) the defendant knowingly received and/or possessed a computer video and/or image that contained visual depictions of child pornography; (2) the defendant knew the visual depictions were of a minor engaging in sexually explicit conduct; and (3) the visual depictions were produced using materials that had been transported in interstate or foreign commerce, including by computer.

3. This affidavit is made for the purpose of establishing probable cause in support of a federal arrest warrant and therefore contains only a summary of relevant facts. This affidavit is based on my training, experience, personal knowledge and observations in this investigation; upon my discussions with other law enforcement

officers and agents directly involved in this investigation; and upon my review of official reports submitted in relation to this investigation.

4. On or about July 30, 2013, I identified a computer at Internet Protocol ("IP") address 75.72.165.104 offering child pornography for download using a peer to peer file sharing program. I downloaded 73 image files from that computer, 26 of which contained child pornography. Through an administrative subpoena, I was able to determine that the subscriber to the IP address 75.72.165.104 at the time of the download was Mike Schnapp (the "Defendant") at 3559 2 ½ Street NE, Minneapolis, MN 55418, and I recognized Defendant's name from a previous investigation.

5. On or about January 8, 2013, Defendant was convicted of Possession of Pornographic Work Involving a Minor in Hennepin County. He was sentenced to a term of 180 days' imprisonment, which he served in 4-day increments from January 2013 through July 2013.

6. On or about September 4, 2013, other law enforcement officers and I executed a search warrant in the basement portion of a house at 3559 2 ½ Street NE, which is Defendant's residence. During the execution of the search warrant, we located child pornography files on two computers in Defendant's bedroom and living area. One computer, attached to a television, was found to be running a peer to peer file sharing program called Vuze. The program was downloading files, including child pornography files, into folders labeled, "Documents\Vuze Downloads." It was also making files, including child pornography files, available for download, and some files were in the process of being downloaded by other Vuze users.

7. During the execution of the search warrant, Defendant returned to his residence from work. Because Defendant was on probation for his previous child pornography conviction, law enforcement had notified Defendant's probation officer about the initial findings during the execution of the search warrant, and an arrest and detain order was issued by Hennepin County Judge Gina Brandt.

8. In a post-Miranda recorded interview, Defendant admitted that he lived in the basement area of the house alone and that he was the Internet subscriber for that unit. Defendant acknowledged that he used peer to peer software to download child pornography files. He also admitted to hiding his computers during probation checks and downloading child pornography on a computer attached to his big screen television.

9. A number of items of computer hardware were seized during the execution of the search warrant. A forensic review of the hardware revealed more than 10,000 child pornography images and videos on an HP computer, a network storage device, and an iPad. File sharing programs were found on several seized computers. Additionally, at least 10 video files depicting child pornography with "creation" dates of April 15, 2013, were discovered in a folder ("Documents\Vuze Downloads") to the folder receiving/downloading child pornography files at the time of the execution of the search warrant. Most, if not all, of the child pornography retrieved from Defendant's computer hardware is indicated within the images or videos as having been produced by "LS-Models."

10. Based on my training and experience, the files as noted in the preceding paragraph satisfy the definition of child pornography and contain visual depictions of real

minor children engaging in sexually explicit conduct. Based on conversations with other law enforcement officials, it is my understanding that the "LS Models" series of child pornography was produced in the Ukraine and depicts images of a number of female children ages 8 to 14 years old.

11. Based on the above information, I submit there is probable cause to believe that MICHAEL THOMAS SCHNAPP, having been previously convicted under the laws of the State of Minnesota relating to the production, possession, receipt, mailing, sale, distribution, shipment, or transportation of child pornography, namely, a conviction on or about January 8, 2013, in Hennepin County, Minnesota, for Possession of Pornographic Work Involving a Minor, did knowingly receive and possess visual depictions that had been mailed, shipped and transported in interstate commerce, by computer, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such depictions were of such conduct, including, but not limited to, receiving the computer video file Name p_10.mpg and computer image files ldm-012-062.jpg and ldm-028-076.jpg, in violation of Title 18, United States Code, Sections

2252(a)(2) and 2252(b)(1), and possessing the computer video file Name p_13.mpg, in violation of Title 18, United State Code, Sections 2252(a)(4)(B) and 2252(b)(2).

Further your Affiant sayeth not.



#2712

Dale Hanson
Task Force Officer
FBI MN Child Exploitation Task Force

SUBSCRIBED and SWORN to before me

this 19th day of February 2014



MAGISTRATE JUDGE TONY N. LEUNG