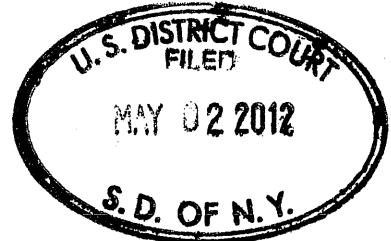


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ORIGINAL

Approved: ASD
ANDREA L. SURRATT
Assistant United States Attorney

Before: THE HONORABLE GABRIEL W. GORENSTEIN
United States Magistrate Judge
Southern District of New York



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 :
 UNITED STATES OF AMERICA : COMPLAINT
 :
 - v. - : Violation of
 : 18 U.S.C. § 2252A(a) (5) (B)
 EVAN ZAUDER, :
 : Defendant. : COUNTY OF OFFENSE:
 : : NEW YORK
 ----- x

SOUTHERN DISTRICT OF NEW YORK, ss.:

CINDY WOLFF, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI") and charges as follows:

COUNT ONE

On or about May 1, 2012, in the Southern District of New York and elsewhere, EVAN ZAUDER, the defendant, knowingly did possess and access with intent to view, a book, magazine, periodical, film, videotape, computer disk, and other material that contains an image of child pornography that has been mailed, and shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, ZAUDER possessed on a computer in New York, New York, files containing child pornography.

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

The bases for my knowledge and for the foregoing charges are, in part, as follows:

1. I have been a Special Agent with the FBI since October 2005 and have participated in numerous investigations of the sexual exploitation of children in violation of federal law.

2. I have participated in the investigation of this matter, and I am familiar with the information contained in this Complaint based on my own personal participation in the investigation, my review of documents, conversations I have had with other law enforcement officers about this matter, my training and experience, and numerous discussions I have had with other law enforcement personnel concerning the creation, distribution, and proliferation of child pornography. Because this Complaint is being submitted for the limited purpose of establishing probable cause to arrest the defendant, I have not included the details of every aspect of the investigation. Where actions, conversations and statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

DEFINITIONS

3. The following terms have the indicated meaning in this Complaint:

a. The terms "minor," "sexually explicit conduct," and "visual depiction," as used herein, are defined as set forth in Title 18, United States Code, Section 2256.

b. The term "child pornography," as used herein, is defined as set forth in Title 18, United States Code, Section 2256(8)(A).

THE INVESTIGATION

4. From my personal participation in this matter, I have learned the following:

a. On or about May 1, 2012, FBI agents in New York, acting on a tip that EVAN ZAUDER, the defendant, has child pornography on his computer at a particular apartment in Manhattan (the "Apartment") went to the Apartment. At the Apartment, other FBI agents and I encountered ZAUDER.

b. EVAN ZAUDER, the defendant, told FBI agents that an Apple Macintosh desktop computer (the "Computer") located in a bedroom in the Apartment belonged to ZAUDER. ZAUDER also confirmed that he lives in the Apartment.

c. Later the same day, FBI agents obtained a judicially-authorized search warrant authorizing the search and seizure of, among other things, the Computer. Pursuant to this warrant, another FBI agent (the "Agent") did a preliminary search

of the Computer. The Agent told me that he determined, in sum and substance:

i. That there are hundreds of images and videos of child pornography on the Computer. In particular, the Computer contains the following files, among others:

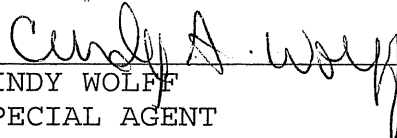
1. A video in a folder called "Evan Zauder\Downloads." This video depicts a boy between the ages of 10 and 13 years old performing oral sex on what appears to be an adult male. I know in my training and experience, that files stored in a computer user's "Downloads" folder typically were downloaded from the Internet.

2. A video titled "!!!!homealone-0813.mpeg," which is a 13-second video depicting 2 prepubescent males in which one male is masturbating and giving oral sex to the other male. This video was received via Skype file transfer, which I know, based on my training and experience, means that the video was received over the Internet.

3. A video titled "GAY PRETEEN," which is a 3 min.57 second video of three teenage boys engaged in masturbation and oral sex with one another. This video was received by a Skype file transfer, which I know, based on my training and experience, means that the video was received over the Internet.

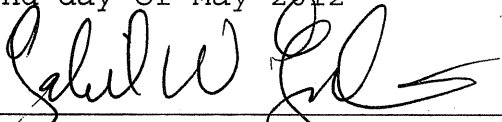
4. A video titled "7 boy gives great head.mpg," which is 1 minute, 49 seconds in length, that depicts a boy, approximately 7-10 years old, performing oral sex on an adult male.

WHEREFORE, deponent asks that EVAN ZAUDER, the defendant, be imprisoned or bailed, as the case may be.



CINDY WOLFE
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Sworn to before me this
2nd day of May 2012



THE HONORABLE GABRIEL W. GORENSTEIN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK