

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case Number 3:17cr83/MCR**

**ELADIO L. VAZQUEZ**  
\_\_\_\_\_ /

**FACTUAL BASIS FOR GUILTY PLEA**

The defendant admits that if this case were to proceed to trial, the government could prove the following facts.

In March 2016, a Homeland Security Investigations Special Agent (SA) began conducting an undercover investigation targeting individuals who utilized a social networking application for the purpose of distributing/sharing child pornography. In December 2016, the SA observed username "XXXXXX" distributing sexually explicit material depicting children while on the platform.

Specifically, on December 22, 2016, the SA, utilizing a device connected to the internet, signed into an undercover account and observed that on December 18, 2016, username "XXXXXX" had posted five image files and three video files in a group created for the sharing of child pornography. The images mostly depicted pubescent females exposing their breasts or engaged in oral sex, however, one of the images depicted a prepubescent female, between the approximate ages of 5-10 years

old, in a seated position with her legs splayed open revealing her vagina and anus to the camera. Regarding the videos that were posted, two videos depicted pubescent females disrobing for the camera, one of the females appeared to be between the approximate ages of 12-16 years old.

While still within that group, the SA noticed that on December 19, 2016, username "XXXXXX" posted an image that depicted two prepubescent females who were nude and posed with an adult male, all lying on a bed. The adult's penis is positioned between the legs of one of the minor females. After a brief group conversation about whether or not one of the other group members knew a female pictured in one of the images previously posted, username "XXXXXX" posted two videos depicting child pornography. They are described as follows:

*-a video file, approximately 30 seconds in duration, which depicts a male engaged in vaginal sex with what appears to be a prepubescent female.*

*-a video file, approximately 52 seconds in duration, which depicts a minor female engaged in oral sex with an adult male. The male ejaculates into the minor's mouth.*

Immediately after the videos were posted, username "XXXXXX" posted five images of child pornography within the same group.

On December 27, 2016, the SA, utilizing a device connected to the internet, signed into an undercover account and observed that on December 24, 2016, username "XXXXXX" had posted one image in the group. The image depicted a

prepubescent female, between the approximate ages of 2-4 years old, holding a man's penis. She is posed next to a pubescent female.

On January 9, 2017, the SA signed into an undercover account and observed that on the same date username "XXXXXX" posted two videos within another illicit group. The videos depicted the following:

*-a video file, approximately 1 minute and 2 seconds in duration, which depicts a prepubescent female, between the approximate ages of 6-10 years old, performing oral sex on a pubescent female.*

*-a video file, approximately 2 minutes and 3 seconds in duration, which depicts a prepubescent male, between the approximate ages of 7-12 years old, engaged in vaginal sex with a female.*

Username "XXXXXX" continued to distribute child pornography on the aforesaid social media platform well into January 2017. This was received by the SA, acting in an undercover capacity, in Pensacola, Florida. On January 17, 2017, the SA signed into an undercover account and observed that on January 12, 2017, username "XXXXXX" posted. After a series of child pornographic images/videos were posted by a conspirator within the group, username "XXXXXX" posted an image depicting a minor female wearing a t-shirt that read: "I (heart emoticon) CP." (which denotes "child pornography").

Based on subpoena results, the SA was able to tentatively identify the defendant as username "XXXXXX" located in Indio, California. The defendant's distribution of child pornography continued into February and March, 2017. On

March 3, 2017, the SA noticed that username "XXXXXX" posted an image on March 2, 2017, which depicted a female infant/toddler with ejaculate on her vagina. An adult male's hand is holding the child's leg.


The SA, utilizing a device connected to the internet, signed into an undercover account and observed that on April 27, 2017, a secondary username "XXXXXX2" posted 4 images within the group that all depicted pubescent females in various stages of undress. The SA observed that on April 29, 2017, "XXXXXX2" posted a Dropbox link as well as a pCloud link within the group. The pCloud link was opened by the SA and contained approximately 48 video files within the posted link. Many of the video files depicted minors engaged in sexual activity. Based upon subpoena results, the SA was able to determine that the defendant was utilizing both of the above noted illicit online identities to distribute child pornography to him/her in Pensacola, Florida. This continued into June.

On June 22, 2017, based upon all the investigative information, law enforcement in California executed a search warrant at the residence of Eladio Vazquez. During the search, child pornography was located on Vazquez's cellular devices and laptop. Forensically, law enforcement also located, within the defendant's cloud account, significant amounts of child pornography. The defendant concedes he was distributing child pornography over a social media application, as noted above utilizing the aforesaid usernames, which travelled in


interstate commerce to the Northern District of Florida.

**Elements of the Offense**

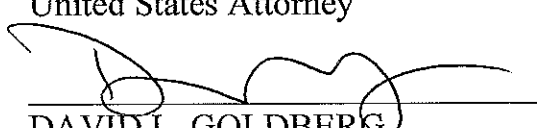
Eleventh Circuit Pattern Jury Instructions (2015) - Criminal, Offense Instr. No. O83.4A has been reviewed by the defendant along with his counsel. The defendant understands the elements of the offense that must be proven.

  
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10/26/17  
Date

  
ELADIO L. VAZQUEZ  
Defendant

10/26/17  
Date

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