

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.
	:	
v.	:	Crim. No. 22-
	:	
JOSE MINAYA	:	<u>Count One</u>
	:	18 U.S.C. §§ 2251(a), 2251(e),
	:	& 18 U.S.C. § 2
	:	(Production of Child
	:	Pornography)
	:	
	:	<u>Count Two</u>
	:	18 U.S.C. § 2422(b)
	:	(Online Enticement)

INFORMATION

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

COUNT ONE

(Production of Child Pornography)

In or around July 2019, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JOSE MINAYA,

did knowingly employ, use, persuade, induce, entice, and coerce a minor, that is, Minor Victim-1, to engage in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), for the purpose of producing a visual depiction and transmitting a live visual depiction of such conduct knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a), 2251(e), and
Section 2.

COUNT TWO

(Online Enticement)

On or about January 25, 2020, in Middlesex County, in the District of New Jersey, and elsewhere, the defendant,

JOSE MINAYA,

did use a facility and means of interstate or foreign commerce to knowingly persuade, induce, entice, and coerce Minor Victim-2, who was under the age of eighteen, to engage in sexual activity, believing that Minor Victim-2 was under the age of eighteen, for which any person could be charged with a criminal offense.

In violation of Title 18, United States Code, Section 2422(b).

FORFEITURE ALLEGATION AS TO COUNT ONE

1. As a result of committing the offense in violation of Title 18, United States Code, Section 2251, as charged in Count One of this Information, the defendant, JOSE MINAYA, shall forfeit to the United States pursuant to Title 18, United States Code, Section 2253, (a) all visual depictions described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, and 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, shipped, or received in violation of Title 18, United States Code, Chapter 109A; (b) all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offense charged in Count One of this Information; and (c) all property, real and personal, used or intended to be used to commit or to promote the commission of the offense charged in Count One of this Information and all property traceable to such property.

2. The property to be forfeited includes, but is not limited to, the following property seized on or about May 14, 2020:

- (a) iPhone 11 Pro Max, Serial Number G6TZK98BN70H;
- (b) One Plus 7T cellular telephone, Serial Number A159db65;
- (c) iWatch, Series 5, Identification Number wr-50m;
- (d) iPhone S, Model A1688, IC Number 579C-E2946A;
- (e) X-Box One X, Model 1787, Serial Number 013775173317;
- (f) PlayStation 4, Model CUH-2215B, SN MG376927963;
- (g) Compaq Presario personal computer, Model SR5710F, Serial Number CNX8502B4T;

- (h) “Aurus” personal computer, Serial Number 1819FD00740200033;
- (i) “Ryzen” personal computer, Identification Number 121419418511;
- (j) Nokia RM-985 cellular telephone, IMEI 355160060011502;
- (k) Nokia Model 521 cellular telephone, IMEI 356706054448545;
- (l) iPhone Model A1784, IC Number 579C-E3092A;
- (m) Motorola Nexus cellular telephone, FCC ID IHDT56QD1; and
- (n) One Sea-Life Shower Curtain.

(hereinafter referred to collectively as the “Specific Property”).

FORFEITURE ALLEGATION AS TO COUNT TWO

3. As a result of committing the offense in violation of Title 18, United States Code, Section 2422, as charged in Count Two of this Information, the defendant, JOSE MINAYA, shall forfeit to the United States pursuant to Title 18, United States Code, Section 2428(a), (a) any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of the offense charged on Count Two; and (b) any property, real or personal, that constitutes or is derived from proceeds traceable to the offense charged in Count Two. The property to be forfeited includes, but is not limited to, the Specific Property.

Substitute Assets Provision

(Applicable to All Forfeiture Allegations)

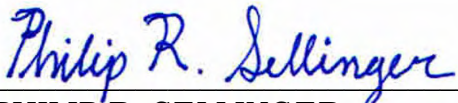
4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (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,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253, to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.



PHILIP R. SELLINGER
United States Attorney