

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA) No. 11 CR 773
)
) Violations: Title 18, United States Code,
) Sections 2241(c), 2251(a), 2252A(a)(1) and
) 2252A(a)(5)(B)
BOBBY CRUZ)

COUNT ONE

The SPECIAL SEPTEMBER 2011 GRAND JURY charges:

Between in or about March 2008 and on or about June 3, 2009, at Morris, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, used, persuaded, induced, and enticed a minor, namely, Victim A, to engage in sexually explicit conduct, namely, lascivious display of the genitals, for the purpose of producing a visual depiction of such conduct, specifically an image entitled "1041.jpg," which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT TWO

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

Between in or about September 2007 and on or about June 3, 2009, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, used, persuaded, induced, and enticed a minor, namely, Victim B, to engage in sexually explicit conduct, namely, lascivious display of the genitals, for the purpose of producing a visual depiction of such conduct, specifically an image entitled "new225.jpg," which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT THREE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

Between in or about November 2007 and on or about June 3, 2009, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, used, persuaded, induced, and enticed a minor, namely, Victim C, to engage in sexually explicit conduct, namely, lascivious exhibition of the genitals, for the purpose of producing a visual depiction of such conduct, specifically an image entitled "t275.jpg," which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT FOUR

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

Between in or about April 2008 and on or about June 3, 2009, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, used, persuaded, induced, and enticed a minor to engage in sexually explicit conduct, namely, oral-genital sexual intercourse, for the purpose of producing a visual depiction of such conduct, specifically an image entitled "t277.jpg," which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT FIVE

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about October 22, 2010, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, crossed a State line with intent to engage in a sexual act with another person who had not attained the age of 12 years, namely, Victim C;

In violation of Title 18, United States Code, Section 2241(c).

COUNT SIX

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about September 14, 2011, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, using a means or facility of interstate commerce, namely, the internet, knowingly transported and caused to be transported child pornography, as that term is defined in Title 18, United States Code, Section 2256(8)(A), namely, no fewer than 100 images, including an image titled, "1689[1].jpg";

In violation of Title 18, United States Code, Section 2252A(a)(1).

COUNT SEVEN

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about October 26, 2011, at Des Plaines, in the Northern District of Illinois, Eastern Division, and elsewhere,

BOBBY CRUZ,

defendant herein, using a means or facility of interstate commerce, namely, the internet, knowingly transported and caused to be transported child pornography, as that term is defined in Title 18, United States Code, Section 2256(8)(A), namely, a video file titled, “megagozada.wmv”;

In violation of Title 18, United States Code, Section 2252A(a)(1).

COUNT EIGHT

The SPECIAL SEPTEMBER 2011 GRAND JURY further charges:

On or about November 1, 2011, at Des Plaines, in the Northern District of Illinois, Eastern Division,

BOBBY CRUZ,

defendant herein, knowingly possessed material, namely, a Compaq Presario laptop computer, model V400, serial number 2CE6160K0P; a Western Digital external hard drive, serial number WMAV51558418; a Seagate external hard drive, serial number 2GE6P44H; a Memorex thumb drive; and a black Sprint HTC cell phone, that contained an image of child pornography as defined in Title 18, United States Code, Section 2256(8)(A), such image having been shipped and transported using any means or facility of interstate commerce, and such image having been produced using materials that have been shipped and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE ALLEGATION

The SPECIAL SEPTEMBER 2011 GRAND JURY further alleges:

1. The allegations contained in this Indictment are realleged and incorporated by reference as if fully restated here for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

2. As a result of his violations of Title 18, United States Code, Sections 2241(c), 2251(a), 2252A(a)(1), and 2252A(a)(5)(B),

BOBBY CRUZ,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253, any and all right, title, and interest defendant has in any visual depictions described Title 18, United States Code, Sections 2251 and 2252A, and any and all property used and intended to be used to commit or to promote the commission of these violations, as well as any property traceable to such violations.

3. The interests of the defendant subject to forfeiture include, but are not limited to, the following items seized at defendant's residence on or about November 1, 2011:

- (a) a Compaq Presario laptop computer, model V400, serial number 2CE6160K0P;
- (b) a Western Digital external hard drive, serial number WMAV51558418;
- (c) a Seagate external hard drive, serial number 2GE6P44H;
- (d) a Memorex thumb drive;
- (e) a Panasonic Lumix digital camera;
- (f) a Sony Handycam video camera;
- (g) a Lumix video camera;
- (h) a Sony Cyber Shot digital camera, model DSC-TI;

- (i) video cassettes;
- (j) compact discs, digital versatile discs and floppy disks;
- (k) rolls of film; and
- (l) a black Sprint HTC cell phone.

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

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY