

UN SEALED

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

2011 NOV 30 PM 4: 29

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO. 6:11-cr-401-ORL-BI-DAB
18 U.S.C. § 2252A
18 U.S.C. § 2253 - Forfeiture

FREDERICK MERVIN BARDELL

INDICTMENT

The Grand Jury charges:

COUNT ONE

On or about September 21, 2011, in Volusia County, Florida, in the Middle District of Florida, and elsewhere,

FREDERICK MERVIN BARDELL

the defendant herein, did knowingly distribute material containing images of child pornography, that is, visual depictions of a minor engaging in sexually explicit conduct, which had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and using any means and facility of interstate and foreign commerce, that is, the Internet, to wit, the following computer file:

1. !!!New – Ptsc – Minha Filhinha Dormindo (10 Aninhos).avi.mpg

All in violation of Title 18, United States Code, Section 2252A(a)(2)(A) and (b)(1).

COUNT TWO

On or about September 21, 2011, in Volusia County, Florida, in the Middle District of Florida,

FREDERICK MERVIN BARDELL

the defendant herein, did knowingly possess material containing images of child pornography, that is visual depictions of a minor engaging in sexually explicit conduct, which had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and using any means and facility of interstate and foreign commerce, that is, the Internet.

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

FORFEITURES

1. The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures, pursuant to the provisions of Title 18, United States Code, Section 2253.

2. From his engagement in the violations alleged in Counts One and Two of this Indictment, the defendant, **FREDERICK MERVIN BARDELL**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253, all of his interest in:

a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, or 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of this chapter;

b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and

c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including, but not limited to,

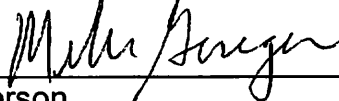
1. Compaq Presario Laptop Computer
2. NZXT Generic Desktop Computer
3. Maxton One Touch Mini
4. Allen Ware Desktop Computer
5. Flat Panel Monitor
6. APC Battery Backup
7. Seagate 500 Gigabite
8. DVDs
9. Floppy Discs

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;


it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL

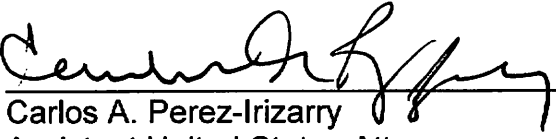


Foreperson

ROBERT E. O'NEILL
United States Attorney

By: 

Myrna Amelia Mesa
Special Assistant United States Attorney

By: 

Carlos A. Perez-Irizarry
Assistant United States Attorney
Chief, Orlando Division