

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 12-  
 :  
 v. : 18 U.S.C. § 2252A(a) (2) (A) &  
 : 18 U.S.C. § 2252A(a) (5) (B)  
 MANUEL FERNANDEZ : 18 U.S.C. § 2  
 :

INDICTMENT

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

COUNTS ONE THROUGH FOUR

On or about the dates set forth below, in the District  
of New Jersey, and elsewhere, the defendant,

MANUEL FERNANDEZ,

did knowingly distribute and attempt to distribute child  
pornography, as defined in Title 18, United States Code, Section  
2256(8), which had been mailed, shipped, and transported using  
any means or facility of interstate or foreign commerce and in  
and affecting interstate and foreign commerce by any means,  
including a computer.

Count	Date
1	March 24, 2011
2	March 25, 2011
3	March 30, 2011
4	August 19, 2011

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

COUNT FIVE

On or about January 25, 2012, in the District of New Jersey, and elsewhere, the defendant,

MANUEL FERNANDEZ,

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

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in pages one through three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253(a).

2. Upon conviction for violating Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(a)(5)(B), and 2, defendant,

MANUEL FERNANDEZ,

shall forfeit to the United States any and all matter that contains visual depictions of minors engaged in sexually explicit conduct in violation of the charged offenses; any property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violations or any property traceable to such property, including but not limited to the following:

- a. One Compaq Tower bearing serial number  
MXF7240CPY;
- b. One loose hard drive bearing serial number  
HQ3X80YH;

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

- a. cannot be located upon the exercise of due

diligence;

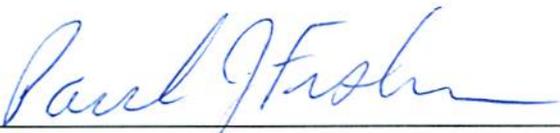
- b. has been transferred, sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL

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FOREPERSON

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PAUL J. FISHMAN  
United States Attorney

CASE NUMBER:

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

MANUEL FERNANDEZ

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**INDICTMENT FOR**

18 U.S.C. § 2252A(a)(2)(A)  
18 U.S.C. § 2252A(a)(5)(b)  
18 U.S.C. § 2

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**PAUL J. FISHMAN**

*U.S. ATTORNEY  
NEWARK, NEW JERSEY*

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*RAHUL AGARWAL  
ASSISTANT U.S. ATTORNEY  
(973) 353-6087*

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