

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

2018 FEB 15 AM 11:53  
CLERK, US DISTRICT COURT  
MIDDLE DISTRICT FLORIDA  
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:18-cr-68-T-35TGW

KYLE DALE RITSEMA

18 U.S.C. §2251(a) and (e)  
18 U.S.C. §2252(a)(2)  
18 U.S.C. §2252(a)(4)(B)

INDICTMENT

The Grand Jury charges:

COUNT ONE

In or about March 2015, in the Middle District of Florida, and elsewhere, the defendant,

KYLE DALE RITSEMA,

did employ, use, persuade, induce, entice, and coerce a minor, B.N.C., to engage in any sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer and the visual depiction was actually transported and transmitted in and affecting interstate and foreign commerce.

In violation of 18 U.S.C. § 2251(a) and (e).

**COUNT TWO**

On or about March 21, 2015, in the Middle District of Florida, and elsewhere, the defendant,

KYLE DALE RITSEMA,

did knowingly distribute a visual depiction, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, including by computer, when the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct, and the visual depiction was of such conduct, the visual depiction being specifically identified as IMG\_4161.JPG.

In violation of 18 U.S.C. § 2252(a)(2) and (b)(1).

**COUNT THREE**

On or about March 21, 2015, in the Middle District of Florida, and elsewhere, the defendant,

KYLE DALE RITSEMA,

did knowingly distribute a visual depiction using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, including by computer, when the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct, and the visual depiction was of such conduct, and

the visual depiction was of such conduct, the visual depiction being specifically identified as IMG\_4158.JPG.

In violation of 18 U.S.C. § 2252(a)(2) and (b)(1).

**COUNT FOUR**

Beginning on an unknown date but as early as March 2015, and continuing through on or about February 13, 2018, in the Middle District of Florida, and elsewhere, the defendant,

KYLE DALE RITSEMA,

did knowingly possess matters, that is, electronic media devices, which contained a visual depiction that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce, when the production of the visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct.

In violation of 18 U.S.C. § 2252(a)(4)(B) and 2252(b)(2).

**FORFEITURE**

1. The allegations contained in Counts One through Four of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to 18 U.S.C. § 2253.

2. Upon conviction of the violations of 18 U.S.C. § 2252(a)(2)

charged in Counts Two and Three or the violation of 18 U.S.C. § 2252(a)(4)(b) charged in Count Four or the violation of 18 U.S.C. § 2251(a) and (e) charged in Count One, the defendant KYLE DALE RITSEMA shall forfeit to the United States, pursuant to 18 U.S.C. § 2253, all of his interest in:

a. Any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of this chapter, 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 this chapter;

b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. 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.

3. The property to be forfeited includes, but is not limited to, the following: an Apple iPhone 6S, an Apple iPad, an Apple iPod Nano, and an Olympus Camera (with a memory card).

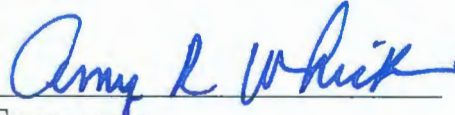
4. If any of the property described above, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

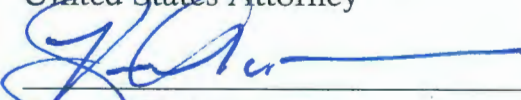
the United States shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

A TRUE BILL,

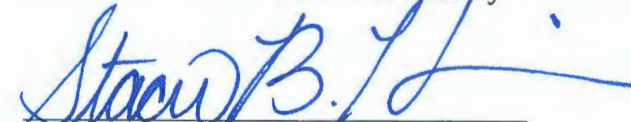
  
\_\_\_\_\_  
Foreperson

MARIA CHAPA LOPEZ  
United States Attorney

By:

  
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Francis D. Murray  
Assistant United States Attorney

By:

  
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Stacie B. Harris  
Assistant United States Attorney  
Chief, Major Crimes Section

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**UNITED STATES DISTRICT COURT**  
Middle District of Florida  
Tampa Division

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THE UNITED STATES OF AMERICA

vs.

KYLE DALE RITSEMA

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**INDICTMENT**

Violations: Title 18, United States Code, Sections 2251(a) and (e)  
Title 18, United States Code, Section 2252(a)(2)  
Title 18, United States Code, Section 2252(a)(4)(B)

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A true bill,

  
\_\_\_\_\_  
Foreperson

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Filed in open court this 15th day of February, 2018.

\_\_\_\_\_  
Clerk

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Bail \$ \_\_\_\_\_

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