
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag No. 17-6154

v. :

RICHARD SCALEA : **CRIMINAL COMPLAINT**

I, Monica Cueto, 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 page and made a part hereof.




Monica Cueto, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

October 5, 2017
Date

at Newark, New Jersey
City and State

Honorable Steven C. Mannion
United States Magistrate Judge
Name and Title of Judicial Officer


Signature of Judicial Officer

ATTACHMENT A

On or about August 31, 2017, in Middlesex County, in the District of New Jersey, and elsewhere, defendant

RICHARD SCALEA

did knowingly receive and distribute child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), 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, Section 2252A(a)(2)(A) and 2252A(b)(1) and Title 18, United States Code, Section 2.

ATTACHMENT B

I, Monica Cueto, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. At all times relevant to this Complaint, defendant RICHARD SCALEA ("SCALEA") resided in North Brunswick, New Jersey.

The Investigation

2. On or about August 31, 2017, a law enforcement officer working in an undercover capacity (the "UC") engaged in an online chat in an incest chat room with an individual later identified as the defendant, Richard SCALEA, who was using the chatroom user name Bi_Pedograndpa. During the chat, SCALEA represented to the UC that he was sexually active with a minor female who was known to him, and that he had pictures he was willing to share with the UC via e-mail.

3. Later that same day, during an e-mail exchange, SCALEA sent the UC an image depicting child pornography, which SCALEA claimed was an image of the minor female that was known to him. The image SCALEA sent via e-mail had a file name and description as follows:

File Name	Description
download (2).jpg	The image depicts a white, prepubescent girl, who is laying on her back and is wearing white underwear, with a blue and red rooster on the front and black polka dots on the side. The focus of the image is on the girl's vaginal area and the image shows the top of the girl's knees to the bottom of her rib cage. At the bottom left hand corner of the image there

	appears to be an adult, white male's left forearm and hand. The forearm and hand contain a thick coating of dark colored hair. The adult male's left index finger can be seen pulling aside the girl's underwear exposing her vaginal area. The male's index finger is resting on the girl's vaginal area.
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4. On October 5, 2017, law enforcement officers executed a search warrant at SCALEA's residence in North Brunswick, New Jersey (the "residence"). At the residence, law enforcement discovered computer devices belonging to SCALEA. Among the files that law enforcement found on the computer devices were approximately 150 images of child pornography, as defined by Title 18, United States Code, Section 2256(8), including material that involved prepubescent females, and including the image described above in paragraph 3.

5. During and after the search of the residence, and after being advised of his Miranda rights, SCALEA admitted to law enforcement officers, among other things, in substance and in part, that (1) he frequents the incest chat room referenced in paragraph 2 above, and uses the user name Bi_Pedograndpa, and was active in the chat room for approximately three hours as recently as October 4, 2017; (2) the computer device containing the approximately 150 images of child pornography found at his residence belongs to him; (3) he masturbates to images of child pornography on occasion; and (4) he has downloaded images of child pornography depicting children as young as 8 years old.

6. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the image described in paragraph 3 above traveled in interstate commerce and was produced using materials that were mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.