

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

UNITED STATES OF AMERICA

* **CRIMINAL NO. 13-257**

v.

* **SECTION: "E"**

STANLEY ZDON, III

* **VIOLATIONS: 18 U.S.C. §§ 2251(a),(e)
18 U.S.C. § 2253**

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FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **STANLEY ZDON, III** ("**ZDON**") 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 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, GigaTribe, etc. Johnson and the others 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 **ZDON**. Forensic agents would testify and establish that **ZDON** used various fictitious user names, including "Skesser1994."

The government would establish that beginning on or about December 15, 2012, **ZDON** began communicating with Johnson about trading videos depicting the sexual victimization of children. During their communications, **ZDON** admitted to enticing minors to engage in sexually explicit activity on the Internet and recording the individuals. Johnson and **ZDON** further communicated about creating a fictitious 15-year-old social network profile so they could search for minors on the Internet. Several sexually explicit videos depicting the sexual exploitation of minors were transferred between Johnson and **ZDON**. Below are descriptions of

some of the video files traded between Johnson and **ZDON**:

Video: [Name Redacted]_myyb - 14 and 9yo cousins jerk.avi
Received by "skesser1994": 12/16/2012 at 06:01:47 AM
Description: 20 minute and 16 second long video that depicted what appeared to be a 14 year old male and a 9 year old males masturbating.

Video: [Name Redacted]_skype - 13yo 12yo duo get naked, both cum, show feet.avi
Received by "skesser1994": 12/16/2012 at 06:03:03 AM
Description: 46 minute and 41 second long video that depicted what appeared to be a 13 year old male and a 12 year old male displaying their penises and masturbating.

Video: [Name Redacted]_omegle - 2 boys red blue.avi
Received by "skesser1994": 12/16/2012 at 06:27:04 AM
Description: 35 minute and 6 second long video that depicted what appeared to be two males under the age of 18, who were displaying their penises and masturbating.

The government would also present evidence that **ZDON** communicated with another user of one of Johnson's websites and on March 27, 2012, received 8 images of a pre-pubescent male who displayed his penis in a sexually explicit manner while standing nude.

The government would further establish that on November 5, 2013, a federal search warrant, based on probable cause, was executed by federal agents at **ZDON**'s apartment located in Tuckerton, New Jersey. **ZDON** was identified as an occupant of the residence. After being advised of his *Miranda* rights, **ZDON** admitted to receiving, distributing, and producing child pornography. Specifically, **ZDON** admitted to using the on-line female persona "Samantha Kesser" to target children on-line and **ZDON** admitted to producing videos of children between the ages of 8 to 13 years old.

The government would establish through the testimony of computer forensic examiners and others, including Jonathan Johnson, that sexually explicit videos were traceable to **ZDON** 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 **ZDON** and Johnson conspired to produce sexually explicit videos through the introduction of sexually explicit videos of children and online communications between Johnson and **ZDON**. The government would present testimony and records from Internet service providers to further corroborate the illegal transfer of sexually explicit material involving minors between **ZDON** and Jonathan Johnson.

Further, the government would present evidence to establish that the videos of child pornography were created using computer equipment that had been transported in interstate and foreign commerce. The government would show through testimony and documentary evidence that the computer equipment used by **ZDON** 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 **ZDON** 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 **ZDON** 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.

STANLEY ZDON, III
Defendant

DATE

ARIS W. COX, VI
Counsel for Defendant

DATE

BRIAN M. KLEBBA
Assistant United States Attorney

DATE