

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 13-**
v. : **DATE FILED: _____**
TIMOTHY JAMES KANE : **VIOLATIONS:**
: **18 U.S.C. § 2252(a)(2) (receipt of child**
: **pornography - 1 count)**
: **18 U.S.C. § 2252(a)(2) (distribution of**
: **child pornography - 1 count)**
: **18 U.S.C. § 2252(a)(4) (possession of child**
: **pornography - 1 count)**
: **18 U.S.C. § 2 (aiding and abetting)**
: **Notice of forfeiture**

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about August 2, 2011, in Telford, in the Eastern District of Pennsylvania,
defendant

TIMOTHY JAMES KANE

knowingly possessed and attempted to possess one or more books, magazines, periodicals, films, video tapes and other matter, namely one lap top computer, namely one HP Pavilion, dv5. Serial: CNF8501FQX (containing Hitachi, 320 GB (Gigabyte) hard drive, Serial: 081106FB0403LPHTYLWA), and one external hard drive, namely one Seagate, 1TB (Terabyte) USB Drive. Serial: 2GEV65NS, which contained visual depictions that had been shipped and transported in interstate and foreign commerce. The production of these visual depictions

involved the use of minors engaging in sexually explicit conduct and the visual depictions were of minors engaging in sexually explicit conduct.

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

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 27, 2010, in Telford, in the Eastern District of Pennsylvania, defendant

TIMOTHY JAMES KANE

knowingly received and attempted to receive visual depictions that had been shipped and transported in interstate and foreign commerce, which visual depictions showed minors engaged in sexually explicit conduct and the producing of those visual depictions involved the use of minors engaged in sexually explicit conduct, that is, images with the path name: Name! New ! (Pthc) Tara 8Yr - Tara Gets Molested By A Clown.mpg.

In violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about January 25, 2011 and on or about February 16, 2011, in Telford, in the Eastern District of Pennsylvania, defendant

TIMOTHY JAMES KANE

knowingly aided and abetted the distribution of visual depictions that had been shipped and transported in interstate and foreign commerce, which visual depictions showed minors engaged in sexually explicit conduct and the producing of those visual depictions involved the use of minors engaged in sexually explicit conduct, that is, images contained within files titled: "global2.rar," "global3.rar," and "global4.rar."

In violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1) and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 2252, set forth in this indictment, defendant

TIMOTHY JAMES KANE

shall forfeit to the United States of America:

(a) any visual depiction described in section 2252 or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received as a result of such violation, including, but not limited to:

(1) Hitachi, 320 GB (Gigabyte) hard drive, Serial: 81106FB0403LPHTYLWA);

(2) Seagate, 1TB (Terabyte) USB Drive. Serial: 2GEV65NS;

(b) any property, real or personal, used or intended to be used to commit or to promote the commission of such violation, including, but not limited to: HP Pavilion lap top computer, dv5. Serial: CNF8501FQX.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(b), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant(s) up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 2253.

A TRUE BILL:

FOREPERSON

ZANE DAVID MEMEGER
United States Attorney