

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 22-57

v. * SECTION: "A"

JACOB WIEBELT *

* * *

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of reliable testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Bill of Information now pending against the defendant, **JACOB WIEBELT** ("**WIEBELT**"), charging him with Possession of Child Pornography in violation of Title 18, United States Code, Sections 2252(a)(4)(b) and (b)(2).

The government would establish that the case against **WIEBELT** developed as a result of a lead to the Louisiana Bureau of Investigation ("LBI") from the National Center for Missing and Exploited Children. The lead information reported that user [REDACTED] uploaded child sexual abuse material ("CSAM") to the Discord messenger service. Specifically, the lead reflected that the user uploaded videos of children who were prepubescent and engaged in sexually explicit acts with adults.

Law enforcement agents, through the use of subpoenas to internet service and telephone providers and were able to identify that **WIEBELT** was associated with the residence at [REDACTED] [REDACTED] Ponchatoula, LA 70454. Agents learned **WIEBELT** was serving a term of supervised release arising out of an April 27, 2011, conviction for Receipt of Child Pornography,

in violation of Title 18, United States Code, Section 2252(a)(4)(B). U.S. District Judge Carl J. Barbier sentenced **WIEBELT** to a 60-month term of imprisonment with the BOP followed by 120 months of supervised release. **WIEBELT** was still under U.S. Probation supervision.

On November 1, 2021, Homeland Security Investigations (“HSI”) special agents along with LBI executed a federal search warrant at **WIEBELT**’s home in Ponchatoula. Agents advised **WIEBELT** of his *Miranda* rights and, [REDACTED], he confessed to possessing, sharing, and uploading CSAM. According to **WIEBELT**, approximately a year ago, he created a Discord account utilizing the username [REDACTED] **WIEBELT** said that other Discord users would share CSAM on the website and he would save the CSAM to his cellular telephone. **WIEBELT** would then upload the saved CSAM from his phone to other Discord users. **WIEBELT** advised that the last time he viewed CSAM was approximately 3 – 6 months ago. **WIEBELT** described his age preference as 5 – 13 years of age. **WIEBELT** said he used other social media applications to view CSAM on his cellular telephone. **WIEBELT** told HSI agents that he would use a cleaner application on his cellular telephone in order to avoid getting caught with CSAM.

HSI agents showed **WIEBELT** three CSAM images that were part of the initial lead. These images depicted prepubescent children engaged in sexual activities with adults including children performing oral sex on adult males. **WIEBELT** also identified three additional CSAM images from his [REDACTED] Discord account. These additional three images depict prepubescent girls being orally, anally, and vaginally penetrated by an adult male. **WIEBELT** confirmed for the HSI agents that he used his cellular telephone to download, save, and then upload the CSAM to Discord while he was located in his Ponchatoula home.

During the search, agents recovered from **WIEBELT** a Samsung cellular telephone. Agents confirmed that this was the same phone that **WIEBELT** used to download, save, and then upload the CSAM back to Discord.

HSI computer forensic examiners determined **WIEBELT** used his Samsung cellular telephone to possess the CSAM. Further investigation revealed that Samsung phones are not manufactured in the United States and, therefore, **WIEBELT's** phone would have traveled in interstate and foreign commerce and would have the CSAM images.

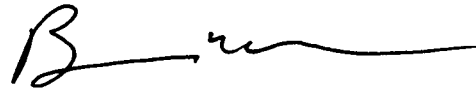
Limited Nature of Factual Basis and Conclusion

This proffer of evidence is not intended to constitute a complete statement of all facts known by **WIEBELT** and/or the government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offense by **WIEBELT**.

The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, HSI Special Agents, the victims, other law enforcement

officers, and computer forensic examiners from HSI, as well as from admissible tangible evidence in the custody of HSI.

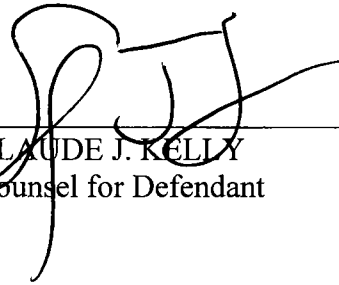
READ AND APPROVED:



BRIAN M. KLEBBA
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5/10/22

(Date)



CLAUDE J. KELLY
Counsel for Defendant

5/10/2022

(Date)



JACOB WIEBELT
Defendant

5/10/22

(Date)