

14

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO: 19-20057

v.

HONORABLE: Arthur Tarnow

MICHAEL ZEIDLER,

VIO: 18 U.S.C. § 2251(a)
18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 2252A(a)(2)
Forfeiture Allegations

Defendant.

_____ /

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THIRD SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

At all times relevant to this Third Superseding Indictment:

1. A girl, MV-3, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Count One. MV-3 has a date of birth in 2005.
2. A girl, MV-4, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Count Two. MV-4 has a date of birth in 2012.
3. A girl, MV-5, was a victim of the crimes alleged in Count Three. MV-5 has a date of birth in 2012.

4. A girl, MV-6, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Count Seven. MV-6 has a date of birth in 2010.

5. A girl, MV-7, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Count Eight. MV-7 has a date of birth in September of 1995.

6. A boy, MV-1, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Count Nine. MV-1 has a date of birth in 2012.

7. A boy, MV-2, whose identity is known to the Grand Jury, was a victim of the crimes alleged in Court Ten. MV-2 has a date of birth in 2010.

COUNT ONE

18 U.S.C. § 2251(a)
Production of Child Pornography

In or about January of 2015, in the Eastern District of Michigan, the defendant, MICHAEL ZEIDLER, attempted to and did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-3, who was under 18 years of age, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and

transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

COUNT TWO

18 U.S.C. § 2251(a)

Production of Child Pornography

In or about February of 2018, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, attempted to and did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-4, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

COUNT THREE

18 U.S.C. § 2251(a)
Production of Child Pornography

Between the dates of January 2017 and February 2018, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, attempted to and did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-5, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

COUNT FOUR

18 U.S.C. § 2252A(a)(2) - *Distribution of Child Pornography*

On or about November 1, 2018 through on or about December 18, 2018, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, did knowingly distribute child pornography as defined in 18 U.S.C. § 2256(8); and the images distributed by the defendant had been mailed, shipped, and transported using the Internet, a means and facility of interstate or foreign commerce, and had been mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT FIVE

18 U.S.C. § 2252A(a)(2) - *Receipt of Child Pornography*

On or about December of 2012 through on or about December 18, 2018, in the Eastern District of Michigan, the defendant, MICHAEL ZEIDLER, did knowingly receive child pornography as defined in 18 U.S.C. § 2256(8); and the images received by the defendant had been mailed, shipped, and transported using the Internet, a means and facility of interstate or foreign commerce, and had been mailed, shipped, and transported in or affecting interstate or foreign commerce by

any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2).

COUNT SIX

18 U.S.C. § 2252A(a)(5)(B) – *Possession of Child Pornography*

On or about December 18, 2018, within the Eastern District of Michigan, the defendant, MICHAEL ZEIDLER, knowingly possessed one or more computer hard drives, cell phones, cameras, DVDs, magazines, periodicals, and other material which contained child pornography, as defined in Title 18, United States Code, Section 2256(8), including but not limited to visual depictions of real minors, prepubescent minors and minors who had not attained twelve (12) years of age, engaged in sexually explicit conduct, that had been shipped and transported using any means and facility of interstate and foreign commerce, had been shipped and/or transported in and affecting interstate and foreign commerce, and were produced using materials that have been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT SEVEN

18 U.S.C. § 2251(a)
Production of Child Pornography

In or about February of 2018, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, attempted to and did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-6, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

COUNT EIGHT

18 U.S.C. § 2251(a)

Production of Child Pornography

In or about July of 2013, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-7, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

COUNT NINE

18 U.S.C. § 2251(a)
Production of Child Pornography

Between the dates of November 1, 2015 and September of 2016, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-1, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported in interstate or foreign commerce, and the visual depiction was transported in interstate or foreign commerce from outside the state of Michigan to within the Eastern District of Michigan; all in violation of 18 U.S.C. § 2251(a).

COUNT TEN

18 U.S.C. § 2251(a)
Production of Child Pornography

In or about 2016, in the Eastern District of Michigan and elsewhere, the defendant, MICHAEL ZEIDLER, attempted to and did knowingly employ, use, persuade, induce, entice and coerce a minor, specifically, MV-2, who was under 18 years of age, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing that such visual depiction would be transported and transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, and the visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer, and such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate and foreign commerce; all in violation of 18 U.S.C. § 2251(a).

FORFEITURE ALLEGATIONS

Upon conviction of any of the offenses charged in Counts One through Ten of the Indictment, the defendant, MICHAEL ZEIDLER, shall, pursuant to 18 U.S.C. § 2253, forfeit to the United States the following:

- i. Any visual depiction described in 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of these subsections;
- ii. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- iii. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including, but not limited to the following electronic devices seized on December 18, 2018:
 - A red Olympus Digital Camera
 - (3) Micro Cameras
 - A red Dell Laptop, Model PP25L
 - A TB Seagate Hard Drive, Serial #Q12091404 AH
 - A Seagate Expansion Drive, Serial #NA4NACNH

- A Fantom Drive, Serial #SE9185429
- A Seagate Expansion Drive, Serial #NA4KNAEQ
- A HGST Hard Drive, Serial #620D4MAT
- A Samsung Story Station, Serial #EO3UJ10Z101670
- A Seagate Backup Plus UVB, Serial #NA9Q8RRQ
- A black Moto/Incipio Cellular Phone
- A Seagate Expansion Desk Drive, Serial #Na4N9R6Q
- A Seagate Desk Drive, Serial #Q12080212AQ
- A Seagate Backup Plus Hub, Serial #NA8TGH9v
- A Desktop Drive labeled “2012,” Serial #WCAZA4477641
- A GoFlex Desk Adapter, Serial #CB19133302
- A Dell Inspiron, Serial #2Y4T04Z
- A Dell Laptop , Service Tag # 4Q6MBN1

If any of the property described in the paragraphs above as being forfeitable pursuant to 18 U.S.C. § 2253, 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 to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this 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, pursuant to 21 U.S.C. § 853(p), intends to seek forfeiture of all other property of the defendant up to the value of the above described forfeitable property.

THIS IS A TRUE BILL.

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

MATTHEW SCHNEIDER
United States Attorney

s/Matthew A. Roth
MATTHEW A. ROTH
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Date: February 5, 2020

s/April N. Russo
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ORIGINAL

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 19-cr-20057
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

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Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>AR</i>

Case Title: USA v. MICHAEL ZEIDLER ✓

County where offense occurred : Washtenaw

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Check One: Felony ✓ Misdemeanor

Petty

- Indictment/ Information --- no prior complaint.
- Indictment/ Information --- based upon prior complaint [Case number: _____]
- Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: 19-20057 ✓ Judge: Hon. Arthur Tarnow

- Corrects errors; no additional charges or defendants.
- Involves, for plea purposes, different charges or adds counts.
- Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
	Two additional counts of 18 U.S.C. § 2251(a)	

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

February 5, 2020 ✓
Date

AR

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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.