



# Department of Justice

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WESTERN DISTRICT OF NORTH CAROLINA

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FOR IMMEDIATE RELEASE  
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**AGGRESSIVE PURSUIT OF CRIME AGAINST CHILDREN**  
**IN WESTERN DISTRICT OF NORTH CAROLINA**

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***Husband and Wife Charged with Interstate Transportation of Child Pornography***

CHARLOTTE, NC - A federal grand jury sitting in Charlotte has charged a couple with violating the federal child pornography laws announced United States Attorney Gretchen C.F. Shappert of the Western District of North Carolina.

The charges are contained in a federal bill of indictment filed in U.S. District Court in Charlotte on Wednesday, March 29, 2006. Those named in the indictment are Troy Alan Witschi, 42, and Billie Rose Witschi, 37, formerly of Richland Portage Counties in Ohio and of Rutherford and Mitchell Counties in North Carolina.

Troy Alan Witschi is charged in four counts with the production and transportation of child pornography. The indictment alleges that on four occasions between December 1999 and May 2004, the exact dates being unknown, he knowingly used a minor child to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, which were then transported in interstate commerce. One of those counts (Count Two) alleges that such activity took place while Troy Alan Witschi was in Rutherford County, North Carolina. All four of the counts against Troy Alan Witschi allege that the visual depictions of such conduct were transported from Ohio to Mitchell County, NC.

Billie Rose Witschi is charged in one count alleging that between June 2001 and June 2002, while in Rutherford County, North Carolina, being a parent of a minor, she did knowingly permit such minor to engage in and, did assist any other person to engage in, sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and such depiction was actually transported across state lines and in interstate commerce by any means, including a computer.

If convicted, Troy Witschi faces a mandatory minimum sentence of 10 years, a maximum of 20 years, and a fine of up to \$250,000 for each of Counts One, Two and Four. With regard to Count Five, Troy Witschi faces a mandatory minimum sentence of 15 years, a maximum of 30 years and a fine of up to \$250,000 if convicted. Billie Witschi, if convicted of Count Two, faces a mandatory minimum sentence of 10 years, a maximum of 20 years, and a fine of up to \$250,000. However, it is important to note that any sentence received upon conviction will be influenced by the Federal Sentencing Guidelines, which the Court consults in order to determine each defendant's actual sentence. Sentences are based upon a formula that takes into account the severity and characteristics of the offense and each defendant's criminal history, if any.

The charges contained in the indictment are only allegations. In the American justice system, a person is presumed innocent unless and until he or she is proven guilty in a court of law.

The indictment came as the result of investigations conducted by the U.S. Postal Inspection Service, the North Carolina State Bureau of Investigation, the Mitchell County Sheriff's Office and the McDowell County Sheriff's Office.

“The violation of children and the sexual exploitation of minors is an increasingly serious problem in our society. Those who produce and distribute child pornography will be prosecuted

to the full extent of the law. This office is fully committed to bringing the perpetrators of these horrific crimes to justice,” said U.S. Attorney Shappert.

In addition to the new case announced above, also pending in U.S. District Court for the Western District of North Carolina are 13 additional and separate cases in which various federal violations involving trafficking in child pornography and/or sexual exploitation of minors are alleged. The defendants, allegations, and current status of those cases are listed below.

U.S. v. Troy Washington  
Docket Number 3:05cr421  
Guilty Plea Entered  
Awaiting Sentencing  
In Custody

U.S. v. Jonathan Raymond Dewalt  
Docket Number 3:05cr65  
Guilty Plea Entered  
Awaiting Sentencing  
On Bond

U.S. Michael Kevin Pope  
Docket Number 1:05cr20  
Sentenced in U.S. District Court, Asheville on March 29, 2006  
Five Years’ Imprisonment to be followed by a term of supervised release  
Must register as a sex offender

U.S. v. Dennis Connell  
Docket Number 3:05cr237  
Guilty Plea Entered  
Awaiting Sentencing  
In Custody

U.S. v. Charles Timothy Childers  
Docket Number 3:06cr1  
Guilty Plea Entered  
Awaiting Sentencing  
On Bond

U.S. v. Billy Jack Holdren  
Docket Number 5:06cr12  
Plea Agreement Filed  
Entry of Guilty Plea and Arraignment  
set for March 31, 2006  
Summons Served

U.S. v. George Clayton Trivette  
Docket Number 5:05cr230  
Guilty Plea Entered  
Awaiting Sentencing  
In Custody

U.S. v. Derek Garth Dyda  
Docket Number 3:06cr47  
Indictment filed 3/106  
In Custody

U.S. v. Alan Jeffrey Whitesides  
Docket Number 3:05cr299  
Guilty Plea Entered  
Awaiting Sentencing  
In Custody

U.S. v. Harold Edward McDaniel  
Docket Number 3:05cr388  
Guilty Plea Entered  
Awaiting Sentencing  
On Bond

U.S. v. John Wesley Fail  
Docket Number 3:05cr422  
Pending Trial  
In Custody

U.S. v. David Dominguez  
Docket Number 1:06cr6  
Pending Trial  
On Bond

U.S. v. Jimmie Vance Grubbs  
Docket Number 3:06cr48  
Pending Trial  
In Custody