

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

\* **CRIMINAL NO. 13-250**

**v.**

\* **SECTION: "R"**

**AUNG GAW**  
**a/k/a Michael Gaw**

\* **VIOLATIONS: 18 U.S.C. §§ 2251(a), (e)**  
**18 U.S.C. § 2253**

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**FACTUAL BASIS**

Should this matter proceed to trial, both the government and the defendant, **AUNG GAW a/k/a Michael Gaw** (“**GAW**”) do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

On or about May 15, 2013, Special Agents with the U.S. Department of Homeland Security, Homeland Security Investigations (“**HSI**”) and the United States Postal Inspection Service (“**USPIS**”) executed a federal search warrant at the Abita Springs, Louisiana residence of Jonathan Johnson. The investigation revealed that Jonathan Johnson enticed numerous minors,

between the ages of 13 and 17 to engage in sexually explicit conduct on the Internet, either alone, with other children as young as 18 months old, and/or with animals. Johnson recorded the sexually explicit activity and traded the material with individuals on the Internet. Johnson also uploaded the sexually explicit content involving minors to two websites which were created by Johnson: Website A and Website B. These two websites specialized in material involving the sexual exploitation of minors.

Johnson would testify that he communicated with individuals, including the defendant, involved with Website A using various computer related communication methods, including Skype, Facebook, email, internet relay chat, Team Speak, and GigaTribe. Johnson and the other users of Websites A created fictitious female personas on Internet social networking sites in order to locate and entice minors to engage in sexually explicit activity for the purpose of recording the activity and for further distribution.

A computer forensic search of Johnson's computer related media and online social network accounts revealed that Johnson communicated on the Internet with **GAW**. Forensic agents would testify and establish that **GAW** used various fictitious user names including: "magnum.steel.2012" and "roflcoptor."

Information obtained from Website A revealed that **GAW** was a user, member, and video up-loader of Website A. **GAW** stated to Johnson that he had something that Johnson would like and that **GAW** located on the Internet two 14-year-old teens, recorded them and the video contained "plenty of oral" sex. **GAW** also indicated to Johnson that he wanted "younger suck vids." **GAW** and Johnson also communicated about having "boys" engage in sexually explicit activity with dogs. The two also spoke about using various Internet social networks to locate minors, including a 14-year-old male who told **GAW** that he would rape his 12-year-old sister.

In addition, **GAW** and Johnson discussed a 9-year-old female who Johnson and **GAW** wanted to engage in sexually explicit activity with her brother.

The government would establish that beginning on or about December 1, 2012, **GAW** began communicating with Johnson about trading videos depicting the sexual victimization of children. During their communications, **GAW** and Johnson discussed enticing minors to engage in sexually explicit activity on the Internet and recording the individuals. Several sexually explicit videos depicting the sexual exploitation of minors were transferred between Johnson and **GAW**, including two specific videos discussed by Johnson and **GAW**. Below are the descriptions of the two video files produced by Johnson and exchanged between Johnson and **GAW**:

Video: [Name Redacted]\_skype - 15yo [name redacted] fucks his 9yo girl neighbor.avi

Received by Aung M GAW (aka: Michael GAW): 12/05/2012 at 10:01:57 AM

Description: 6 minute and 50 second long video that depicted what appeared to be a 15 year old male who engaged in sexual intercourse with what appeared to be a 9 year old girl.

Video: [Name Redacted]\_skype - 14 and 12yo duo jerk, suck, 14yo cums on 12yo dick, sucks it off.avi

Received by Aung M GAW (aka: Michael GAW): 04/07/2013 at 08:02:14 AM

Description: 17 minute and 40 second long video that depicted what appeared to be a 14 year old and 12 year old male who masturbated and performed oral sex on each other's penises.

The government would further establish that on November 5, 2013, a federal search warrant, based on probable cause, was executed by federal agents at **GAW**'s residence located in Fremont, California. **GAW** was identified as an occupant of the residence and **GAW**'s computer and hard drives were seized pursuant to the search warrant.

The government would establish through the testimony of computer forensic examiners

and others, including Jonathan Johnson, that sexually explicit videos were traceable to **GAW** and Johnson and that these videos were transported via computer to and from Johnson's residence located in the Eastern District of Louisiana. The government would establish that **GAW** and Johnson conspired to produce sexually explicit videos through the introduction of sexually explicit videos of children and online communications between Johnson and **GAW**. The government would present testimony and records from Internet service providers to further corroborate the illegal transfer of sexually explicit material involving minors between **GAW** and Jonathan Johnson.

Further, the government would present evidence to establish that the videos of child pornography were created using phones, cameras, and/or and computer equipment that had been transported in interstate and foreign commerce. The government would show through testimony and documentary evidence that the equipment (phones, cameras, and/or computers) used by **GAW** to produce and distribute the child pornography were all manufactured outside of the State of Louisiana and were transported in interstate or foreign commerce.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that all of the images produced and distributed by **GAW** and Johnson were of prepubescent children less than 18 years of age and that the videos of the child victims were "sexually explicit" as defined in Title 18, United States Code, Section 2256. All of the videos depicting the sexual victimization of minors produced and distributed by **GAW** and Johnson would be introduced through the testimony of HSI and other agents.

Various records and testimonial evidence, including testimony from representatives of HSI and the USPS, as well as other witnesses, would also be called to prove the facts set forth above.

LIMITED NATURE OF FACTUAL BASIS

This Factual Basis is not intended to constitute a complete statement of all facts known by the government and the defendant, but rather is a minimum statement of facts intended to prove the necessary factual predicate for defendant's guilty plea. The limited purpose of this Factual Basis is to demonstrate that there exists sufficient legal basis for defendant's plea of guilty to the charged offenses.

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AUNG GAW  
a/k/a Michael Gaw  
Defendant

\_\_\_\_\_  
DATE

\_\_\_\_\_  
THOMAS DAMICO  
Counsel for Defendant

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BRIAN M. KLEBBA  
Assistant United States Attorney

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DATE