

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

BRIAN J. MCKAY

Crim. No. _____

18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2)
18 U.S.C. § 2

INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

On or about November 1, 2016, in Burlington County, in the District of New Jersey, and elsewhere, defendant

BRIAN J. MCKAY

did knowingly possess material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), depicting prepubescent minors who had not attained 12 years of age, which images were 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, including by computer, and that were produced using materials that were mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, after having sustained a prior conviction under Chapter 110 of Title 18, United States Code.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

1. The allegations contained in page one of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253(a).

2. Upon conviction for violating Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2), defendant

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shall forfeit to the United States any and all matter that contains visual depictions of minors engaged in sexually explicit conduct in violation of the charged offense; any property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violation; and any and all property used or intended to be used in any manner or part to commit and to promote the commission of the aforementioned violation or any property traceable to such property, including but not limited to the following:

- a. SanDisk 16GB Micro SD Cards, seized on or about November 1, 2016 and February 15, 2017.


CRAIG CARPENITO
United States Attorney

CASE NUMBER:

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INFORMATION FOR

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18 U.S.C. § 2

CRAIG CARPENITO

UNITED STATES ATTORNEY, NEWARK, NEW JERSEY

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