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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : Mag No. 14-3080  
v. : Hon. James B. Clark, III  
JUSTIN KINNEY : **CRIMINAL COMPLAINT**

I, Lukasz J. Kret, 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 United States Department of Homeland Security, Homeland Security Investigations, and that this Complaint is based on the following facts:

**SEE ATTACHMENT B**

continued on the attached page and made a part hereof.

  
\_\_\_\_\_  
Lukasz J. Kret, Special Agent  
U.S. Department of Homeland Security

Sworn to before me and subscribed in my presence,

April 30, 2014 at Newark, New Jersey  
Date City and State

Honorable James B. Clark, III  
United States Magistrate Judge  
Name and Title of Judicial Officer

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

**ATTACHMENT A**

**Count I**  
**Sexual Exploitation of Children**

On or about August 19, 2012, in Essex County, in the District of New Jersey, and elsewhere, defendant

JUSTIN KINNEY

did knowingly employ, use, persuade, induce, entice, and coerce a prepubescent female, "Victim #1," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, 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 2251(a) and Section 2.

**Count II**  
**Sexual Exploitation of Children**

On or about October 10, 2012, in Essex County, in the District of New Jersey, and elsewhere, defendant

JUSTIN KINNEY

did knowingly employ, use, persuade, induce, entice, and coerce a prepubescent female, "Victim #2," to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, 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 2251(a) and Section 2.

## **ATTACHMENT B**

I, Lukasz J. Kret, am a Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI"). I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. 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. On or about October 25, 2012, law enforcement executed a search warrant on JUSTIN KINNEY's ("KINNEY") laptop computer and cellular telephone. During the search, law enforcement discovered, on computer equipment and a cellular telephone ("equipment") belonging to KINNEY, images of child pornography, as defined by Title 18, United States Code, Section 2256(8), including material that involved prepubescent minors.

2. A forensic review of the equipment seized from KINNEY revealed several files of child pornography which appear to be self-produced.

3. A number of images appear to depict KINNEY separately in photographs with two prepubescent females, Victim #1 and Victim #2.

4. Two of the images found on the computer equipment seized at the time of KINNEY's arrest, and their filenames, are described below. These images were produced by KINNEY on or about August 19, 2012 and October 10, 2012.

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| <p>WP_000227.jpg<br/> fffab77c27d35abdcefd12e5d740a3b9</p> | <p>August 19, 2012-- The image titled WP_000227.jpg, Hash Value: fffab77c27d35abdcefd12e5d740a3b9 appears to depict an adult male resembling Justin KINNEY engaging in what appears to be anal intercourse with a prepubescent female. It appears that the adult male is holding the camera in his right hand and taking the photo. The adult male is visible from his nose to his knees. There is a partial tattoo visible on the left bicep area of the adult male. The male is wearing blue boxers with blue sweatpants and is without a shirt. The prepubescent female is lying on her stomach with her blue pajamas pulled down exposing her buttocks. The prepubescent female is wearing a blue and white shirt and only the lower back and buttocks area of the prepubescent female is visible in the photograph. The adult male appears to be on his knees behind the prepubescent female with his left hand on the prepubescent female's left side.</p> |
| <p>WP_000451.jpg<br/> 5edc4f244e103411c7265e8af5a03565</p> | <p>October 10, 2012-- The image titled WP_000451.jpg, Hash Value: 5edc4f244e103411c7265e8af5a03565 appears to depict an adult male spreading the buttocks of a prepubescent female with his left hand, exposing the prepubescent female's anal area for the camera. The prepubescent female is lying on her side on a blue blanket with her yellow and pink pajamas pulled down exposing her buttocks. The adult male's left hand with a partial tattoo on the forearm is visible in the image.</p>  |

5. The images were taken using a Nokia Lumia 900 cellular telephone, which is the same type of phone seized from KINNEY at the time of his arrest.

6. A forensic review of the equipment seized from KINNEY revealed that a Nokia Lumia 900 cellular telephone was connected to the laptop computer used by KINNEY.

7. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images described in Paragraph 4 above were produced using materials that were shipped and transported in interstate and foreign commerce, by any means, including by computer, based upon, among other things and my review of law enforcement records.

8. Based on my review of the images described in Paragraph 4, review of other photographs depicting KINNEY, and in consultation with other law enforcement officers and others, I have determined that the images described in Paragraph 4 depict images of KINNEY engaging in sexually explicit conduct with Victim #1 and Victim #2.