

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2018 AUG 15 AM 1:16

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 8:17-cr-573-T-33AAS

18 U.S.C. § 2422(b)

WILLIAM MATTHEW NAPOLITANO

18 U.S.C. § 2251(a)

18 U.S.C. § 2252(a)(2)

18 U.S.C. § 2252(a)(4)(B)

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE

From a date unknown, but from as early as in or about September 2015, through and including in or about January 2017, in the Middle District of Florida, and elsewhere, the defendant,

WILLIAM MATTHEW NAPOLITANO,

using a facility and means of interstate commerce, that is, the internet and electronic-communication devices, did knowingly persuade, induce, entice, and coerce an individual, S.S., who had not attained the age of 18 years, to engage in sexual activity for which any person could be charged with a

criminal offense, specifically lewd or lascivious battery, in violation of Fla. Stat. § 800.04(4).

In violation of 18 U.S.C. § 2422(b).

COUNT TWO

On or about June 25, 2015, in the Middle District of Florida, and elsewhere, the defendant,

WILLIAM MATTHEW NAPOLITANO,

did employ, use, persuade, induce, entice, and coerce a minor, S.S., 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.

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

COUNT THREE

On or about September 21, 2014, in the Middle District of Florida, and elsewhere, the defendant,

WILLIAM MATTHEW NAPOLITANO,

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.

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

COUNT FOUR

On or about April 17, 2016, in the Middle District of Florida, and elsewhere, the defendant,

WILLIAM MATTHEW NAPOLITANO,

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.

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

COUNT FIVE

Beginning on an unknown date and continuing through on or about October 31, 2017, in the Middle District of Florida, and elsewhere, the defendant,

WILLIAM MATTHEW NAPOLITANO,

did knowingly possess a matter which contained a visual depiction that had

been shipped and transported using any means and facility of 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, including a visual depiction of a prepubescent minor and a minor who had not attained 12 years of age.

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

FORFEITURE

1. The allegations contained in Counts One through Five of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to 18 U.S.C. §§ 2253 and 2428.

2. Upon conviction of the violation of 18 U.S.C. § 2422(b) charged in Count One, the violation of 18 U.S.C. § 2251(a) charged in Count Two, the violations of 18 U.S.C. § 2252(a)(2) charged in Counts Three and Four, or the violation of 18 U.S.C. § 2252(a)(4)(b) charged in Count Five, the defendant WILLIAM MATTHEW NAPOLITANO shall forfeit to the United States, pursuant to 18 U.S.C. §§ 2253 and 2428, 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.

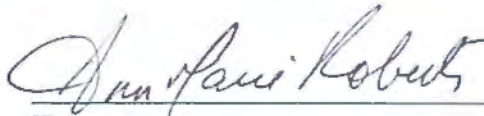
3. The property to be forfeited includes, but is not limited to, the following: an Apple iPhone 6s, model A1633, FCC: BCGE2946A; an Apple iPhone 5s, model A1533, IMEI: 013851002983683; and a Hewlett Packard laptop, model 15-r1137, SN: CND509199T.

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) and 2461(c).

A TRUE BILL,

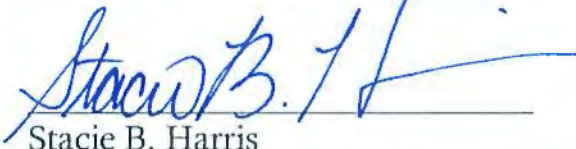

Foreperson

MARIA CHAPA LOPEZ
United States Attorney

By:


Francis D. Murray
Assistant United States Attorney

By:


Stacie B. Harris
Assistant United States Attorney
Chief, Special Victims Section

UNITED STATES DISTRICT COURT
Middle District of Florida
Tampa Division

THE UNITED STATES OF AMERICA


vs.

WILLIAM MATTHEW NAPOLITANO

SUPERSEDING INDICTMENT

Violations: Title 18, United States Code, Section 2422(b)
Title 18, United States Code, Section 2251(a)
Title 18, United States Code, Section 2252(a)(2)
Title 18, United States Code, Section 2252(a)(4)(B)

A true bill,


Foreperson

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

Clerk

Bail \$ _____
