



U.S. Department of Justice

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NEWS RELEASE

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GARY A. ROBINSON PLEADS GUILTY IN U.S. FEDERAL COURT

Bill Mercer, United States Attorney for the District of Montana, announced today that during a federal court session in Billings before U.S. District Judge Richard F. Cebull, GARY A. ROBINSON, a 63-year-old resident of Billings, pled guilty to charges of transportation of obscene matters. ROBINSON is currently released on his own recognizance with conditions.

In an Offer of Proof filed by the United States, the government stated it would prove at trial that in the fall of 2002, while doing business as "Susie's Corral," ROBINSON used the United Parcel Service to distribute obscene videotapes. ROBINSON shipped the videotapes in response to orders placed by customers who received the "Susie's Corral" catalog through the United States mail. The videotapes depicted bestiality and defecation.

The Supreme Court's decision in Miller v. California, 413 U.S. 15 (1973), stated that material which appeals to prurient sexual desire, is patently offensive, and contains no serious literary, artistic, political or scientific value falls outside the protection of the First Amendment right of free speech. The Miller Court also stated that the standard should be determined on a local, rather than national, community standard. An average person,

applying local community standards, would find that the videotapes provided by ROBINSON specifically appealed to prurient sexual desire, were patently offensive, and contained no literary, artistic, political or scientific value of any kind.

ROBINSON faces possible penalties of 5 years in prison, a \$250,000 fine and 3 years supervised release. ROBINSON was also forfeit to the United States all material and property used to commit the offense.

U.S. Attorney Bill Mercer prosecuted the case for the United States.

The investigation was a cooperative effort between the United States Postal Inspection Service, the Child Exploitation and Obscenity Section of the United States Department of Justice, and the United States Attorney's Office.

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For a copy of the Offer of Proof contact Beth Binstock at (406) 247-4653