

JUDGE GROTTI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

: INDICTMENT

- v. -

: 17 Cr.

JOSHUA ADAM SCHULTE,

: **17 CRIM 548**

Defendant.

- - - - - X

COUNT ONE

(Receipt of Child Pornography)

The Grand Jury charges:

1. From at least in or about 2009, up to and including at least in or about March 2017, in the Southern District of New York and elsewhere, JOSHUA ADAM SCHULTE, the defendant, knowingly did receive and attempt to receive material that contained child pornography that had been mailed, and using a means and facility of interstate and foreign commerce shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, SCHULTE downloaded from the Internet electronic files depicting child pornography.

(Title 18, United States Code, Sections 2252A(a)(2)(B), (b)(1) and 2.)

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COUNT TWO

(Possession of Child Pornography)

The Grand Jury further charges:

2. From at least in or about 2009, up to and including at least in or about March 2017, in the Southern District of New York and elsewhere, JOSHUA ADAM SCHULTE, the defendant, knowingly did possess and access with intent to view, and attempt to possess and access with intent to view, a book, magazine, periodical, film, videotape, computer disk, and other material that contained an image of child pornography that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, SCHULTE accessed with intent to view and possessed images and videos of child pornography at his residence in New York, New York.

(Title 18, United States Code, Sections 2252A(a)(5)(B), (b)(2) and 2.)

COUNT THREE

(Transportation of Child Pornography)

The Grand Jury further charges:

3. In or about November 2016, in the Southern District of New York and elsewhere, JOSHUA ADAM SCHULTE, the defendant, knowingly did mail and transport and ship using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, child pornography, to wit, SCHULTE transported and caused to be transported from Virginia to New York, New York, a computer containing images and videos of child pornography.

(Title 18, United States Code, Section 2252A(a)(1).)

FORFEITURE ALLEGATION

4. As the result of committing the offenses alleged in Counts One through Three of this Indictment, JOSHUA ADAM SCHULTE, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a), any visual depiction described in the offenses set forth in Counts One through Three, and 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 Chapter 110 of Title 18, United States Code, and any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such

offenses, and any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property.

(Title 18, United States Code, Section 2253(a).)

Substitute Asset Provision

5. If any of the above-described forfeitable property, 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 party;


c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

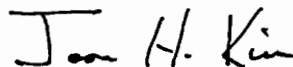
e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.

(Title 21, United States Code, Section 853(p).)



FOREPERSON



JOON H. KIM
Acting United States Attorney

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17 Cr.

(18 U.S.C. §§ 2252A(a)(1),
2252A(a)(2)(B) and (b)(1),
2252(a)(5)(B) and (b)(2), and 2.)

JOON H. KIM

Acting United States Attorney

David M. Gultor

Foreperson

9/6/17

Filed Indictment

USMJ Parker

MG