

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 11-_____
v.	:	DATE FILED: _____
RICHARD BOERCKEL	:	VIOLATION: 18 U.S.C. § 2252(a)(4)(possession of images of children engaging in sexually explicit conduct – 1 count) Notice of Forfeiture

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

On or about February 5, 2010, in Newtown, in the Eastern District of Pennsylvania, defendant

RICHARD BOERCKEL

knowingly possessed approximately sixty video recordings and approximately 305 images which contained visual depictions that had been shipped and transported in interstate and foreign commerce and which were produced using materials that had been mailed, shipped and transported in interstate and foreign commerce. The production of these visual depictions involved the use of minors engaging in sexually explicit conduct and the visual depictions were of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(4)(B).

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violation of Title 18, United States Code, Section 2252, set forth in this information, defendant

RICHARD BOERCKEL

shall forfeit to the United States of America the following:

- a. Any visual depiction involving the use of a minor, or any book, magazine, periodical, film, videotape, compact disk, DVD, CD, computer, hard drive, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received, in violation of Title 18, United States Code, Section 2252(a); and
- b. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including but not limited to a Dell Laptop Inspiron 1520, model PP22L, Service Tag 2WVZZD1; a Seagate Momentus 7200.2 hard drive, PN 9S5133-031; a Dell Laptop Inspiron 8200 Model PP01X, Service Tag GJ9P11; and a IBM Travelstar hard drive PN 07N8368, SN TH-00-K727-12567-27A-2Q3D.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 853 (p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 2253.

ZANE DAVID MEMEGER
United States Attorney