

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

RECEIVED

JAN 17 2012

TONIANNE J. BONGIOVANNI  
U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA

v.

DANIAL HILLMAN

:  
: Hon. Tonianne J. Bongiovanni  
:  
: Mag. No. 12-5003  
:  
: **CRIMINAL COMPLAINT**

I, David M. Fallon, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**SEE ATTACHMENT A**

I further state that I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations, and that this Complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached pages and made a part hereof.

  
\_\_\_\_\_  
David M. Fallon, Special Agent  
Department of Homeland Security

Sworn to before me and subscribed in my presence,

January 17, 2012  
Date

at

Trenton, New Jersey  
City and State

Honorable Tonianne J. Bongiovanni  
United States Magistrate Judge  
Name and Title of Judicial Officer

  
\_\_\_\_\_  
Signature of Judicial Officer

**ATTACHMENT A**

On or about March 25, 2011, in Monmouth County, in the District of New Jersey, and elsewhere, defendant

DANIAL HILLMAN

did knowingly distribute at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which images were mailed and, using any means and facility of interstate and foreign commerce, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

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

## ATTACHMENT B

I, David M. Fallon, am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations ("HSI"). I have knowledge of the facts set forth below as a result of my participation in this investigation as well as from my review of reports from, and discussions with, other law enforcement personnel. Where statements of others are related herein, they are related in substance and part. Because this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. Starting at least on or about March 25, 2011, I accessed a publicly available peer-to-peer file sharing ("P2P") network on the Internet and determined that an individual using an Internet Protocol Address ("IP Address") registered to 6 Columbia Avenue, Atlantic Highlands, New Jersey 07716 ("Atlantic Highlands Address") had video files depicting child pornography in the individual's shared directories contained in the individual's account on the P2P network. Because the individual using the P2P network had designated these child pornography files as shared files, the individual made the files available for downloading by, and thereby distributing to, any other person with access to the P2P network.

2. On or about March 25, 2011, I connected to the P2P network in an undercover capacity. Once connected, I downloaded child pornography videos from the individual using the IP Address registered to the Atlantic Highlands Address. Three of the files I downloaded from this individual had filenames and descriptions as follows:

	<b>Filename</b>	<b>Description</b>
A	Pthc Pedoland Frifam - Little Baby Fingered 2Yo -HOLD.mpg	The movie is approximately 22 seconds long. The video shows a female child 1 to 2 years of age lying down and naked below the waist. An apparently male, adult hand is rubbing the child's vaginal area. The male inserts his thumb into the child's vagina and wiggles his thumb around. The child's face is not shown.
B	2010 pthc pedo frifam 9yo Fab -Toy Horse (2m).avi	The movie is approximately 2 minutes long. This movie depicts a naked, prepubescent female wearing a baby blue bikini pulled up to expose her breasts and pulled down to expose her buttocks and vagina. She is holding a stuffed toy horse. She then lies down on the bed and begins to simulate sex acts with the stuffed toy.

	<b>Filename</b>	<b>Description</b>
C	p10yo Alina - Man try introduce 2009.avi	The movie is approximately 4 minutes 26 seconds long. This movie depicts a naked, prepubescent female wearing pink panties and lying on her back on a bed with a blue blanket, with her buttocks towards the camera. She has her legs spread and has her panties pulled to the side. She begins to masturbate with her fingers. She then flips over to be on her hands and knees while an adult male penetrates her vagina with his finger. She then lies back down on her back and the adult male positions himself on top of her and begins to have sex with her.

3. Law enforcement officers determined that DANIAL HILLMAN lives at the Atlantic Highlands Address.

4. On or about April 12, 2011, law enforcement officers, including officers from the Monmouth County Prosecutor's Office and the Atlantic Highlands Police Department, executed a search warrant at DANIAL HILLMAN's home at the Atlantic Highlands Address. Law enforcement officers seized two computers from DANIAL HILLMAN's bedroom. Law enforcement officers at the scene determined that at least one of the computers contained images depicting child pornography.

5. A forensic agent from HSI has determined that one of DANIAL HILLMAN's computers, seized from his bedroom during the execution of the search warrant, contains files with names that match those listed in the chart in Paragraph 2, above.