

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO: 11-248
v.	*	SECTION: "N"
JOSEPH ST. PIERRE	*	VIOLATION: 18 U.S.C. § 2252(a)(2)
	*	18 U.S.C. § 2253
	*	

FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **JOSEPH ST. PIERRE (ST. PIERRE)**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the Bill of Information, the defendant, **ST. PIERRE**, was a resident of the Eastern District of Louisiana, living in Larose, Louisiana.

The government would present evidence and testimony that U. S. Department of Homeland Security, Homeland Security Investigation (HSI) agents along with the Louisiana State Police determined that **ST. PIERRE** was sharing images of child pornography through the use of peer-to-peer file sharing software. On April 27, 2011, law enforcement officials executed a search warrant,

based on probable cause, at the defendant's W. 13th Street residence. Agents will testify that when they entered **ST. PIERRE's** home they discovered that he was in the process of downloading child pornography. Agents would testify that they recovered a Toshiba Laptop computer from the defendant's home.

The government would establish through testimony and documentary evidence that **ST. PIERRE** knowingly used his computer to search for, download, and save images of child pornography. Further, the evidence and testimony would establish that a computer forensic search of **ST. PIERRE's** seized computers and related evidence revealed 333 images and 144 videos depicting the sexual victimization of children.

Further, the government would introduce post-*Miranda* statements wherein **ST. PIERRE** voluntarily admitted to state and federal agents that he knowingly received, downloaded, and possessed images of child pornography. According to **ST. PIERRE**, he used Limewire and Frostwire to download child pornography; used the search terms "incest," "pthc," and "Lolita," to search for child pornography; and said he was curious at first when he began looking for child pornography but then he "got hooked." **ST. PIERRE** said he would look at child pornography a lot; would use his Toshiba laptop computer to download the child pornography; would look at the child pornography and decide which images/videos he would keep or delete, and that he "probably" had an image or video of an adult male ejaculating on a child less than five years old. **ST. PIERRE** said he last viewed child pornography that morning and had been downloading child pornography since December 2010.

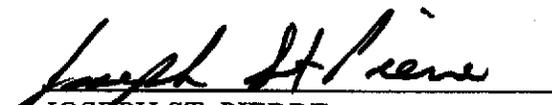
Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by

ST. PIERRE were of real, identifiable victims, less than the age of eighteen (18) at the time the child pornography was created.

Testimony would establish that some of the child victims depicted in the materials possessed and received by **ST. PIERRE** were of prepubescent children less than 18 years of age; to wit: less than twelve (12) years old and that the images of the child victims were engaged in "sexually explicit conduct" as defined in Title 18, United States Code, Section 2256. These images and videos include pictures of adult males vaginally penetrating minor victims. All of the images depicting the sexual victimization of minors possessed by the defendant would be introduced through the testimony of HSI agents.

Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.

Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire the child pornography was transported in interstate or foreign commerce.



JOSEPH ST. PIERRE
Defendant

11-16-11

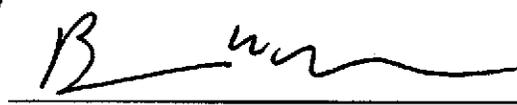
DATE



THOMAS DUNN
Counsel for Defendant

11-16-11

DATE



BRIAN M. KLEBBA
Assistant United States Attorney

11/16/11

DATE