

AUG 10 2015

AT 8:30
2014R00740/MMW
WILLIAM T. WALSH, CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. William H. Walls
	:	
v.	:	Criminal No. 15- 394 (WHW)
	:	
FELIX RESTITULLO	:	18 U.S.C. § 2251(a)
	:	18 U.S.C. § 2252A(a)(5)(B); and
	:	18 U.S.C. § 2

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at
Newark, charges:

COUNT ONE
(Production of Child Pornography)

From on or about January 1, 2012 through on or about March 13,
2014, in Hudson County, in the District of New Jersey, and elsewhere, the
defendant,

FELIX RESTITULLO,

did knowingly employ, use, persuade, induce, entice, and coerce a minor to
engage in sexually explicit conduct for the purpose of producing a visual
depiction of such conduct, which visual depiction was produced using materials
that were mailed, 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 2251(a) and
Section 2.

COUNT TWO
(Possession of Child Pornography)

On or about March 13, 2014, in Hudson County, in the District of New Jersey, and elsewhere, defendant,

FELIX RESTITULLO,

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 had been 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 which were produced using materials that had been mailed, 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)(5)(B) and Section 2.

FORFEITURE ALLEGATIONS

1. The allegations contained in Counts One and Two of this Indictment 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 of one or both of the offenses set forth in Counts One and Two of this Indictment, the defendant,

FELIX RESTITULLO,

shall forfeit to the United States of America:

a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, or 2252A, 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 Title 18, United States Code, Chapter 110;

b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and

c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses.

3. If any of the property described above, 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 party;

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 divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), and Title 28, United States Code, Section 2461(c).

A TRUE BILL



PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 15- 394 (WHW)

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

FELIX RESTITULLO

INDICTMENT FOR

18 U.S.C. § 2251
18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 2

A True Bill.

Foreperson

PAUL J. FISHMAN

*U.S. ATTORNEY
NEWARK, NEW JERSEY*

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