

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL NO. 15-166

v. \* SECTION: "F"

DAVID MOREL \*

\* \* \*

**FACTUAL BASIS**

Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant, **DAVID MOREL ("MOREL")**.

The government would establish that the investigation into **MOREL** began as a result of a complaint from the National Center for Missing and Exploited Children ("NCMEC") in 2014. It was reported by NCMEC that an individual using the Yahoo email account markmorel17@yahoo.com was attempting to trade child pornography. In December 2014, NCMEC forwarded their report to the Louisiana Attorney General's Office, High Tech Crime Unit ("LAGO").

Special agents with the LAGO identified the defendant, **MOREL**, as the account holder of the markmorel17@yahoo.com email address. Subpoenaed records obtained by LAGO

revealed that **MOREL** lived at 5 Glacier Court, New Orleans, Louisiana 70131. On December 18, 2014, agents with the LAGO sought and obtained a search warrant for 5 Glacier Court in New Orleans and, on that same day, special agents with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI") accompanied state law enforcement agents and officers in executing a search warrant at **MOREL's** New Orleans residence. Agents seized two PlayStation gaming devices, as well as other electronic devices during the execution of the search warrant.

After being advised of his *Miranda* rights, **MOREL** told the agents that he used his PlayStation and iPad to access the Internet. **MOREL** said he used the email address markmorel17@yahoo.com and changed the first name from David to Mark so he wouldn't get caught because he was a registered sex offender. According to **MOREL**, he used the website imgsrc.ru to locate child pornography. **MOREL** said he was interested in trading hard core pictures and videos of children ages zero to ten-years-old. **MOREL** advised that he used Dropbox to access child pornography and he estimated that the ages of the children in his Dropbox account were between five to ten-years-old. **MOREL** said his sexual preference was for children five-years-old and up. **MOREL** estimated that he looked at 16% adult pornography and 84% child pornography.

The government would establish that federal search warrants were obtained in conjunction with this investigation to Dropbox and Yahoo. The records obtained from these search warrants established that the defendant used these electronic storage services in order to download, receive, and store child pornography. HSI computer forensic examiners located over 2,500 images and videos depicting the sexual victimization of children on the defendant's

electronic devices. An additional 2,000 images and videos were discovered in **MOREL's** Yahoo account and 387 in his Dropbox account.

Testimony would establish that the images and videos possessed by **MOREL** were of pre-pubescent and pubescent children less than 18 years of age; to wit: less than twelve (12)-years-old and that the images of the child victims were "sexually explicit" as defined in Title 18, United States Code, Section 2256. The government would establish that some of the images and videos **MOREL** possessed depicted prepubescent minor children engaged in sex acts with adults including minors being anally and vaginally penetrated by adult males. All of the images and videos depicting the sexual victimization of minors possessed by **MOREL** would be introduced through the testimony of HSI agents.

Further, the government would present evidence that would establish that the images and videos of child pornography had been transported in interstate and foreign commerce via computer.

The government would further establish that on October 7, 2010, **MOREL** was convicted of possession of pornography involving juveniles in violation of Louisiana Revised Statute 14:81.1 under Case No. 494-125 Section E, Criminal District Court for Orleans Parish.

Various records and testimonial evidence, including testimony from representatives of the Louisiana Attorney General's Office, Homeland Security Investigations, and other witnesses would also be admitted to prove the facts set forth above.



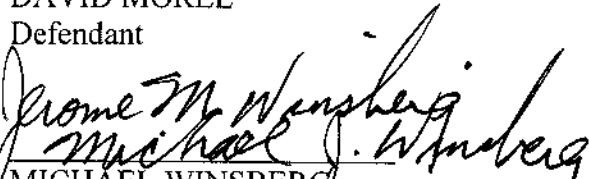
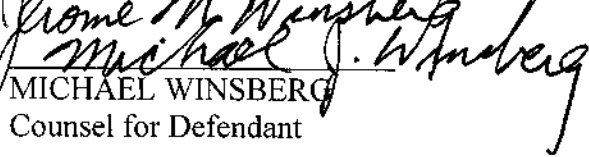
BRIAN M. KLEBBA  
Assistant United States Attorney  
New York Reg. No. 2938728

9/2/15  
Date

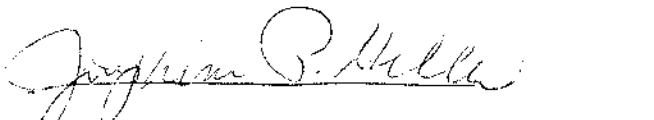


DAVID MOREL  
Defendant


9/2/15  
Date

*for*   
  
MICHAEL WINSBERG  
Counsel for Defendant

9/2/15  
Date

  
Counsel for Defendant

9/2/2015

  
IAN F. MIZELL  
COUNSEL FOR DEFENDANT

9/2/2015