

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MARCOS GERMAN MENDEZ

UNDER SEAL

No. 16 CR 163

Violations: Title 18, United States Code,
Sections 2251(a), 2252A(a)(1), and
2252A(a)(5)(B)

COUNT ONE

The SPECIAL JUNE 2015 GRAND JURY charges:

On or about May 23, 2015, at Rosemont, in the Northern District of Illinois, Eastern Division, and elsewhere,

MARCOS GERMAN MENDEZ,

defendant herein, did knowingly employ and use a minor, namely Victim A, to engage in sexually explicit conduct, namely the lascivious exhibition of the minor's genitalia, for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT TWO

The SPECIAL JUNE 2015 GRAND JURY further charges:

In or about December 2015, at Rosemont, in the Northern District of Illinois, Eastern Division, and elsewhere,

MARCOS GERMAN MENDEZ,

defendant herein, did knowingly employ and use a minor, namely Victim A, to engage in sexually explicit conduct, namely the lascivious exhibition of the minor's genitalia, for the purpose of producing a visual depiction of such conduct, which visual depiction was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2251(a).

COUNT THREE

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about February 20, 2016, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

MARCOS GERMAN MENDEZ,

defendant herein, knowingly transported child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), using a means and facility of interstate commerce and foreign commerce and in and affecting interstate commerce and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2252A(a)(1).

COUNT FOUR

The SPECIAL JUNE 2015 GRAND JURY further charges:

On or about February 20, 2016, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

MARCOS GERMAN MENDEZ,

defendant herein, knowingly possessed material, namely an Apple iPhone 6S, Model Number MKRY2LL/A, Serial Number FK3QD505GRY9, that contained an image of child pornography as defined in Title 18, United States Code, Section 2256(8)(A), such image having been shipped and transported using any means or facility of interstate and foreign commerce, and such image having been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

FORFEITURE ALLEGATION

The SPECIAL JUNE 2015 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Section 2251 or 2252A, as set forth in this Indictment, defendant shall forfeit to the United States of America any matter which contains visual depictions described in Title 18, United States Code, Section 2252A; and any property used and intended to be used to commit and to promote the commission of such offense, and any property traceable to such property, as provided by Title 18, United States Code, Section 2253(a).

2. The property to be forfeited includes, but is not limited to, the following specific property: Apple iPhone 6S, Model Number MKRY2LL/A, Serial Number FK3QD505GRY9.

3. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; the United States of America shall be entitled to forfeiture of substitute property, as provided by Title 21, United States Code Section 853(p).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY