



# Department of Justice

## United States Attorney David Capp Northern District of Indiana

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Fort Wayne, Indiana 46802

**Hammond**

**South Bend**

**Fort Wayne**

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### WEEK IN REVIEW – FORT WAYNE

Fort Wayne, Indiana- The United States Attorney's Office announced the following activity:

#### PLEAS:

- Simeon Gomez Jaimes, 52, of Ligonier, Indiana, pled guilty before Magistrate Judge Roger Cosbey to the felony offense of misuse of a social security number. These charges were filed as the result of an investigation by United States Postal Inspection Service. This case is being prosecuted by Assistant United States Attorney Lovita Morris King.
- Ben B. Fisher, 35, of Fort Wayne, Indiana, pled guilty before Magistrate Judge Roger Cosbey to the felony offense of use of a communication facility conspire to distribute and possess with the intent to distribute marijuana; and to possess with the intent to distribute marijuana. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorney Anthony Geller.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.

#### DISPOSITIONS:

- Gary Bitzell, 42, of Fort Wayne, Indiana, was sentenced by Judge Theresa Springmann to two years of probation after pleading guilty to the felony offense of using a communications facility to facilitate a drug offense. This case was the result of an investigation by the Federal Bureau of Investigation, the Indiana State Police, the Allen County Police Department and the Fort Wayne Police Department. This case was prosecuted by Assistant United States Attorney Anthony Geller and Tina Nommay.

- Charlene Smith, 58, of Pleasant Hill, Iowa, was sentenced by Judge Theresa Springmann to 2 years of probation and restitution of \$8,256.46, after pleading guilty to the felony offense of theft of government money from the Social Security Administration which had been authorized to the husband of the defendant whom she knew was deceased and no longer entitled to the benefit payments. This case was the result of an investigation by the Social Security Administration. This case was prosecuted by Assistant United States Attorney Lovita Morris King.
- Brian Schinbeckler, 52, of Fort Wayne, Indiana, was sentenced by Judge Theresa Springmann to 66 months imprisonment, a \$5000 fine, and 5 years of supervised release after pleading guilty to the felony offense of distribution of material depicting sexual exploitation of minors.

The investigation into Schinbeckler's conduct began in May 2009 when a Hamilton County Metropolitan Internet Child Exploitation Task Force agent working in an undercover capacity used a publicly available peer-to-peer file sharing program to download from a user multiple video files depicting children engaged in sexually explicit conduct. The results of an administrative subpoena issued to the internet service provider of the user identified the subscriber as Brian Schinbeckler. A federal search warrant was subsequently obtained and executed at Schinbeckler's residence in Fort Wayne, Indiana, where law enforcement found hundreds of videos and images depicting children engaged in sexually explicit conduct.

This case was the result of an investigation by the Federal Bureau of Investigation Cyber Crime Task Force, and members of the Indiana Internet Crimes Against Children Task Force, including the Hamilton County Metropolitan Internet Child Exploitation (HCMICAC) Task Force, the Indiana State Police, the Fort Wayne Police Department, and the Allen County Police Department. This case was prosecuted by Assistant United States Attorney Lesley Miller Lowery.

This case was brought as part of Project Safe Childhood, a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse launched in May 2006 by the Department of Justice. Led by United States Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), 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 to identify and rescue victims. For more information about Project Safe Childhood, please visit [www.projectsafchildhood.gov](http://www.projectsafchildhood.gov).