



*Office of the United States Attorney
District of Arizona*

FOR IMMEDIATE RELEASE
May 21, 2008

For Information Contact Public Affairs
SANDY RAYNOR
Telephone: (602) 514-7625
Cell: (602) 525-2681

TUCSON MAN CONVICTED OF CHILD PORNOGRAPHY CHARGES

TUCSON, Ariz. - Andrew Edward Flyer, 26, of Tucson, Arizona, was found guilty of two counts of Attempted Transportation and Shipping of Child Pornography and two counts of Possession of Child Pornography by a federal jury in Tucson, Ariz., on Friday, May 16th. The case was tried before United States District Court Judge Frank R. Zapata from May 6th to May 16th. The jury began its deliberations on the afternoon of May 16th. The defendant was remanded after the verdict was recorded. Sentencing is set before Judge Zapata on August 11, 2008.

The evidence at trial showed that on March 9 and March 10, 2004, while acting in an undercover capacity, an agent from the Federal Bureau of Investigation logged onto a network that supports a file sharing system known generically as "Peer to Peer" and found an individual who was trading child pornography. Follow up investigation revealed that the individual making those files available for sharing was receiving internet service at an address in Tucson.

On April 13, 2004, agents executed a search warrant at the defendant's residence and seized two computers, computer equipment and 178 pieces of loose storage media consisting of DVDs, CDs and floppy disks. During a forensic review of that computer and loose storage media, over 1200 images and movies of children engaged in sexually explicit conduct were located, including images of prepubescent children (under the age of 12) and images of sadistic and masochistic conduct involving children. The defendant was also interviewed that day and acknowledged that he had used the "Peer to Peer" file sharing system to download images of child pornography.

A conviction for Attempted Transportation and Shipping of Child Pornography carries a maximum penalty of 20 years with a mandatory minimum of 5 years, a \$ 250,000 fine or both. In determining an actual sentence, Judge Zapata will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

This case was brought as part of Project Safe Childhood. In February 2006, the Department of Justice created Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse. Led by the U.S. Attorneys Offices, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as well as identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafefchildhood.gov .

The investigation in this case was conducted by the FBI and the Tucson Police Department. The prosecution was handled by Judson T. Mihok, Assistant U.S. Attorney, District of Arizona, Tucson.

CASE NUMBER: CR-05-01049-TUC-FRZ
RELEASE NUMBER: 2008-123(Flyer)

###

For more information on the U.S. Attorney's Office, District of Arizona, visit <http://www.usdoj.gov/usao/az/>