
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Rukhsanah L. Singh
v. : Mag. No. 2025-mj-14026 (RLS)
ELLIOTT SOUDER : **CRIMINAL COMPLAINT**


I, Nicollette McGinniss, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.

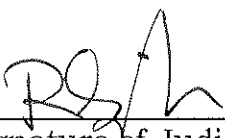


Nicollette McGinniss, Special Agent
Federal Bureau of Investigation

Attested to by telephone pursuant to
F.R.C.P. 4.1(b)(2)(A) on this 30th day
of April 2025, in the District of New
Jersey.

Honorable Rukhsanah L. Singh
United States Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

RECEIVED

APR 30 2025

AT 8:30 _____ M
CLERK, U.S. DISTRICT COURT - DNJ

ATTACHMENT A

COUNT ONE

(Receipt of Child Pornography)

From at least on or about September 20, 2021 through on or about November 16, 2021, in Somerset County, in the District of New Jersey and elsewhere, the defendant,

ELLIOTT SOUDER,

did knowingly receive child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been mailed, and using any means and facility of interstate and foreign commerce, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).

COUNT TWO
(Possession of Child Pornography)

On or about March 22, 2022, in Somerset County, in the District of New Jersey and elsewhere, the defendant,

ELLIOTT SOUDER,

did knowingly possess material that contained child pornography, as defined in Title 18, United States Code, Section 2256(8), which images had been mailed, shipped, and transported using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, namely by computer, and that were produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, namely by computer.

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

ATTACHMENT B

I, Nicollette McGinniss, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this Affidavit is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

1. At all times relevant to this Complaint, the defendant, Elliott Souder ("SOUDER") resided in Somerset, New Jersey.

2. From at least September 20, 2021 through on or about November 16, 2021 (the "Request Period"), a computer located at SOUDER's Somerset residence (the "Residence") connected to an Internet-based peer-to-peer (P2P) network which attempts to let users anonymously share files. During the Request Period, a computer located at the Residence requested from the P2P network the video files described below.

File name: Vicky_CumChoke-01.mpg ("File One")	The video appears to depict a nude prepubescent girl with an adult man's penis in her mouth. The adult man then appears to ejaculate into the prepubescent girl's mouth. The video is 31 seconds long.
File name: Vicky.vibrator.mpg ("File Two")	The video appears to depict a prepubescent girl on a bed wearing a nightgown, black thigh high tights, and no underwear. She spreads her legs in various positions exposing her vagina and anus, and she touches her vagina with her fingers. She then removes her nightgown and touches her breasts. She poses in various positions on the bed. The camera zooms onto her exposed vagina. The girl takes a vibrator from the nightstand and begins to masturbate with it. The video is 6 minutes and 3 seconds long.
File name: laura2.mpg ("File Three")	The video appears to depict a clothed adult man pulling a prepubescent girl's jeans off. The adult man pulls her white underwear off, and he has her lay sideways on his lap, completely nude. She has a bra in her mouth. There is then a period where the screen is pixelized and unable to view. The video ends with the prepubescent girl sitting

	naked on the adult man's lap. His pants are off and he is in underwear. The video is 1 minute and 40 seconds long.
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3. On or about March 22, 2022, law enforcement executed a lawfully obtained search warrant at the Residence and seized electronic devices and electronic storage media belonging to SOUDER, including SOUDER's computer. One of the hard drives on SOUDER's computer ("Hard Drive-1") contained images and videos of children being sexually abused.

4. Law enforcement located the same File One and File Two requested from the P2P network as referenced in Paragraph Two, above, on SOUDER's Hard Drive-1.

5. Law enforcement also located on SOUDER's Hard Drive-1 the following:

- a. Approximately 1,110 images appearing to depict prepubescent child pornography;
- b. Approximately 352 videos appearing to depict prepubescent child pornography;
- c. Approximately 9 images appearing to depict pubescent child pornography;
- d. Approximately 3 videos appearing to depict pubescent child pornography;
- e. Approximately 15 images and 3 videos appearing to depict sadomasochism on or with children; and
- f. Approximately 9 images and 5 videos appearing to depict infant/toddler pornography.

6. Based on my education, training, and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images described in Paragraph Two above traveled in interstate commerce and were produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, that is, the images were downloaded from and transmitted via the Internet.