

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 17, 2005, in Mount Joy Borough, in the Eastern District of Pennsylvania and elsewhere, defendant

KEITH GEPHART

knowingly received visual depictions, that is, a video file, named "024.MPG," 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.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 8, 2005, in Mount Joy Borough, in the Eastern District of Pennsylvania and elsewhere, defendant

KEITH GEPHART

knowingly received a visual depiction, that is, a still image (file name “79e78104a8[1].jpg”) that had been shipped and transported in interstate and foreign commerce, which visual depiction showed a minor engaged in sexually explicit conduct and the producing of that visual depiction involved the use of a minor engaged in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 13, 2005, in Mount Joy Borough, in the Eastern District of Pennsylvania and elsewhere, defendant

KEITH GEPHART

knowingly received visual depictions, those being four still images, under file names “24[1].jpg,” “18[2].jpg,” “26[1].jpg,” and “_6[2].jpg,” 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.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 8, 2005, in Mount Joy, in the Eastern District of Pennsylvania,
defendant

KEITH GEPHART

knowingly possessed approximately thirty photographs, all of 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, Section 2252(a)(4)(B)

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 23, 2005, in Mount Joy, in the Eastern District of Pennsylvania,
defendant

KEITH GEPHART

knowingly possessed approximately five non-cache still images on a computer, and two video files on a computer, all of 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, Section 2252(a)(4)(B)

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 2252(a), set forth above, the defendant

KEITH GEPHART

shall forfeit to the United States of America the following:

- (1) Any visual depiction involving the use of a minor as described in Title 18, United States Code, Section 2252(a), or any book, magazine, periodical, film, videotape, compact disk, computer, hard drive, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Section 2252(a);
- (2) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- (3) Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including but not limited to:
 - Sony PC21L computer tower (serial number 3022983);
 - Compaq Presario 5000 computer tower (serial number 3D0CJCC2V290);
 - Computer tower with no make model, or serial number; and
 - books, magazines and VHS tapes.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:
- cannot be located upon the exercise of due diligence;
 - has been transferred or sold to, or deposited with, a third party;
 - has been placed beyond the jurisdiction of the court;
 - has been substantially diminished in value; or
 - 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(o), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

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

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY