

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

Alexandria Division



UNITED STATES OF AMERICA

v.

ANDREW DAVID KRUEGER,

Defendant.

Case No. 1:23-CR-170

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

Count 2: 18 U.S.C. § 2252(a)(4)(B) and(b)(2)
Possession of Child Pornography

Count 3: 18 U.S.C. § 2252(a)(4)(B) and (b)(2)
Possession of Child Pornography

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

Under Seal

INDICTMENT

October 2023 Term—at Alexandria, Virginia

COUNT ONE
(Receipt of Child Pornography)

THE GRAND JURY CHARGES THAT:

Beginning on a date unknown to the Grand Jury, but no earlier than on or about November 1, 2018, and continuing through on or about February 28, 2019, in Fauquier County, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, ANDREW DAVID KRUEGER, knowingly received, and attempted to receive, on an NCS Technologies Tower [S/N M65250717733], one or more visual depictions using any means and facility of interstate and foreign commerce, and that had been transported in and affecting interstate and foreign commerce, by any means including by computer; and the producing of such visual depictions involved the use of a minor engaging in sexually explicit conduct and the visual depictions were of such conduct.

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

COUNT TWO
(Possession of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 21, 2019, in Fauquier County, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, ANDREW DAVID KRUEGER, knowingly possessed and attempted to possess at least one matter containing one or more visual depictions 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 which visual depictions were produced using materials which had been mailed and so shipped and transported, by any means, including by computer; and the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of such conduct, to wit: altered images of minors engaging in sexually explicit conduct that are distinct from those referred to in Count 1 and were located in folders including, but not limited to, “collage” and “q”.

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

(All in violation of Title 18, U.S. Code, Section 2252(a)(4)(B) and (b)(2).)

COUNT THREE
(Possession of Child Pornography)

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 21, 2019, in Fauquier County, Virginia, and elsewhere within the Eastern District of Virginia, the defendant, ANDREW DAVID KRUEGER, knowingly possessed and attempted to possess at least one matter containing one or more visual depictions 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 which visual depictions were produced using materials which had been mailed and so shipped and transported, by any means, including by computer; and the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of such conduct, to wit: visual depictions of minors engaging in sexually explicit conduct that are distinct from those referred to in Counts 1 and 2.

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

(All in violation of Title 18, U.S. Code, Section 2252(a)(4)(B) and (b)(2).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS THAT:

The defendant, ANDREW DAVID KRUEGER, is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts One, Two, or Three 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, mailed, 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. NCS Technologies Tower [S/N M65250717733];
2. Barracuda 8TB HDD [S/N ZCT08344];
3. Seagate 80GB HDD [S/N 5LR5TKXX];
4. ASUS Computer Tower [S/N SGC1000KWN11130500176];
5. Seagate 80GB HDD [S/N 9RW88E4N]
6. Seagate 1TB Hard Drive [S/N S1DCFH7Z];
7. 320GB Samsung External Hard Drive [S/N 801130168383];
8. Toshiba 1TB External Hard Drive [S/N Z2AQT6G3TTV3];
9. WD External Hard Drive 1TB [S/N WXJ1CB1Y8861];
10. Toshiba External 500 GB Hard Drive [S/N 6212TROAT];
11. Seagate 1TB Hard Drive [S/N Z1D3DAX4];
12. Western Digital 2TB Hard Drive [S/N WD-WCC1T1703362];

13. 130GB External Hard Drive [S/N WD-WXE907611574];
14. WD External 300GB Hard Drive [S/N WX70A59V1743];
15. HGST 4TB Hard Drive [S/N PK2334PCJ0DUUB].


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

Jessica D. Aber
United States Attorney

By: 
Rachel L. Rothberg
Special Assistant United States Attorney (LT)
Laura D. Withers
Assistant United States Attorney