

FILED
DISTRICT COURT CLERK
WESTERN DISTRICT OF KY

2017 SEP 13 PM 12:04

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN

UNITED STATES OF AMERICA

vs.

HOWARD BAIRD

INDICTMENT

NO.

1:17-CR-30-GNS

18 U.S.C. § 2251(a)

18 U.S.C. § 2251(e)

18 U.S.C. § 2252A(a)(5)(B)

18 U.S.C. § 2252A(b)(2)

18 U.S.C. § 2253

The Grand Jury charges:

COUNT 1

On or about May 7, 2009, in the Western District of Kentucky, Edmonson County, Kentucky, the defendant, **HOWARD BAIRD**, knowingly used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct which were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means.

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

The Grand Jury further charges:

COUNT 2

On or about June 19, 2009, in the Western District of Kentucky, Edmonson County, Kentucky, the defendant, **HOWARD BAIRD**, knowingly used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct which were produced using materials that had been mailed, shipped,

and transported in interstate and foreign commerce by any means.

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

The Grand Jury further charges:

COUNT 3

On or about January 5, 2010, in the Western District of Kentucky, Edmonson County, Kentucky, the defendant, **HOWARD BAIRD**, knowingly used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct which were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means.

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

The Grand Jury further charges:

COUNT 4

On or about April 26, 2010, in the Western District of Kentucky, Edmonson County, Kentucky, the defendant, **HOWARD BAIRD**, knowingly used, persuaded, induced, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct which were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means.

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

The Grand Jury further charges:

COUNT 5

On or about May 18, 2015, in the Western District of Kentucky, Edmonson County, Kentucky, the defendant, **HOWARD BAIRD**, knowingly possessed child pornography, as that term is defined in 18 U.S.C. § 2256(8)(A), that had been transported in and affecting interstate commerce by any means, including by computer.


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

NOTICE OF FORFEITURE

As a result of committing an offense in violation of 18 U.S.C. §§ 2251(a), 2252(e), 2252A(a)(5)(B), and 2252A(b)(2), as alleged in Counts 1 - 5 of this Indictment, a felony punishable by imprisonment for more than one year, the defendant, **HOWARD BAIRD**, shall forfeit to the United States pursuant to 18 U.S.C. § 2253, all visual depictions which were produced, transported, mailed, shipped or received in violation of the law and all property, real and personal, used or intended to be used to commit or to promote the commission of the offense.

A TRUE BILL.

REDACTED



JOHN E. KUHN, JR.
United States Attorney

JEK:JEL:170906

UNITED STATES OF AMERICA v. Howard Baird

PENALTIES

Counts 1-4: NL 15 yrs./NM 30 yrs./\$250,000/both/NL 5 yrs./NM life supervised release (each count)
Count 5: NM 10 yrs./\$250,000/both/NL 5 yrs./NM life supervised release
Forfeiture

NOTICE

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. **INTEREST** and **PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court
106 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court
120 Federal Building
241 East Main Street
Bowling Green, KY 42101
270/393-2500

OWENSBORO: Clerk, U.S. District Court
126 Federal Building
423 Frederica
Owensboro, KY 42301
270/689-4400

PADUCAH: Clerk, U.S. District Court
127 Federal Building
501 Broadway
Paducah, KY 42001
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

FORM DBD-34
JUN.85

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UNITED STATES DISTRICT COURT

Western District of Kentucky
Bowling Green Division

THE UNITED STATES OF AMERICA

vs.

HOWARD BAIRD

INDICTMENT

**Title 18 U.S.C. §§ 2251(a);2251(e);
2252A(a)(5)(B); 2252A(b)(2):
Using, Persuading, Inducing, Enticing, and
Coercing a Minor to Engage in Sexually Explicit
Conduct for the Purpose of Producing Visual
Depictions, Produced Using Material Mailed,
Shipped, and Transported in Interstate
Commerce; Possessing Child Pornography,
Transported in Interstate Commerce, Via
Computer.**

A true bill.

REDACTED

Filed in open court this 13th day of September, 2017.

Clerk

Bail, \$