

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

UNITED STATES OF AMERICA	*	CRIMINAL NO.
VERSUS	*	SECTION:
QUENTIN KITTEL	*	

* * *

F A C T U A L B A S I S

The defendant, **QUENTIN KITTEL** (hereinafter, the “defendant” or “**KITTEL**”), has agreed to plead guilty as charged to both Count One and Count Two of the two-count Bill of Information now pending against him, charging him in each count with receipt of child pornography, in violation of Title 18, United States Code, Section 2252(a)(2). Should this matter proceed to trial, both the Government and the defendant, **QUENTIN KITTEL**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and the defendant further stipulate that the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant:

The Government would show that, at all times mentioned in the Bill of Information,

the defendant, **QUENTIN KITTEL**, was a resident of the Eastern District of Louisiana who lived in Slidell, Louisiana.

The Government would further show that, at all times mentioned in the Bill of Information, **Minor Victim Number 1** was a sixteen (16)-year-old minor female. **Minor Victim Number 1** was born in February 1993.

The Government would further show that, at all times mentioned in the Bill of Information, **Minor Victim Number 2** was a minor female who was born in September 1998. Consequently, she was twelve (12)-years-old when the conduct forming the basis for Count Two began and was thirteen (13)-years-old when that conduct ended.

MINOR VICTIM NUMBER 1

The Government would present competent testimony and evidence that **KITTEL** met Minor Victim Number 1 in February 2009.

Beginning in about Fall 2009, **KITTEL** and **Minor Victim Number 1** met and began sending text messages (“texting”) via their respective cellular telephones to each other.

The Government would further present competent testimony and evidence, including the testimony **Minor Victim Number 1** and Special Agents with the Federal Bureau of Investigation (“FBI”) that in Fall 2009, in the course of the text message correspondence between **KITTEL** and **Minor Victim Number 1**, **KITTEL** requested and encouraged **Minor Victim Number 1** to take sexually explicit pictures of herself and send them to him via text message.

The Government would further present competent testimony and evidence that on or about November 3, 2009, at **KITTEL’S** request, direction, and instruction, **Minor Victim Number 1** took sexually explicit pictures of her breasts and vaginal area and sent them via

cellular text message to **KITTEL**.

Forensic examiners with the Federal Bureau of Investigation would testify, and a computer owned by **KITTEL** seized and searched after the execution of a valid search warrant would be introduced into evidence, to establish that after receiving the sexually explicit text messages from **Minor Victim Number 1**, **KITTEL** sent the messages and images via e-mail from his cellular telephone to his personal e-mail account, Quentin.Kittel@gmail.com.

Further the evidence and testimony would establish that a forensic search of **KITTEL'S** computer media revealed approximately twelve (12) images depicting **Minor Victim Number 1** completely nude, including at least two (2) that are sexually explicit, as that term is defined in Title 18, United States Code, Section 2256(2).

MINOR VICTIM NUMBER 2

The Government would further present competent testimony and evidence that **KITTEL** asked **Minor Victim Number 2** for her cellular telephone number in December 2010. Soon thereafter, **KITTEL** and **Minor Victim Number 2** began sending text messages (“texting”) via their respective cellular telephones to each other. In early 2011, the texting took on an overtly sexual theme and nature.

The Government would further present competent testimony and evidence, including the testimony **Minor Victim Number 2**, FBI Special Agents, and FBI Task Force Agents, that beginning in early 2011, and continuing through October 2011, in the course of the overtly sexual text correspondence between **KITTEL** and **Minor Victim Number 2**, **KITTEL** requested and encouraged **Minor Victim Number 2** to take sexually explicit pictures of herself and send them to him via text message. In his requests, **KITTEL** described how he wanted **Minor Victim**

Number 2 to pose and what he wanted her to do in the photographs, such as to “use toys.”

The Government would further present competent testimony and evidence, including introducing electronic devices, including cellular telephones, iPods, and computers, used by **KITTEL** and **Minor Victim Number 2**, as well as the testimony of FBI forensic examiners that, at **KITTEL’S** request, direction, and instruction, **Minor Victim Number 2** took pictures of her breasts and vaginal area and sent them to **KITTEL** via text message on multiple occasions, including twice in July 2011 and at least once in October 2011. In particular, one such image depicted **Minor Victim Number 2** spreading her legs and inserting a her finger into her vagina. Another image depicted **Minor Victim Number 2** inserting a hairbrush into her vagina. **KITTEL**, in return, used his cellular phone to take pictures of his unclothed chest, torso, and penis and to send them via cellular text message to **Minor Victim Number 2**. Further the evidence and testimony would establish that a forensic search of **KITTEL’S** computer media revealed approximately seven (7) images depicting **Minor Victim Number 2** completely nude, including at least two (2) that are sexually explicit, as that term is defined in Title 18, United States Code, Section 2256(2).

Forensic examiners with the FBI would testify, and a computer owned by **KITTEL** seized and searched after the execution of a valid search warrant would be introduced into evidence, that after receiving the sexually explicit text messages from **Minor Victim Number 2**, **KITTEL** sent the messages and images via e-mail from his cellular telephone to his personal e-mail account, Quentin.Kittel@gmail.com.

The Government would also present evidence that would establish that the images of child pornography depicting **Minor Victim Number One** and **Minor Victim Number 2** 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, **QUENTIN KITTEL**, to acquire the child pornography described above was transported in interstate and foreign commerce.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, Special Agents, Task Force Agents, and forensic examiners from the FBI, **Minor Victim Number 1**, **Minor Victim Number 2**, other witnesses, documents and electronic devices in the possession of the FBI, and the voluntary statements of the defendant, **QUENTIN KITTEL**.

Further, the defendant agrees that the images of **Minor Victim Number 1** and **Minor Victim Number 2** discussed *supra*. depict minors engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256(2).

APPROVED AND ACCEPTED:

QUENTIN KITTEL	Date
Defendant	

ROBERT STERN, ESQ.	Date
(Louisiana Bar No. _____)	
Attorney for Defendant Kittel	

JORDAN GINSBERG	Date
(Illinois Bar. No. 6282956)	
Assistant United States Attorney	