



**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Tavey Garcia, a Special Agent with Homeland Security Investigations (HSI), being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (hereinafter "HSI"). I have been employed with HSI for nine years. I am currently assigned to HSI, Special Agent in Charge (SAC), Tampa, Florida. I have investigated matters involving the online exploitation of children, particularly in relation to violations of Title 18, United States Code, Sections 2422(b), 2251, 2252, and 2252A, which criminalize the use of a facility of interstate/foreign commerce to attempt to knowingly persuade, induce, entice, and coerce a person who had not yet attained the age of 18 to engage in sexual activity for which any person can be charged with a criminal offense, and the production, possession, receipt, and transmission of child pornography. I have made arrests and conducted searches pertaining to these types of investigations. I have attended specialized courses involving computers and child exploitation.

2. As a Special Agent, I am authorized to investigate violations of the laws of the United States and to execute arrest and search warrants issued under the authority of the United States. I have received training for online undercover investigations involving child exploitation and have participated in numerous investigations involving child pornography.

3. This affidavit is submitted in support of an application for an arrest warrant for Howard Joseph VORDER BRUEGGE III. This affidavit does not set forth every fact resulting from the investigation; rather, it sets forth facts sufficient to establish probable cause to believe that Howard Joseph VORDER BRUEGGE III has violated 18 U.S.C. § 2252(a)(2) (distribution of child pornography) and (a)(4)(B) (possession of child pornography). As discussed further below, VORDER BRUEGGE used a mobile-computing device to connect to the internet in order to possess and distribute images and/or videos depicting child pornography. I am requesting that this Court issue an arrest warrant for him based upon the following information that I have learned in my official capacity, by firsthand observations, as well as by receiving information from federal, local, and foreign law-enforcement in reference to this investigation.

#### **DETAILS OF THE INVESTIGATION**

4. On or about August 7, 2018, HSI Tampa received an investigative referral from HSI Ottawa regarding a Kik Interactive, Inc. (KIK) user that KIK had identified as having distributed child-pornographic materials utilizing the internet-based application KIK.

5. Specifically, The Royal Canadian Mounted Police (RCMP), Canadian Police Centre for Missing and Exploited Children (CPCMEC), received a report of potential internet child pornography from KIK, which had indicated that its service may have been used to commit child-related offenses contrary to law by KIK user "JoeBlow 73." KIK provided the offender's subscriber information, which contains

the associated IP addresses, registration information, and other information. This report was then forwarded to HSI Tampa, where the individual behind the KIK user names “JoeBlow73” and “JoeBlowFL” is believed by law enforcement to reside.

6. On or about August 29, 2018, I received materials from HSI Ottawa on the KIK username JoeBlow73. This information included the subscriber information provided by KIK as:

First Name: Joe  
Last Name: Blow  
Email: jvorderbruegge@gmail.com  
Subscriber provided date of birth: 02/XX/1983  
IP addresses to include, but not limited to: 24.129.165.118 (Charter Communications) and 172.58.173.197 (T-Mobile)

It should be noted that KIK has terminated this account for violating the terms of use due to identified child pornography distribution.

7. This information also included two child-pornographic images that JoeBlow73 had distributed on or about April 3, 2018. These images are:

a. **Image: 0E2FE0C9A6CBBF301FCB0B9E7089AEC9353C0F0E.** This image depicts a young male child, approximately 8-12 years old, fully nude, and performing fellatio on an adult male’s erect penis.

b. **Image: C6BDD5EE0D36A37A0D0BBA490DDB044CBFA436D7.** This image depicts a young male child, approximately 8-12 years old, fully nude and lying on the torso, straddling the hips, of an adult male who is anally penetrating the child.

8. On or about September 7, 2018, I received materials from HSI Ottawa on the KIK username "JoeBlowFL," as a separate, unrelated investigative referral.

This information included the following KIK subscriber information:

First Name: Joe

Last Name: Blow

Email: joeyboy73@yahoo.com

Subscriber provided date of birth: 02/XX/1983

IP addresses to include, but not limited to: 24.129.165.118 (Charter Communications) and 172.58.172.131 (T-Mobile)

It should be noted that KIK has terminated this account for violating its terms of use when KIK identified the account distributing child pornography.

9. This information also included three child pornographic images that JoeBlowFL had distributed on or about June 15, 2018. These images are:

a. **Image: E30A7DB24E44C3AA73544B56C3F4D13288FBBEB0.**

This image depicts a young, pre-pubescent, male child approximately 8-12 years old, who is straddling an adult male, while holding his own penis, and the child is being anally penetrated by the adult male.

b. **Image: 0E2FE0C9A6CBBF301FCB0B9E7089AEC9353C0F0E.**

This image depicts a young male child, approximately 8-12 years old, fully nude, and performing fellatio on an adult male's erect penis.

c. **Image:**

**C6BDD5EE0D36A37A0D0BBA490DDB044CBFA436D7.** This image depicts a young male child, approximately 8-12 years old, fully nude and lying on the torso, straddling the hips, of an adult male who is anally penetrating the child.

10. Upon review of the two separate investigative referrals, I observed one IP address to be consistent between the two usernames JoeBlowFL and JoeBlow73—IP 24.129.165.118 (a Charter Communications IP address, as identified above). I also saw that two of the three child pornographic images sent by JoeBlowFL and JoeBlow73—**0E2FE0C9A6CBBF301FCB0B9E7089AEC9353C0F0E** and **C6BDD5EE0D36A37A0D0BBA490DDB044CBFA436D7**—were the same images under the same file names. Moreover, the mobile IP addresses used to log into both accounts all resolve back to T-Mobile. I also discovered that the subscriber birthdate is the same for both KIK accounts—02/XX/1983.

11. On or about September 14, 2018, pursuant to a summons, a representative of Charter Communications provided the subscriber information related to the IP address “24.129.165.118,” detailed above, as:

Sanctuary at Highland Oaks (Business), 10246 Douglas Oaks Circle, Tampa, Florida 33610. This account was created November 29, 2016.

I used open-source information and identified Sanctuary at Highland Oaks as being a residential apartment community.

12. Using the subscriber’s email address provided by the KIK username JoeBlow73, jvorderbruegge@gmail.com, HSI agents searched the Florida Driver and Vehicle Information Database (DAVID) for variations the surname Vorderbruegge and identified Howard Joseph Vorder Bruegge III with the date of birth 02/XX/1983 (as described above) and a valid Florida driver’s license, issued in

2014, showing an address for The Sanctuary at Highland Oaks apartment complex in Tampa, Florida.

13. On or about October 11, 2018, pursuant to a summons, a representative of The Sanctuary of Highland Oaks provided VORDER BRUEGGE's lease information, which included his current address and unit number.

14. VORDER BRUEGGE has the associated email address hvorderbruegge@hccfl.edu listed on his lease records. VORDER BRUEGGE is currently employed as a math professor at Hillsborough County Community College.

#### **FEDERAL SEARCH WARRANT**

15. On October 23, 2018, HSI Tampa agents executed a federal search warrant at VORDER BRUEGGE's apartment in The Sanctuary at Highland Oaks, Douglas Oaks Circle, in Tampa, Florida, which is in the Middle District of Florida.

16. Post *Miranda*, VORDER BRUEGGE agreed to speak with federal agents and made the following statements: He admitted to his email address being jvorderbruegge@gmail.com and to having previously had KIK Messenger accounts, both of which were terminated by KIK. VORDER BRUEGGE admitted to having distributed child-pornographic material to at least one other person with whom he had traded child pornography for a few years. He further admitted to currently possessing child pornography on his cellular telephone in a folder named "Kik." VORDER BRUEGGE also admitted to experiencing sexual arousal while viewing child-pornographic material.

17. During a forensic preview of VORDER BRUEGGE's mobile phone, a Samsung Galaxy S8, forensic analysts discovered child pornographic images and videos saved on the phone, which included the following:

- a. One video shows an adult male with an exposed penis straddling and infant child. The adult male forces his erect penis into the infant child's mouth.
- b. One video shows a fully nude, newborn/infant male laying in a bouncer while an adult male masturbates over the infant. The adult male then forces his erect penis fully into the infant child's mouth, causing the child's face to change colors, until the adult male ejaculates.
- c. One video shows a pre-pubescent male child, approximately eight years old or younger being anally penetrated by an adult male's erect penis until the adult male ejaculates.

18. Based on my training and experience, VORDER BRUEGGE's Samsung phone was manufactured in a foreign country and also contains parts that have moved in and affected interstate and foreign commerce.



CONCLUSION

19. Based on the foregoing, there is probable cause to believe that Howard Joseph VORDER BRUEGGE III has violated 18 U.S.C. § 2252(a)(2) (child pornography distribution) and 2252(a)(4)(B) (child pornography possession).

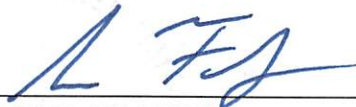


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Tavey Garcia, Special Agent  
Homeland Security Investigations

Sworn to and subscribed before me

This 23rd day of October 2018.



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SEAN P. FLYNN  
United States Magistrate Judge