

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 13-255
v.	*	SECTION: "G"
DANIEL NOLAN DEVOR	*	VIOLATIONS: 18 U.S.C. §§ 2251(a), (e)
	*	18 U.S.C. § 2253

* * *

FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **DANIEL NOLAN DEVOR** (“**DEVOR**”) do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

On or about May 15, 2013, Special Agents with the U.S. Department of Homeland Security, Homeland Security Investigations (“**HSI**”) and the United States Postal Inspection Service (“**USPIS**”) executed a federal search warrant at the Abita Springs, Louisiana residence of Jonathan Johnson. The investigation revealed that Jonathan Johnson enticed numerous minors,

between the ages of 13 and 17 to engage in sexually explicit conduct on the Internet, either alone, with other children as young as 18 months old, and/or with animals. Johnson recorded the sexually explicit activity and traded the material with individuals on the Internet. Johnson also uploaded the sexually explicit content involving minors to two websites which were created by Johnson: Website A and Website B. These two websites specialized in material involving the sexual exploitation of minors.

Johnson would testify that he communicated with individuals, including the defendant, involved with Website A and Website B using various computer related communication methods, including Skype, Facebook, email, internet relay chat, Team Speak, and GigaTribe. Johnson and the other users of Websites A and B created fictitious female personas on Internet social networking sites in order to locate and entice minors to engage in sexually explicit activity for the purpose of recording the activity and for further distribution.

A computer forensic search of Johnson's computer related media and online social network accounts revealed that Johnson communicated on the Internet with **DEVOR**. Forensic agents would testify and establish that **DEVOR** used various fictitious user names, including:

“lashipley”
“Lauren Shipley”
“Lauren S”
“Las”
“Las2”
“laurenshipley92”
“Heather Smithers”
“Lauren_Shipley93.”

The government would establish that beginning on or about December 7, 2012, **DEVOR** began communicating with Johnson about trading videos depicting the sexual victimization of children. During their communications, **DEVOR** admitted to enticing minors to engage in

sexually explicit activity on the Internet and recording the individuals. Several sexually explicit videos depicting the sexual exploitation of minors were transferred between Johnson and

DEVOR. Below are descriptions of some of the video files traded between Johnson and

DEVOR:

Video: [Name Redacted]_skype - 12yo [name redacted] and [name redacted]both have some fun together, fuck a bit.avi

Received by "lashipley": 12/16/2012 at 12:14:59 PM UTC

Description: Description: 42 minute and 4 second long video that depicted what appeared to be two 12 year old males who displayed their penises, masturbated and appeared to have anal intercourse.

Video: [Name Redacted]_skype - 14 and 12yo duo jerk, suck, 14yo cums on 12yo dick, sucks it off.avi

Received by "lashipley": 04/07/2013 at 06:17:47 AM UTC

Description: 17 minute and 40 second long video that depicted what appeared to be a 14 male and 12 year old male subject. Both subjects displayed their penises and masturbate. They both performed oral sex on each other's penises and the older male eventually ejaculated on the younger male's penis.

Video: [Name Redacted]_skype - 15yo [name redacted]fucks his dog, puts pen in ass, cums in her.avi

Received by "lashipley": 04/26/2013 09:01:28 PM UTC

Description: 15 minute and 54 second long video that depicted what appeared to be a 15 year old male who masturbated, allowed a dog to lick his anus, inserted what appears to be an ink pen into his anus, and appeared to have sexual intercourse with a dog.

Information obtained from Website A revealed that **DEVOR** was a user and video up loader of Website A. **DEVOR** was a member of Website A since April 11, 2013, listed that he preferred boys or girls and uploaded 9 videos to Website A. Website A identified that **DEVOR's** videos have been viewed 9230 times. Video tags for **DEVOR's** videos included the words, "13yo," "selfsuck," "14yo," "beastiality," and "dog." Below are descriptions of videos posted to Website A by **DEVOR.**

Video: Untitled 83.avi
Date Uploaded: May 2, 2013
Written Description: 13 yr old from UK who jerks and fingers then cums all over his hand for me
Video Description: 9 minute and 7 second long video that depicted what appeared to be a 13 year old male who displayed his penis, masturbated and inserted his finger into his anus.
Video Viewed: 2217 times
Video Tags: cum, 13yo, british, wank

Video: Untitled 303.avi
Date Uploaded: April 30, 2013
Written Description: Cutie who stripped, jerked off, sucked his own dick and then licked up his cum at the end for me
Video Description: 12 minute and 26 second long video that depicted what appears to be a 13 year old male who displayed his penis, masturbated and tasted his semen.
Video Viewed: 1422 times
Video Tags: 13yo, American, straight, selfsuck, wank, tasting cum

The government would further establish that on November 5, 2013, a federal search warrant, based on probable cause, was executed by federal agents at **DEVOR's** apartment located in Brunswick, Georgia. **DEVOR** was identified as an occupant of the residence. The government would establish through the testimony of computer forensic examiners and others, including Jonathan Johnson, that sexually explicit videos were traceable to **DEVOR** and Johnson and that these videos were transported via computer to and from Johnson's residence located in the Eastern District of Louisiana. The government would establish that **DEVOR** and Johnson conspired to produce sexually explicit videos through the introduction of sexually explicit videos of children and online communications between Johnson and **DEVOR**. The government would present testimony and records from Internet service providers to further corroborate the illegal transfer of sexually explicit material involving minors between **DEVOR** and Jonathan Johnson.

Further, the government would present evidence to establish that the videos of child pornography were created using phones, cameras, and/or and computer equipment that had been transported in interstate and foreign commerce. The government would show through testimony and documentary evidence that the equipment (phones, cameras, and/or computers) used by **DEVOR** to produce and distribute the child pornography were all manufactured outside of the State of Louisiana and were transported in interstate or foreign commerce.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that all of the images produced and distributed by **DEVOR** and Johnson were of prepubescent children less than 18 years of age and that the videos of the child victims were “sexually explicit” as defined in Title 18, United States Code, Section 2256. All of the videos depicting the sexual victimization of minors produced and distributed by **DEVOR** and Johnson would be introduced through the testimony of HSI and other agents.

Various records and testimonial evidence, including testimony from representatives of HSI and the USPIS, as well as other witnesses, would also be called to prove the facts set forth above.

LIMITED NATURE OF FACTUAL BASIS

This Factual Basis is not intended to constitute a complete statement of all facts known by the government and the defendant, but rather is a minimum statement of facts intended to prove the necessary factual predicate for defendant's guilty plea. The limited purpose of this Factual Basis is to demonstrate that there exists sufficient legal basis for defendant's plea of guilty to the charged offenses.

DANIEL NOLAN DEVOR
Defendant

DATE

DOYLE SPELL, JR.
Counsel for Defendant

DATE

BRIAN M. KLEBBA
Assistant United States Attorney

DATE