

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED MAR - 1 2018
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

v.

VERNON SWEENEY, JR.

* CRIMINAL NO. 17-214

* SECTION: "L"

* VIOLATIONS: 18 U.S.C. § 2252(a)(4)(B)
18 U.S.C. § 2252(b)(2)
* 18 U.S.C. § 2253

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* * *

FACTUAL BASIS

Should this matter proceed to trial, both the Government and the defendant, **VERNON SWEENEY, JR.** ("SWEENEY"), do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial.

The case against **SWEENEY** developed as a result of an undercover child pornography operation conducted by the Louisiana State Police ("LSP"). On September 24, 2017, a detective with the LSP viewed publically available images of child pornography from Internet Protocol ("IP") address 66.190.216.253. It was determined the IP address was held by Charter Communications ("Charter"). Charter was served with a state subpoena for subscriber information related to the IP address. Charter identified an individual named **VERNON SWEENEY** of Tickfaw, LA as the registered account holder for IP address 66.190.216.253.

AUSA BK
Defendant JSB
Defense Counsel WY

On October 12, 2017, LSP sought and obtained a state search warrant from the 21st Judicial District Court for the Parish of Tangipahoa for **SWEENEY**'s residence in Tickfaw, LA. On October 17, 2017, special agents with the U.S. Department of Homeland Security, Homeland Security Investigations ("HSI") along with the LSP executed the warrant in Tickfaw, LA. During the execution of the search warrant, investigators located two (2) flash drives, (1) HP laptop computer, (1) ACER tower, (1) external hard drive, and one (1) MP3 player.

After being advised of his *Miranda* rights, **SWEENEY** admitted to possessing child pornography. **SWEENEY** told LSP investigators that he was the only resident of his house and that all of the property was his including a small blue thumb drive found in his chest of drawers and a personal computer in the living room. **SWEENEY** told state law enforcement officials that the blue thumb drive contained "young girls" under the age of seventeen. State Police Investigators asked **SWEENEY** if there were videos on the thumb drive of young girls engaging in sex acts and **SWEENEY** acknowledged that there were videos of young girls engaging in sex acts on the thumb drive. **SWEENEY** admitted to saving the videos to the thumb drive. Investigators asked **SWEENEY** why he was in this position again after already going to jail and **SWEENEY** replied, "It's time for me to go back to jail." **SWEENEY** also admitted to using peer-to-peer software to download the videos of child pornography. **SWEENEY** said he would download the videos, watch them, and save them to the thumb drive.

On October 27, 2017, the LSP turned over the seized evidence to HSI. On October 31, 2017, HSI sought and obtained a federal search warrant to have HSI computer forensic examiners conduct a forensic search of the electronic media seized during the search of **SWEENEY**'s Tickfaw residence. A subsequent computer forensic search of the blue 32 GB


flash drive revealed 107 videos depicting the sexual victimization of children. These videos depict pre-pubescent girls engaged in sexual acts with adults including girls who were vaginally penetrated by adult men. In addition, videos were located of young girls involved in sexual situations of bestiality and bondage.

The Government would present evidence to establish that the images and videos of child pornography were distributed in interstate commerce and using computer equipment that had been transported in interstate and foreign commerce. The Government would show through testimonial and documentary evidence that the computers used by **SWEENEY** to download and possess the child pornography were all manufactured outside of the State of Louisiana and were transported in interstate or foreign commerce.

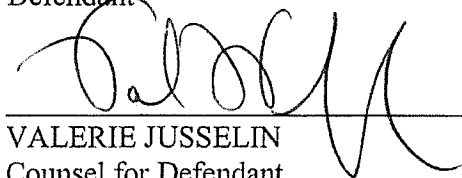
Various records and testimonial evidence, including testimony from representatives of HSI, the LSP, and other witnesses would also be called to prove the facts set forth above. The Government would also establish that on or about August 1, 2012, **SWEENEY**, was convicted of Pornography Involving Juveniles in the 21st Judicial District Court for the Parish of Tangipahoa, State of Louisiana, Docket No. 1-200461. Because of this previous conviction, if the defendant is convicted for a violation of Title 18, United States Code, Section 2252(a)(4)(B), the defendant's sentence will be subject to a minimum sentence of imprisonment of not less than 10 years and a maximum sentence of not more than 20 years pursuant to Title 18, United States Code, Section 2252(b)(2). *See Exhibit "A."*

LIMITED NATURE OF FACTUAL BASIS

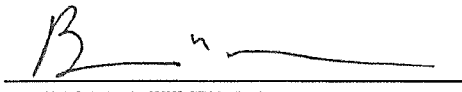
This Factual Basis is not intended to constitute a complete statement of all facts known by the government and the defendant, but rather is a minimum statement of facts intended to prove the necessary factual predicate for defendant's guilty plea. The limited purpose of this Factual Basis is to demonstrate that there exists sufficient legal basis for defendant's plea of guilty to the charged offense.


VERNON SWEENEY, JR.
Defendant

3/1/18
DATE


VALERIE JUSELIN
Counsel for Defendant

3-1-18
DATE


BRIAN M. KLEBBA
Assistant United States Attorney

3/1/18
DATE