

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

**FILED**  
2011 NOV -3 P 2:47  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
V.

**SI**

DYLAN JOSH ZARA,

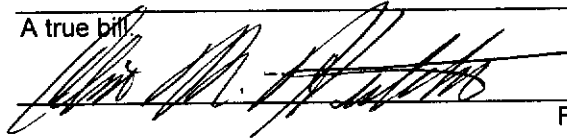
**CR 11 0819**

DEFENDANT(S).

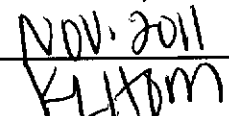
## INDICTMENT

18 U.S.C. § 2251(a) – Production of Child Pornography;  
18 U.S.C. § 2251(d) – Advertisement of Child Pornography;  
18 U.S.C. § 2252(a)(2) – Distribution of Child Pornography;  
18 U.S.C. § 2252(a)(4)(B) - Possession of Child Pornography;  
18 U.S.C. § 2253 – Criminal Forfeiture

A true bill

  
Foreman

Filed in open court this 3rd day of

NOV. 2011  
  
KAREN L. RCM  
Clerk

~~JOSEPH C. SPERO~~  
~~UNITED STATES MAGISTRATE JUDGE~~

Bail, \$ no bail amount wanted.

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY:  COMPLAINT  INFORMATION  INDICTMENT  
 SUPERSEDING

**OFFENSE CHARGED**

- 1. 18 U.S.C. 2251(a) -- Producing child pornography (2 counts)  Petty
- 2. 18 U.S.C. 2251(d) -- Advertising child pornography  Minor
- 3. 18 U.S.C. 2252(a)(2) -- Distributing child pornography (2 counts)  Misdemeanor
- 4. 18 U.S.C. 2252(a)(4)(B) -- Possessing child pornography  Felony

PENALTY: See Attached Sheet

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DEFENDANT - U.S. CLERK: RICHARD W. WICKING  
NORTHERN DISTRICT OF CALIFORNIA

DYLAN JOSH ZARA

DISTRICT COURT NUMBER

**CR 11 0819**

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI S.A. Lydia Durben

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

this is a re prosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY  DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form MELINDA HAAG

U.S. Attorney  Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) OWEN P. MARTIKAN

**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)  If not detained give date any prior summons was served on above charges
- 2)  Is a Fugitive
- 3)  Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4)  On this charge
  - 5)  On another conviction }  Federal  State
  - 6)  Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed?  Yes  No

If "Yes" give date filed

DATE OF ARREST **July 21, 2011**

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

SUMMONS  NO PROCESS\*  WARRANT

Bail Amount: no bail

If Summons, complete following:

Arraignment  Initial Appearance

\* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: Before Judge:

Comments:

ATTACHMENT TO PENALTY SHEET

DEFENDANT DYLAN JOSH ZARIN

**FILED**  
2011 NOV -3 E-filing  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**SI**

MAXIMUM PENALTIES:

1. 18 U.S.C. § 2251(a)(1) – Production of Child Pornography

a. Prison: minimum 15 years, maximum 30 years

b. Fine: \$250,000

c. Supervised Release: minimum 5 years to life

2. 18 U.S.C. § 2251(d) – Advertisement of Child Pornography

a. Prison: minimum 15 years, maximum 30 years

b. Fine: \$250,000

c. Supervised Release: minimum 5 years to life

3. 18 U.S.C. § 2252(a)(2) – Distribution of Child Pornography

a. Prison: minimum 5 years, maximum 20 years

b. Fine: \$250,000

c. Supervised Release: minimum 5 years to life

4. 18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography

a. Prison: maximum 10 years

b. Fine: \$250,000

c. Supervised Release: minimum 5 years to life

5. Combined Mandatory Special Assessments: \$600

**CR 11 0819**

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MELINDA HAAG (CSBN 132612)  
United States Attorney

**FILED E-filing**  
2011 NOV -3 P 2:47  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**SI**

**CR 11 0819**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DYLAN JOSH ZARA, )  
 )  
Defendant. )

No.  
VIOLATIONS: 18 U.S.C. § 2251(a) –  
Production of Child Pornography (Two  
Counts); 18 U.S.C. § 2251(d) –  
Advertisement of Child Pornography; 18  
U.S.C. § 2252(a)(2) – Distribution of Child  
Pornography (Two Counts); 18 U.S.C. §  
2252(a)(4)(B) Possession of Child  
Pornography; 18 U.S.C. § 2253 – Criminal  
Forfeiture  
  
SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 2251(a) – Production of Child Pornography)

On or about March 31, 2009, in the Northern District of California, the defendant,  
  
DYLAN JOSH ZARA,  
  
did knowingly employ, use, persuade, induce, entice, and coerce a minor known here as Child  
Victim 1 to engage in, and to assist him in engaging in, sexually explicit conduct for the purpose  
of producing a visual depiction of such conduct, and such visual depiction was produced using

INDICTMENT

1 materials that have been mailed, shipped, and transported in and affecting interstate and foreign  
2 commerce by any means, including by computer, in violation of Title 18, United States Code,  
3 Section 2251(a).

4  
5 COUNT TWO: (18 U.S.C. § 2251(a) – Production of Child Pornography)

6 On or about April 13, 2009, in the Northern District of California, the defendant,  
7 DYLAN JOSH ZARA,  
8 did knowingly employ, use, persuade, induce, entice, and coerce a minor known here as Child  
9 Victim 2 to engage in, and to assist him in engaging in, sexually explicit conduct for the purpose  
10 of producing a visual depiction of such conduct, and such visual depiction was produced using  
11 materials that have been mailed, shipped, and transported in and affecting interstate and foreign  
12 commerce by any means, including by computer, in violation of Title 18, United States Code,  
13 Section 2251(a).

14  
15 COUNT THREE: (18 U.S.C. § 2251(d) – Advertisement of Child Pornography)

16 On or about April 1, 2009, in the Northern District of California, the defendant,  
17 DYLAN JOSH ZARA,  
18 did knowingly make, print, and publish, and cause to be made, printed, and published, notices  
19 and advertisements seeking to receive, exchange, produce, and distribute, visual depictions  
20 involving the use of minors engaged in sexually explicit conduct, the production of such visual  
21 depictions having involved the use of a minor engaged in sexually explicit conduct and being of  
22 such conduct, knowing and having reason to know that such notices and advertisements will be  
23 transported using any means and facility of interstate or foreign commerce, and in and affecting  
24 interstate and foreign commerce by any means, including by computer, in violation of Title 18,  
25 United States Code, Section 2251(d).

1 COUNT FOUR: (18 U.S.C. § 2252(a)(2) – Distribution of Child Pornography)

2 On or about May 4, 2009, in the Northern District of California, the defendant,

3 DYLAN JOSH ZARA,

4 did knowingly distribute visual depictions, to wit the image files DSC04651-500 and DSC3856,  
5 that had been mailed and shipped and transported in and affecting interstate and foreign  
6 commerce, and which contain materials which had been so mailed and shipped and transported  
7 by any means, including by computer, the production of which involved the use of a minor  
8 engaging in sexually explicit conduct and which visual depiction was of such conduct, in  
9 violation of Title 18, United States Code, Section 2252(a)(2).

10  
11 COUNT FIVE: (18 U.S.C. § 2252(a)(2) – Distribution of Child Pornography)

12 On or about December 17, 2009, in the Northern District of California, the defendant,

13 DYLAN JOSH ZARA,

14 did knowingly distribute visual depictions, to wit the image file DSC06289, that had been mailed  
15 and shipped and transported in and affecting interstate and foreign commerce, and which contain  
16 materials which had been so mailed and shipped and transported by any means, including by  
17 computer, the production of which involved the use of a minor engaging in sexually explicit  
18 conduct and which visual depiction was of such conduct, in violation of Title 18, United States  
19 Code, Section 2252(a)(2).

20  
21 COUNT SIX: (18 U.S.C. § 2252(a)(4)(B) – Possession of Child Pornography)

22 On or about July 22, 2011, in the Northern District of California, the defendant,

23 DYLAN JOSH ZARA,

24 did knowingly possess at least one matter which contained a visual depiction that had been  
25 mailed, shipped and transported in and affecting interstate and foreign commerce, and which was  
26 produced using materials which had been mailed, shipped and transported in interstate and  
27 foreign commerce, by any means including by computer, the production of such visual depiction  
28 having involved the use of a minor engaging in sexually explicit conduct, and such depiction was

1 of such conduct; in violation of Title 18, United States Code, Section 2252(a)(4)(B).

2  
3 FORFEITURE ALLEGATION: (18 U.S.C. §§ 2253(a)(1) and (a)(3) - Criminal Forfeiture)

4 Upon conviction of the offenses alleged herein, the defendant,

5 DYLAN JOSH ZARA,

6 shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 2253(a)(1)  
7 and (a)(3), all visual depictions described in Title 18, United States Code Section 2252, and all  
8 property, real or personal, used or intended to be used to commit or promote the commission of  
9 the offenses of conviction, including but not limited to the following items that were obtained  
10 from the defendant on July 22, 2011:

- 11 1. a Western Digital hard drive bearing serial number WCADW1367996;
- 12 2. a Samsung hard drive bearing serial number S09QJ1GLA14303;
- 13 3. a Toshiba Satellite laptop computer bearing serial number 66271447K;
- 14 4. a Sony DLSR-A100 camera bearing serial number 511322 and bag;
- 15 5. a Dell laptop computer bearing serial number H1R9WF1;
- 16 6. an Apple iPhone 3G bearing serial number 7V744MP2WH8 and wall charger;
- 17 7. an Ativa memory card; and
- 18 8. a Sandisk Micro 1gigabyte memory card.

19  
20 DATED:

21 *November 3, 2011*

A TRUE BILL.

*[Signature]*  
22 FOREPERSON

23 MELINDA HAAG  
24 United States Attorney

25 *[Signature]*  
26 MIRANDA KANE  
Chief, Criminal Division

27 (Approved as to form: *[Signature]*)

28 AUSA MARTIKAN