

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**
 :
 v. : Mag. No. 09-4114 (CCC)
 :
 EVERETT ABNEY :

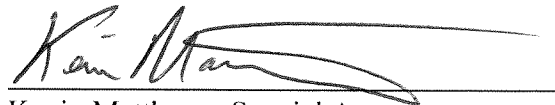
I, Kevin Matthews, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about February 4, 2009, in Middlesex County, in the District of New Jersey, and elsewhere, defendant EVERETT ABNEY:

did knowingly possess material that contained at least three images of child pornography, as defined in 18 U.S.C. § 2256(8), which images were shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and which were produced using materials that were shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and Section 2.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached page and made a part hereof.


Kevin Matthews, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
September 2, 2009 at Newark, New Jersey

HONORABLE CLAIRE C. CECCHI
UNITED STATES MAGISTRATE JUDGE


Signature of Judicial Officer

ATTACHMENT A

I, Kevin Matthews, a Special Agent with the Federal Bureau of Investigation, having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts:

1. In the course of conducting an investigation concerning the suspected trafficking in child pornography, defendant ABNEY agreed to speak with the officers and answer their questions. On or about February 4, 2009, law enforcement officers interviewed Everett Abney at his residence in Edison, New Jersey.

2. During the interview, defendant ABNEY admitted to actively seeking out child pornography using his computer. Specifically, defendant ABNEY admitted, in substance and in part, to employing the search terms “pedo,” “teen,” and “youngteen” to locate child pornography using the computer program Limewire.¹

3. Defendant ABNEY further admitted, in substance and in part, that although he is aware that possession of child pornography is illegal, he has been viewing it for approximately 1.5 years and acknowledged that his habit is growing increasingly “disturbing.”

4. At the conclusion of the interview, defendant ABNEY provided law enforcement officers with consent to seize and search his Compaq computer. On or about August 14, 2009, law enforcement officers began their review of the defendant’s computer. To date, law enforcement officers have found thousands of images of what appear to be child pornography as defined by Title 18, United States Code, Section 2256(8). Three of the images saved on the computer are described as follows:

- (A) 466474604bbc81b.jpg. This image appears to depict a naked, prepubescent female with blonde hair lying on her back, with her head on a pillow. A naked, adult male, visible from his stomach to just above his knees, is kneeling over the prepubescent female. The adult male’s penis is inserted into the prepubescent female’s mouth.
- (B) a9944bea92017186.jpg. This image appears to depict a naked, prepubescent female lying on her back, with her legs pulled back toward her head. Her vagina is exposed. The index finger of what appears to be an adult male is inserted into the prepubescent female’s anus.
- (C) a716358e0024f5f3.jpg. This image appears to depict a prepubescent female lying on a white cloth. The female is naked from her head to her stomach. An adult male, either standing or kneeling over the prepubescent female, is seen with his left hand

¹ Limewire is a commercially available peer-to-peer software program. Those who purchase and install the program on their computers become part of the Limewire peer-to-peer network. Once members of the network, subscribers can download images, videos, and other files located on any computer within the peer-to-peer network. Subscribers can search for files of interest on the peer-to-peer network by conducting keyword searches.

around his erect penis. The adult male appears to have ejaculated on the prepubescent female's chest.

5. Based upon my training and experience, the admissions made by defendant ABNEY, and to the best of my knowledge and belief, the images described in paragraphs 4(A) through 4(C) above were downloaded from the Internet, considering, among other things, their location and method of storage on defendant ABNEY's computer.