
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Madeline Cox Arleo
v. :
EDWARD M. DE SEAR : Mag. No. 11- 8143 (MCA)
: **CRIMINAL COMPLAINT**

I, Joshua Wilson, 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 Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.

Joshua Wilson, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

July 14, 2011
Date

at Newark, New Jersey
City and State

Honorable Madeline Cox Arleo
United States Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

ATTACHMENT A

From at least as early as on or about September 16, 2010 through on or about February 9, 2011, in Bergen County, in the District of New Jersey, and elsewhere, defendant

EDWARD M. DE SEAR

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, Joshua Wilson, a Special Agent with the Federal Bureau of Investigation (“FBI”), having conducted an investigation and discussed this matter with other law enforcement officers who have participated in this investigation, have knowledge of the following facts:

1. On several occasions beginning on or about September 16, 2010 through and including on or about February 9, 2011, law enforcement agents 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 an EDWARD DE SEAR at an address located in Saddle River, Bergen County, New Jersey, had video and image files depicting child pornography in his shared directories on the P2P network. Because DE SEAR had designated these child pornography files as shared files, he made the files available for downloading by, and thereby distributing to, his community of friends on the P2P network. It was pursuant to this file sharing that DE SEAR distributed child pornography to law enforcement agents, as described in greater detail below.

2. On or about September 16, 2010, on or about December 6, 2010, and on or about February 9, 2011, undercover agents downloaded child pornography videos and child pornography images from an individual using an IP Address registered to EDWARD DE SEAR. Three of the files downloaded by law enforcement agents from this individual had filenames and descriptions as follows:

FILENAME	DESCRIPTION
20101130132022-bvqaupcwtxwvcivqx	This image appears to depict a naked prepubescent Caucasian male viewable from the stomach to thighs. The male is lying down and his genitals are exposed to the viewer of the image. The right hand of what appears to be a Caucasian adult male is in the image palm up in front of the boy’s genitals. The middle finger of the adult male is inserted in the anus of the boy.
20110208150305-fiadludyqduovlndh-image740	This image appears to depict a naked, prepubescent, Caucasian male with red hair lying on his back on a bed. A naked, Caucasian adult male is kneeling on the same bed. The adult male’s face is covered by a black oval. The adult male’s hands are under the hips of the prepubescent male. The prepubescent boy’s legs and hips are off the bed and being held by the adult male. The boy’s legs are wrapped around the sides of the adult male. The adult male appears to be penetrating the anus of the prepubescent boy. The prepubescent boy’s

FILENAME	DESCRIPTION
	genitals are exposed to the viewer of the image.
!!! NEW 2007 priv !!!! jented	This video appears to depict a prepubescent, Caucasian female with brown hair lying down. She is only wearing black, thigh high socks and a black collar. Her legs are spread apart with the bottoms of her feet touching each other. Her legs are bound with yellow rope around her thighs and ankles. Her hands are tied together at her wrists. A Caucasian, adult male is near the head of the prepubescent female. The video is taken from the point of view of the adult male. The adult male rubbed the vagina of the girl with his right middle finger. The prepubescent female is holding the male's erect penis in her right hand while his penis is inserted in her mouth. The video is approximately 40 seconds.

3. On or about July 14, 2011, federal law enforcement officers executed a search warrant at EDWARD DE SEAR's home located in Saddle River, Bergen County, New Jersey. At the scene of the search, Defendant DE SEAR turned over a laptop computer to law enforcement officers.

4. During the execution of the search warrant, on or about July 14, 2011, law enforcement agents interviewed EDWARD DE SEAR, who admitted, in substance and in part, that (1) he downloads and shares child pornography using his laptop; (2) he uses the P2P network to download and share child pornography; (3) he is the only person in his home who uses the P2P network; and (4) he receives sexual gratification from viewing child pornography.

5. Based upon my training and experience, the admissions made by DE SEAR, and to the best of my knowledge and belief, the images and video described in paragraph one, above, were downloaded from the Internet.