

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

v.

Case No.: 3:15-mj-1217-MCR

KYLE ADAM KIRBY

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**ORDER**

**THIS CAUSE** is before the Court pursuant to the Government's motion seeking detention of Defendant, KYLE ADAM KIRBY. On October 30, 2015, the Court held a detention hearing which included proffers by the Government and defense counsel. The Government proffered to the court that the FBI and task force agents began online activities to identify individuals in north central Florida engaging in downloading child images. In April 2015, agents noticed an internet address which was being utilized by Defendant. The Government indicated that on multiple occasions there were downloads of children as young as six years of age engaging in sexual explicit conduct. On October 22, 2015, a search warrant was executed at Defendant's residence. Thereafter, a search of Defendant's cell phone was conducted pursuant to the issuance of a state search warrant. The proffer reflected that a search of Defendant's police issued computer revealed downloaded images from his home's internet address via a thumb file/driver. The Government also proffered that there were discussions between Defendant and another law enforcement officer concerning how to conceal internet addresses with other specific programs. It was further proffered that Defendant advised another officer

that his computer had been hacked and requested assistance by deleting files and to retrieve a shredder for use. The Government's proffer was compelling.

Although KIRBY has family ties to the Middle District of Florida, a thorough consideration of the proffer and the information at the hearing demonstrate that the defendant is a danger to the community. Further, the Defendant is facing significant penalties if convicted. As such, the Court finds that no condition or combination of conditions will ensure the safety of the community. Therefore, it is hereby,

**ORDERED:**

The defendant will be detained pending future court proceedings.

**DONE AND ORDERED** in Chambers in Jacksonville, Florida this 6<sup>th</sup>

day of November, 2015.

  
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**MONTE C. RICHARDSON**  
**UNITED STATES MAGISTRATE JUDGE**

Copies to:  
Counsel of Record