

produced using materials that had been sent by mail and shipped and transported in interstate and foreign commerce.

Count One	December 11, 2011
Count Two	December 17, 2011
Count Three	January 9, 2012
Count Four	January 28, 2012
Count Five	January 29, 2012

All in violation of Title 18, United States Code, Sections 2251(a), and 2251(e).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 5, 2012, in Upper Darby, in the Eastern District of Pennsylvania, defendant

**FITZGERALD HORTON
a/k/a "Gerald Horton"**

knowingly distributed visual depictions that had been shipped in interstate and foreign commerce, which visual depictions showed a minor engaged in sexually explicit conduct and the producing of those visual depictions involved the use of a minor engaged in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 2, 2012, in Upper Darby in the Eastern District of Pennsylvania, defendant

**FITZGERALD HORTON,
a/k/a "Gerald Horton"**

knowingly possessed books, magazines, periodicals, films, video tapes and other matter, namely a computer hard drive and a cellular telephone, which contained visual depictions that had been produced using materials which had been 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 GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 2251(a), 2252(a)(2) and (4), set forth in this indictment, defendant

**FITZGERALD HORTON,
a/k/a "Gerald Horton"**

shall forfeit to the United States of America any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violations of Title 18, United States Code, Sections 2252(a)(2) and (4), as charged in this indictment, including, but not limited to:

1. One Emachines Computer and Hard Drive, serial number CCC7310010396; and
2. One Motorola cellular telephone, serial number J87ENW2262, and charger.

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

A TRUE BILL:

GRAND JURY FOREPERSON


ZANE DAVID MEMEGER
United States Attorney