

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 14-
 :
 v. : 18 U.S.C. §§ 2423 (b) ,
 : 2252A(a) (2) (B)
 RICHARD J. SIMONE, JR. :

INDICTMENT

The Grand Jury in and for the District of New Jersey,
sitting at Trenton, charges:

COUNT ONE

(Traveling With The Intent To Engage In Illicit Sexual Conduct)

On or about September 13, 2013, in Monmouth County, in the
District of New Jersey, and elsewhere, the defendant,

RICHARD J. SIMONE, JR.,

did knowingly and willfully travel in interstate commerce from
New York to Monmouth County, New Jersey, for the purpose of
engaging in a sexual act with a person under the age of
eighteen, that would be a violation of Chapter 109A,
specifically, Title 18, United States Code, Section 2243(a), if
the sexual act had occurred in the special maritime and
territorial jurisdiction of the United States.

In violation of Title 18, United States Code, Section
2423 (b) .

COUNT TWO
(Distribution of Child Pornography)

On or about August 11, 2013, in Essex County, in the District of New Jersey, and elsewhere, the defendant,

RICHARD J. SIMONE, JR.,

did knowingly distribute material containing images of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which images had been shipped and transported in interstate commerce by any means, including computer.

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

FORFEITURE ALLEGATION AS TO COUNT ONE

The United States hereby gives notice to the defendant Richard J. Simone, Jr., that upon his conviction of the offense in violation of 18 U.S.C. § 2423 charged in Count One of this Indictment, the government will seek forfeiture, in accordance with 18 U.S.C. § 2428, of any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense charged in Count One, and any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of such offense. The property to be forfeited includes, but is not limited to all right, title and interest of the defendant in the following:

- a. One black 2012 Toyota Corolla, VIN 5YFBU4EE8CP035274;
and
- b. One Apple iPhone, Serial Number DVQJNVRHDITN.

FORFEITURE ALLEGATION AS TO COUNT TWO

The United States hereby gives notice to the defendant Richard J. Simone, Jr., that upon his conviction of the offense in violation of 18 U.S.C. § 2252A charged in Count Two of this Indictment, the government will seek forfeiture, in accordance with 18 U.S.C. § 2253, of all right, title and interest of the defendant in the following:

- (a) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. Part I, Chapter 110;
- (b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense charged in Count Two of this Indictment, and all property traceable to such property; and

- (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, and all property traceable to such property.

Substitute Assets Provision
(Applicable to All Forfeiture Allegations)

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek

forfeiture of any other property of the defendant up to the value of the above forfeitable property.

A TRUE BILL

FOREPERSON

Paul J. Fishman

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 14-_____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

RICHARD J. SIMONE, JR.

INDICTMENT FOR

18 U.S.C. §§ 2423(b), 2252A(a)(2)(B)

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