

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

CARLOS RIVAS,

Defendant.

25 MAG 2397

COMPLAINT

Violation of 18 U.S.C. § 2252A and 2

COUNTY OF OFFENSE:
BRONX

SOUTHERN DISTRICT OF NEW YORK, ss.:

RACHEL KIDD, being duly sworn, deposes and says that she is a Special Agent with the Department of Homeland Security, Homeland Security Investigations (“HSI”), and charges as follows:

COUNT ONE
(Possession of Child Pornography)

From at least on or about July 14, 2024, through at least on or about 1. August 15, 2024, in the Southern District of New York and elsewhere, CARLOS RIVAS, the defendant, knowingly possessed and accessed with intent to view a book, magazine, periodical, film, videotape, computer disk, and other material that contained an image of child pornography that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, RIVAS possessed sexually explicit images and videos of minors, including images and videos of prepubescent minors and minors who had not attained 12 years of age, on at least one electronic device in the Bronx, New York.

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

The bases for my knowledge and for the foregoing charges are, in part, as follows:

I am a Special 2. Agent with HSI and have been for approximately two years. I am currently assigned to the Child Exploitation Investigations Team. During my tenure with HSI, I have participated in the investigation of cases involving crimes against children. Specifically, I have experience investigating cases involving production, receipt, distribution and possession of child pornography.¹

This Complaint is based on my participation in the investigation of this matter, my review of 3. documents, my conversations with other law enforcement officers, and my training and

¹ The term “child pornography,” as used herein, is a visual depiction of a minor involved in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(8).

experience. Because this Complaint is being submitted for the limited purpose of establishing probable cause, I have not included the details of every aspect of the investigation. Where actions, conversations, and statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

Child Pornography in Subject Account-1

Based on my involvement in this investigation, my review of law enforcement documents and 4. records and my conversations with individuals from the New York City Police Department (“NYPD”), I have learned the following, among other things:

The National Center for Missing and Exploited Children (“NCMEC”) is a private, non-profit a. organization established by the United States Congress. NCMEC works with electronic service providers in their efforts to reduce the distribution of child sexual exploitation images and videos on the Internet. NCMEC receives referrals from electronic service providers regarding the discovery of apparent child sexual exploitation images in accounts maintained by electronic service providers and sends those referrals to appropriate law enforcement agencies.

I know based on my review of records from the NYPD and NCMEC that a certain electronic b. service provider (“Electronic Service Provider-1”), submitted at least two referrals to NCMEC on or about August 16 and August 17, 2024, reporting that a file storage service provided by Electronic Service Provider-1² linked to an Electronic Service Provider-1 account “carlos.rivas12034@gmail.com” (“Subject Account-1”) contained apparent child pornography.

In total, Electronic Service Provider-1 provided NCMEC with approximately 897 files that c. Electronic Service Provider-1 reported constituted apparent or unconfirmed child pornography, or were otherwise suspected sexually explicit conduct. NCMEC then provided those files to law enforcement. I have reviewed the files Electronic Service Provider-1 submitted to NCMEC and confirmed that vast majority the files contain child pornography. For example, the files include:

- i. An approximately 40-second video depicting a nude pre-pubescent female wearing a yellow Dora mask giving a male oral sex. The word “Pikachu” is overlaid on the video in yellow font.
- ii. An approximately 57-second video depicting a nude pre-pubescent female wearing white lace stockings, a pink thong, and a choker necklace engaging in vaginal intercourse with a male.
- iii. An approximately 3-minute and 50-second video depicting a compilation of multiple nude pre-pubescent females engaging in sexual intercourse with

² Based on my training and experience, I have learned that Electronic Service Provider-1 provides a feature that is a cloud-based file storage service automatically created for each Electronic Service Provider-1 account. Users can maintain and store documents; upload files, including photos, videos, PDFs, and text documents; and can set up their personal computer or mobile phone to automatically back up files to their Electronic Service Provider-1 account using this feature.

multiple males. The video begins with the words “especial!!!! nenas famosas!!!!” overlaid in green font.

- iv. An approximately 5-minute video depicting a male undressing a minor female wearing pink underwear as well as a white and orange floral dress. The male engages in anal intercourse with the minor female. 3
- v. An approximately 44-second video depicting an adult male attempting to insert his penis into the vagina of a pre-pubescent female. The female is wearing a white shirt, and has teal underwear and jean shorts wrapped around her ankles.

The NCMEC referrals indicate that the files Electronic Service Provider-1 reported to NCMEC d. were uploaded to Subject Account-1 on or about July 14, 2024 through on or about August 15, 2024, and that Subject Account-1 was logged into on several occasions between on or about July 14, 2024 through on or about August 15, 2024, including from internet protocol (“IP”)³ addresses in the Southern District of New York, as described below.

Based on my review of records Electronic Service Provider-1 produced pursuant to a judicially e. authorized search warrant (the “Electronic Service Provider-1 Warrant”), I know that there are hundreds of images and videos in Subject Account-1 of nude children, including child pornography. I know based on my review of the records produced pursuant to the Electronic Service Provider-1 Warrant that Subject Account-1 contained all of the images or videos identified by NCMEC as apparent or unconfirmed child pornography, including the videos referenced in Paragraph 3(c)(i)-(v).

Identification of CARLOS RIVAS

I believe that CARLOS RIVAS, the defendant, is the user of Subject 5. Account-1. That conclusion is based on the following, which I have learned from my participation in this investigation, including conversations with other law enforcement officers, review of documents and communications, and review of publicly available information:

Electronic Service Provider-1 reported to NCMEC the information for the “Suspect” who had a. uploaded the child pornography as files as follows:

Suspect	
Name:	carlos rivas
Mobile Phone:	+19297612625 (Verified 08-06-2024 04:24:30 UTC)
Date of Birth:	
Email Address:	carlos.rivas12034@gmail.com (Verified)

- b. Subject Account-1 is subscribed to in the name “Carlos Rivas.”

³ Based on my training and experience, I have learned that an IP address generally refers to a unique numerical label assigned to a digital device that accesses the Internet (e.g., a cellphone or computer).

Based on my review of NCMEC records and Electronic Service Provider-1 records associated c. with Subject Account-1, I know that the user of Subject Account-1 uploaded child pornography from two particular IP addresses, identified here as the “71.105 IP Address” and the “74.88 IP Address.”

Based on my review of records from an internet service provider (“Internet Service Provider-1”), I d. know that the Internet Service Provider-1 customer associated with the 71.105 IP Address is a particular school (“School-1”) in the Bronx, NY. Based on my communications with law enforcement officers, I know that law enforcement communicated with management at School-1, who confirmed RIVAS worked at School-1 and provided law enforcement with RIVAS’s Form I-9 dated on or about June 8, 2024. According to the Form I-9, RIVAS listed his employer as School-1 and listed his email address as “carlos.rivas12034@gmail.com.”⁴

Based on my review of records from an internet service provider (“Internet Service Provider-2”), e. I know that the Internet Service Provider-2 customer associated with the 74.88 IP Address is a particular individual, identified here as “L. Rivas,” with a particular address in the Bronx, NY (“Bronx Address-1”) and an email address of “carlos.rivas12034@gmail.com.” The Internet Service Provider-2 account was activated in or about November 2023.

Based on my communications with law enforcement officers, my review of law enforcement f. records and reports, and my involvement in this investigation, I know that law enforcement spoke to the owner of the building located at Bronx Address-1 and learned that an individual named “Carlos Rivas” and his sister “L.” lived in the basement from approximately September 1, 2024 to September 30, 2024; prior to that time, RIVAS’s mother, lived there. A USPS check indicated that, as of on or about October 7, 2024, RIVAS’s mother and L. Rivas were receiving packages at Bronx Address-1.

Based on my review of Electronic Service Provider-1 records associated with Subject g. Account-1, I know that the accountholder’s last login was on or about August 15, 2024, from the 74.88 IP Address—the IP address associated with Bronx Address-1, the address where RIVAS’s mother lived in the summer of 2024 and where RIVAS began living in or about September 2024, as described above.

Subject Account-1 contains photos of a person who appears to be RIVAS as well as child h. pornography. In addition, on or about July 17, 2024, the user of Subject Account-1 ran an Electronic Service Provider-1 Maps⁴ search query for the address of School-1, where RIVAS worked in or about July 2024. On or about that same day, July 17, 2024, the user of Subject Account-1 uploaded child pornography to Subject Account-1. On or about August 6, 2024, the user of Subject Account-1 ran an Electronic Service Provider-1 Maps search query for the number and street address of Bronx Address-1, which is the residence to which RIVAS had access in or about August 2024. On or about that same day, August 6, 2024, the user of Subject Account-1 uploaded child pornography to Subject Account-1.

⁴ Based on my training and experience, I have learned that Electronic Service Provider-1 offers a map service which can be searched for addresses or points of interest. Electronic Service Provider-1 Maps can provide users with turn-by-turn directions from one location to another using a range of transportation options and real-time traffic updates.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of CARLOS RIVAS, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Rachel Kidd, by SDA with permission

Rachel Kidd
Special Agent
Department of Homeland Security
Homeland Security Investigations

Sworn to me through the transmission of
this Complaint by reliable electronic
means (telephone), this 30th day of July,
2025.



THE HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York