

United States v. Fernando Parra
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COUNT TWO
18 U.S.C. § 2252(a)(4)(B)

Beginning on or about September 4, 2005, and continuing to and including on or about September 7, 2006, in the Western District of Texas and elsewhere, the Defendant,

FERNANDO PARRA,

did knowingly possess matter, which contained any visual depiction that had been mailed, shipped and transported in interstate and foreign commerce, and which was produced using materials which had been mailed, shipped, or transported in interstate and foreign commerce, by any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, and which visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(4)(B).

COUNT THREE
18 U.S.C. § 1462

Beginning on or about October 8, 2005, and continuing to and including on or about September 7, 2006, in the Western District of Texas and elsewhere, the Defendant,

FERNANDO PARRA,

knowingly took and received from an express company and other common carrier, and interactive computer service for carriage in interstate and foreign commerce obscene, lewd and lascivious matter, of indecent character that is, a moving picture experts group media file entitled, "Bondage Muscle Daddy's w 2 Boy Toys", and a moving picture experts group media file entitled, "gay dad and son sex", and a moving picture experts group media file entitled, "Piggs at the Troff 4", and a moving picture experts group media file entitled, Gay-Falcon FVP-Spring Break 1988 (01), in violation of Title 18, United States Code, Section 1462.

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**Notice of Government's Demand for Forfeiture
(18 U.S.C. §§ 1467, 2253 and 21 U.S.C. § 853)**

I.

As a result of the Defendant, FERNANDO PARRA's, conviction of the offense set forth in Counts One, and Two, the Defendant FERNANDO PARRA shall forfeit to the United States pursuant to Title 18 U.S.C. §§ 2252, 2253, and Title 21 U.S.C. § 853:

- any visual depiction described in Title 18 U.S.C. §§ 2251, or 2252, or any book, magazine, periodical, film videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received; and
- any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- any property, real or personal, used or intended to be used to commit or to promote the commission of the offense or any property traceable to such property.

The property includes the following:

One (1) Dell desktop computer, model Optiplex GX260, serial number 8KNPW11, containing one (1) Maxtor 40 GB hard drive, model D740X-6L, serial number MX0L040J2.3; and
One (1) Dell PowerEdge, model 1600 SC, serial number 1LK5G41 containing RAID-5 configuration, consisting of four (4) SCSI hard drives and a PERC4 RAID controller .

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II.

As a result of the Defendant, FERNANDO PARRA's, conviction of the offense set forth in Count Three, the defendant FERNANDO PARRA shall forfeit to the United States pursuant to Title 18 U.S.C. §§ 1462, 1467, and Title 21 U.S.C. § 853:

- any obscene material produced, transported, mailed, shipped or received;
- any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

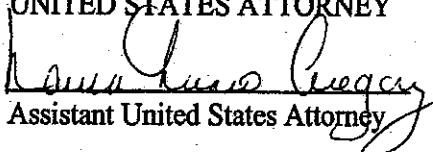
The property includes the following:

One (1) Dell desktop computer, model Optiplex GX260, serial number 8KNPW11, containing one (1) Maxtor 40 GB hard drive, model D740X-6L, serial number MX0L040J2.3; and One (1) Dell PowerEdge, model 1600 SC, serial number 1LK5G41 containing RAID-5 configuration, consisting of four (4) SCSI hard drives and a PERC4 RAID controller.

A TRUE BILL

FOREPERSON OF THE GRAND JURY

JOHNNY SUTTON
UNITED STATES ATTORNEY

By: 
Assistant United States Attorney

PERSONAL DATA SHEET **JUDGE FRANK MONTALVO**
 UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF TEXAS

EP08CR0371

SEALED: _____		UNSEALED
COUNTY: EL PASO	DIVISION: EL PASO	JUDGE:
DATE: February 6, 2008	MAG CT #: EP-08-M-0536-G	FBI #:
CASE NO: EP-08-CR-	ASSISTANT U.S. ATTORNEY: LAURA FRANCO GREGORY	
DEFENDANT: FERNANDO PARRA		DOB: REDACTED
ADDRESS: REDACTED		
CITIZENSHIP: U.S. INTERPRETER NEEDED: No. LANGUAGE: n/a		
DEFENSE ATTORNEY: Regina Arditti /		EMPLOYED <u> X </u>
ADDRESS:		APPOINTED _____
DEFENDANT IS: In Custody		
DATE OF ARREST: February 1, 2208		BENCH WARRANT: NO
PROSECUTION BY: INDICTMENT		
OFFENSE (Code and Description): CT 1: 18 U.S.C. § 2252(a)(2) - Receipt or Distribution of Child Pornography; CT 2: 18 USC § 2252(a)(4)(B) - Possession of Child Pornography; CT 3: 18 USC § 1462 - Interstate Transportation of Obscene Material.		
OFFENSE IS: FELONY		
MAXIMUM SENTENCE: CT 1 - Mandatory Minimum of five (5) years and a maximum of twenty (20) years; Maximum \$250,000 fine; Maximum term of supervised release of three (3) years; CT 2 - Maximum of ten (10) years imprisonment; Maximum \$250,000 fine; Mandatory term of supervised release of five (5) years and a maximum term of life; CT 3 - Maximum of five (5) years imprisonment; Maximum \$250,000 fine; Maximum term of supervised release of three (3) years.		
PENALTY IS MANDATORY: NO		
REMARKS: FBI: RICK ALE		

AO91 (Rev. 12/03) Criminal Complaint

UNITED STATES DISTRICT COURT

FILED

FEB -1 2008

Texas, s. DISTRICT COURT
CLERK, WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

Western DISTRICT OF

UNITED STATES OF AMERICA
V.
Fernando Parra

CRIMINAL COMPLAINT

Case Number:

08-M-0536 G

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 06/14/06 continuing to 09/07/06 in El Paso County, in the Western District of Texas defendant(s) did,
(Track Statutory Language of Offense)

See Attachment A attached hereto and incorporated herein by reference.

in violation of Title 18 United States Code, Section(s) 2252(a)(2), 2252(a)(4)(B), 1462

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
Official Title

See Attachment B, affidavit of Special Agent Ricardo Ale, Federal Bureau of Investigation, attached hereto and incorporated herein by reference.

Continued on the attached sheet and made a part of this complaint: Yes No

[Signature]
Signature of Complainant

Ricardo Ale
Printed Name of Complainant

Sworn to before me and signed in my presence,

February 1, 2008
Date

at El Paso, Texas
City and State

Norbert Garney, U.S. Magistrate Judge
Name and Title of Judge

[Signature]
Signature of Judge

Attachment A

The defendant, Fernando Parra did knowingly receive, and distribute, any visual depiction that had been shipped and transported in interstate and foreign commerce, and which contains materials which had been shipped and transported, by any means including by computer, the production of such visual depiction involved the use of a minor engaging in sexual conduct, in violation of 18 USC Section 2252(a)(2), Receipt or Distribution of Child Pornography.

The defendant, Fernando Parra, did knowingly possess one (1) film and video tape and other matter which contain any visual depiction that has been mailed, and has been shipped and transported in interstate and foreign commerce, and which was produced using materials which have been mailed and so shipped and transported, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction is of such conduct, in violation of 18 USC Section 2252(a)(4)(B) Possession of Child Pornography.

The defendant, Fernando Parra did knowingly take and receive from express company and other common carrier and interactive computer service any obscene, lewd, lascivious, and picture, motion-picture film, and other matter of indecent character, to wit, the following Moving Picture Experts Group (MPEG) media files: Bondage Muscle Daddy's w 2 Boy Toys; gay dad and son sex, Pigs at the Troff 4, and Gay-Falcon FVP 048-Sping Break 1988 (01) in violation of 18 USC Section 1462 Interstate Transportation of Obscene Material.

EP-08-M-0536 G
UNITED STATES OF AMERICA
v
FERNANDO PARRA

SEALED PER ORDER OF THE COURT DATED FEBRUARY 1, 2008

Attachment B, affidavit of Special Agent Ricardo Ale, Federal Bureau of Investigation.