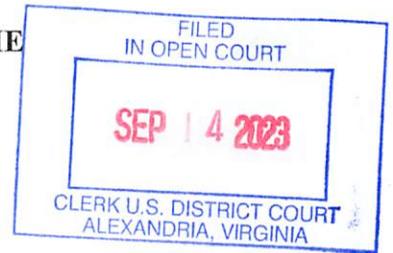


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

MARK ALAN BLACK,

Defendant.

Case No. 1:23-CR-146

Count 1: 18 U.S.C. § 2251(a) and (e),
Conspiracy to Produce Child Pornography

Count 2: 18 U.S.C. § 2251(a) and (e),
Production of Child Pornography

Count 3: 18 U.S.C. § 2251(d) and (e),
Conspiracy to Advertise Child Pornography

Count 4: 18 U.S.C. § 2252(a)(2) & (b)(1),
Distribution of Child Pornography

Count 5: 18 U.S.C. §§ 2252(a)(2) and (b)(1),
Receipt of Child Pornography

Count 6: 18 U.S.C. § 2252(a)(4)(B),
Possession of Child Pornography

Forfeiture Notice: 18 U.S.C. § 2253(a)

UNDER SEAL

INDICTMENT

September 2023 Term—at Alexandria, Virginia

COUNT ONE

(Conspiracy to Produce Child Pornography - 18 U.S.C. § 2251(a) & (e))

THE GRAND JURY CHARGES THAT:

Between on or about January 16, 2018, and on or about October 20, 2021, in the Eastern District of Virginia, and elsewhere, the defendant, MARK ALAN BLACK, did combine, conspire, confederate, and agree with persons known and unknown to the Grand Jury, to employ, use,

persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that the visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that visual depiction was produced and transmitted using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and that visual depiction was actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

(All in violation of Title 18, United States Code, Section 2251(a) & (e).)

COUNT TWO

(Production of Child Pornography - 18 U.S.C. § 2251(a) & (e))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about July 12, 2019, and on or about July 15, 2019, in the Eastern District of Virginia and elsewhere, the defendant, MARK ALAN BLACK, attempted to and did employ, use, persuade, induce, entice, and coerce a minor, namely Victim 1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, and knowing and having reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that visual depiction was produced and transmitted using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and that visual depiction was actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

(All in violation of Title 18, United States Code, Section 2251(a) & (e).)

COUNT THREE

(Conspiracy to Advertise Child Pornography - 18 U.S.C. § 2251(d) and (e))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about January 16, 2018, and on or about October 20, 2021, in the Eastern District of Virginia, and elsewhere, the defendant, MARK ALAN BLACK, did combine, conspire, confederate, and agree with persons known and unknown to the Grand Jury, to knowingly publish or cause to be published, a notice and advertisement seeking and offering to receive, exchange, produce, display, distribute and reproduce a visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct, and which visual depiction was of such conduct, knowing and having reason to know that the notice and advertisement would be 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 such notice and advertisement was 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.

(All in violation of Title 18, United States Code, Sections 2251(d) & (e).)

COUNT FOUR

(Distribution of Child Pornography - 18 U.S.C. § 2252(a)(2) & (b)(1))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about December 13, 2019, and on or about December 21, 2021, within the Eastern District of Virginia, and elsewhere the defendant, MARK ALAN BLACK, did knowingly distribute and attempt to distribute a visual depiction using a means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce 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 the visual depiction was of such conduct.

(All in violation of Title 18, U.S. Code, Section 2252(a)(2) & (b)(1).)

COUNT FIVE

(Receipt of Child Pornography - 18 U.S.C. § 2252(a)(2) & (b)(1))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about July 22, 2019, and on or about March 16, 2022, in the Eastern District of Virginia and elsewhere, the defendant, MARK ALAN BLACK, did knowingly receive and attempt to receive a visual depiction using a means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce 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 the visual depiction was of such conduct.

(All in violation of Title 18, U.S. Code, Section 2252(a)(2) & (b)(1).)

COUNT SIX

(Possession of Child Pornography - 18 U.S.C. § 2252(a)(4)(B))

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 6, 2023, within the Eastern District of Virginia, the defendant, MARK ALAN BLACK, did knowingly possess a matter that contained a visual depiction that had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that was produced using materials which have been 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 the visual depiction was of such conduct.

It is further alleged that at least one visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age.

(All in violation of Title 18, U.S. Code, Section 2252(a)(4)(B).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS THAT:

The defendant, MARK ALAN BLACK, is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts One, Two, Three, Four, Five, or Six of the Indictment, he shall forfeit to the United States: (1) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, and any matter that contains any such visual depiction, which was produced, transported, shipped, and received in violation of this chapter; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of the offense, and any property traceable to such property. This property includes, but is not limited to:

- 1) Seagate Free Agent GoFlex External Hard Drive (S/N NA05LDER); and
- 2) iPhone 14 Pro (S/N WRPFVK397J); and
- 3) Western Digital MyBook Enclosed 500GB Hard Drive (S/N WMANU1300420)

If any property subject to forfeiture is unavailable, the United States may seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

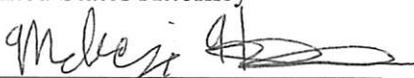
(All in accordance with Title 18, United States Code, Section 2253; Title 21 U.S. Code, Section 853(p); and Fed. R. Crim. P. 32.2(a) & 32.2(e).)

A TRUE BILL:

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.

Foreperson of the Grand Jury

Jessica D. Aber
United States Attorney

By: 

McKenzie Hightower
Special Assistant United States Attorney (LT)
Kaylynn Foulon
Trial Attorney, Child Exploitation and Obscenity Section