



**U.S. Department of Justice**

*United States Attorney  
Northern District of New York*

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*James T. Foley U.S. Courthouse*

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August 13, 2008

**PRESS RELEASE**

Glenn T. Suddaby, U.S. Attorney for the Northern District of New York, and Patrick Coutry, Acting Resident Agent in Charge of the U.S. Immigration and Customs Enforcement, Department of Homeland Security, announced today that **JOEL F. MARCELLUS**, age 50, of Stillwater, New York, was sentenced today by U.S. District Judge Thomas J. McAvoy in Federal Court in Albany on his guilty plea to a one count Information charging him with the possession of child pornography. **MARCELLUS** was sentenced to 48 months imprisonment and ordered to serve a lifetime term of supervised release. He also was ordered to (1) have no unsupervised contact with minors; (2) participate in a sex offender program; and (3) register with the New York State Sex Offender Registry Program. The court also ordered that various computer equipment be forfeited to the United States.

**MARCELLUS** pled guilty on March 26, 2008. In connection with his plea, **MARCELLUS** admitted the following in a written plea agreement and during his plea proceeding:

On or about October 3, 2006, and November 2, 2006, **MARCELLUS** paid for subscriptions to access two child pornography websites. Both of these websites offered sexually explicit images of

minors and were located outside the State of New York. On November 1, 2007, a federal search warrant was executed at MARCELLUS' residence, located in Stillwater, New York. Among other things, a Gateway computer (s/n 0027194905), an external hard drive, and several cd-roms were seized. These items were later submitted for forensic analysis. Said examination revealed that said computer and computer disks contained numerous images of minors engaged in sexually explicit conduct...These images depict actual individuals under the age of 18 engaged in, among other things, vaginal intercourse, anal sex, oral sex, urination, masturbation, digital penetration, and the lascivious exhibition of the genitals and pubic area. A majority of these images depict prepubescent minors engaged in sexually explicit conduct. Images depicting sadistic and masochistic conduct were also recovered. The images recovered from MARCELLUS' computer and computer disks depict actual, as opposed to computer generated, images of real minors engaged in such conduct.

When interviewed by law enforcement officials, MARCELLUS stated, among other things, that he had used his Gateway computer...to purchase, view and download child pornography. He noted that he downloaded said pornography to the external hard drive attached to his computer and that this hard drive contained images of minors engaged in sexually explicit conduct. He further stated that he had used various email accounts, including an America Online account, to obtain child pornography and to purchase subscriptions to child pornography websites over the course of the last 3 years. According to MARCELLUS, he searched for images depicting 10-12 year old girls engaged in sexually explicit conduct. Additionally, he acknowledged that he knew that downloading child pornography is wrong. MARCELLUS also admitted using a "wiping" software program to remove child pornography from his computer.

At the time of his offense, **MARCELLUS** was employed as a computer operator by the New York State Thruway Authority Headquarters in Albany.

The case was investigated by the Department of Homeland Security, U.S. Immigration and Customs Enforcement in Albany, New York, and the Stillwater Police Department.

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