

NEWS

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Millville Man Pleads Guilty to Distribution of Child Pornography

(More)

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CAMDEN – A Millville man pleaded guilty today to a federal charge of distribution of child pornography, admitting he used LimeWire to upload and download still and video images of child pornography, U.S. Attorney Paul J. Fishman announced.

Gary Gandy, 55, pleaded guilty before U.S. District Judge Noel L. Hillman to one-count Information. Judge Hillman continued the defendant's release on bond with the condition of house arrest with electronic monitoring pending sentencing, which is scheduled for March 26.

At his plea hearing, Gandy admitted that from November 2008 through March 31, 2009, he used LimeWire, a peer-to-peer filing sharing software, as a means of receiving and distributing images of child pornography, in addition to using other means to download and view child pornography. For instance, on Nov. 25, 2008, an undercover officer using the LimeWire software was able to download eight images of child pornography that Gandy had made available for distribution from his home computer, Gandy admitted.

Gandy admitted that during the execution of a search warrant by federal law enforcement agents on March 31, 2009, he told the agents he possessed images and videos of child pornography on his computer and multiple computer disks. Gandy also agreed that the computer disks seized from his residence contained numerous images and videos of child pornography that included videos of girls as young as 2-years-old being sexually assaulted by an adult.

The charge of distribution of child pornography carries a minimum mandatory penalty of 5 years imprisonment and a maximum penalty of 20 years imprisonment and a fine of \$250,000.

In determining an actual sentence, Judge Hillman will consult the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Fishman credited Special Agents with the FBI's Atlantic City Resident Agency, under the direction of Special Agent in Charge Weysan Dun, with the investigation leading to the guilty plea.

The government is represented by Assistant U.S. Attorney Jacqueline M. Carle of the Criminal Division in Camden.

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Defense Attorney: John J. Zarych, Esq. Northfield