

Department of Justice

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MAN SENTENCED IN CHILD PORNOGRAPHY CASE

BUFFALO, N.Y. – **WAYNE RICHARD APOTOSKY**, 38, of Buffalo, New York, who, on January 23, 2009, was sentenced in NYS Court to an 18-month to 3-year term of prison following a grand larceny conviction arising out of defendant's acceptance of monies for construction work not performed, was sentenced today to 151 months in prison followed by a 10 year term of supervised release by Chief Judge Richard J. Arcara, U.S. District Court, announced U.S. Attorney Kathleen M. Mehlretter of the Western District of New York. The sentence was based on a May 19, 2009 conviction of possession of visual depictions that had been shipped and transported in interstate and foreign commerce by means of a computer, which visual depictions were produced using a minor engaging in sexually explicit conduct and which visual depictions were of such sexually explicit conduct.

Assistant U.S. Attorney Charles B. Wydysh stated that the case stemmed from Apotosky's use of a credit card to purchase access to an internet website that sold child pornography. On June 6, 2007, Special Agents of the Federal Bureau of Investigation (FBI) executed a search warrant at the residence of the defendant in Buffalo, New York, and seized four computers and several computer disks. Subsequent examination of the computer and disks by the Western New York Regional Computer Forensics Laboratory disclosed the presence of 300 image files and 10 video files of child pornography.

This case was brought as part of Project Safe Childhood. In February 2006, the Department of Justice created Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the U.S. Attorneys' Offices, Project Safe Childhood marshals federal, state, and local resources to better locate, apprehend, and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov.

The complaint was the culmination of an investigation on the part of Special Agents of the Federal Bureau of Investigation, under the direction of James H. Robertson, Special Agent in Charge. Assistant U.S. Attorney Charles B. Wydysch handled the prosecution of the case.