

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

JAMES TIERNEY

Crim. No.

18 U.S.C. § 2252A(a)(5)(B) and (b)(2)

INFORMATION

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

On or about August 5, 2020, in Camden County, in the District of New Jersey and elsewhere, the defendant,

JAMES TIERNEY,

did knowingly possess material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which images were mailed, shipped and transported using any means and 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 had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, after having previously been convicted, in New Jersey Superior Court, of endangering the welfare of a child/distribution of child pornography, in violation of N.J.S.A. 2C:24-4b(5)(A).

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

FORFEITURE ALLEGATION

The United States hereby gives notice that upon the conviction of the defendant, JAMES TIERNEY, of the offense in violation of 18 U.S.C. § 2252A charged in this Indictment, the United States will seek forfeiture, in accordance with 18 U.S.C. § 2253, of all right, title and interest of the defendant in the following:

(a) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of 18 U.S.C. Part I, Chapter 110;

(b) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in this Indictment, and all property traceable to such property; and

(c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, and all property traceable to such property, which includes, but is not limited to, a white Google Pixel 2XL cellular telephone.

SUBSTITUTE ASSETS PROVISION

If any of the above forfeitable property, as a result of any act or omission or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above described forfeitable property.



RACHAEL A. HONIG
Acting United States Attorney

CASE NUMBER: _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

JAMES TIERNEY

INFORMATION FOR

18 U.S.C. § 2252A(a)(5)(B) and (b)(2)

RACHAEL A. HONIG

*ACTING U.S. ATTORNEY
NEWARK, NEW JERSEY*

JEFFREY BENDER

*ASSISTANT U.S. ATTORNEY
CAMDEN, NEW JERSEY
856-757-5121*
