

FILED

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

for the
District of New Mexico

MAY 01 2012



MATTHEW J. DYKMAN

United States of America
v.
Antonio Gallegos
Year of Birth: 1964
SSAN: XXX-XX-3251

Case No.

CLERK

12mj1044

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 7, 2011-March 6, 2012 in the county of Bernalillo in the
 District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 2252(a)(2) and (a)(4)(B)	Receipt, Distribution, and Possession of Visual Depictions of Minors Engaged in Sexually Explicit Conduct

This criminal complaint is based on these facts:

On or between August 7, 2011 and March 6, 2012, Antonio Gallegos received, distributed, and possessed visual depictions of minors engaged in sexually explicit conduct in violation of Title 18, United States Code, Sections 2252(a)(2) and (a)(4)(B). See Attachment A incorporated herein by reference.

Continued on the attached sheet.

Victoria Ryder
Complainant's signature

Victoria Ryder, Special Agent, FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: May 1, 2012

Karen B. Molzen
Judge's signature

City and state: Albuquerque NM

KAREN B. MOLZEN
U.S. MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO

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UNITED STATES OF AMERICA)
)
 V.)
)
 ANTONIO GALLEGOS,)
)
 SSN: XXX-XX-3251)
)
 Year of Birth: 1964)

AFFIDAVIT OF VICTORIA M. RYDER

Your Affiant, Victoria M. Ryder, having been first duly sworn, does hereby depose and state as follows:

1. Your Affiant is a Special Agent of the Federal Bureau of Investigation (FBI). Your Affiant has been a Special Agent (SA) since August, 2009. Your Affiant is currently assigned to the Albuquerque Field Office, with a primary duty to investigate civil rights and individuals involved in the on-line sexual exploitation of children.

2. Your Affiant has participated in investigations of persons suspected of violating federal child pornography and exploitation laws, including Title 18, United States Code, Section 2252. Your Affiant has also participated in training, including the Internet Crimes Against Children Conference in

1 Atlanta, Georgia in 2012, for the investigation and enforcement
2 of federal child pornography and exploitation laws in which
3 computers are used as the means for receiving, transmitting,
4 possessing, and distributing images depicting minors engaged in
5 sexually explicit conduct (hereafter referred to as "child
6 pornography"). Your Affiant has received training in peer to
7 peer investigations involving computers and child pornography,
8 and viewed numerous images and videos of child pornography in
9 investigations. Your Affiant has received training and gained
10 experience in interviewing and interrogation techniques, arrest
11 procedures, search warrant applications, the execution of
12 searches and seizures, computer evidence identification,
13 computer evidence seizure and processing, and various other
14 criminal laws and procedures. Your Affiant has personally
15 participated in the execution of search warrants involving the
16 search and seizure of computer equipment.

17
18 3. This affidavit will show there is probable cause in
19 support of a criminal complaint against Antonio Gallegos
20 (Year of Birth 1964, SSAN xxx-xx-3251) for a violation of
21 Title 18, United States Code, Section 2252(a)(2) and
22 (a)(4)(B), which prohibits receipt, distribution, and
23 possession of any visual depiction involving the use of
24 minors engaged in sexually explicit conduct ("child
25 pornography") that has been shipped or transported in or
26 affecting interstate or foreign commerce by any means,
27 including by computer.

28

1 4. The statements contained in this affidavit are based upon
2 Your Affiant's investigation, training, experience, and
3 information provided by other law enforcement officers known
4 to be reliable and specially trained in the seizure and
5 analysis of computers and electronic media. Because this
6 affidavit is being submitted for the limited purpose of
7 securing a search warrant, Your Affiant has not included each
8 and every fact known to me concerning this investigation.
9 Your Affiant has set forth only the facts that Your Affiant
10 believes are necessary to establish probable cause to support
11 a criminal complaint against Antonio Gallegos, in violation
12 of Title 18, United States Code, Sections 2252(a)(4)(B) and
13 (a)(2).

14
15 **I. RELEVANT STATUTES**
16

17 5. This investigation concerns alleged violations of 18 USC
18 2252(a)(2) and (a)(4)(B). According to 18 USC 2252(a)(2), it
19 is a federal crime for a person to "knowingly receive or
20 distribute...any visual depiction [of a minor engaged in
21 sexually explicit conduct] using any means or facility of
22 interstate or foreign commerce or that has been mailed, or
23 has been shipped or transported in or affecting interstate or
24 foreign commerce, or which contains materials which have been
25 mailed or so shipped or transported by any means including by
26 computer..."
27
28

1 6. According to 18 USC Section 2252 (a) (4) (B), it is a
2 federal crime for a person who "knowingly possesses, or
3 knowingly access with intent to view...[any] matter which
4 contain any visual depiction [of a minor engaged in sexually
5 explicit conduct] that has been mailed, shipped, or
6 transported using any means or facility of interstate or
7 foreign commerce or in or affecting interstate or foreign
8 commerce, or which was produced using materials which have
9 been mailed or so shipped or transported by any means
10 including computer..."

11
12 **II. DETAILS OF THE INVESTIGATION**

13
14 7. In September 2011, Sergeant Matt Pilon with the New
15 Mexico State Police Online Predator Unit selected the option
16 to attempt to monitor Internet Protocol ("IP") address
17 76.18.69.203 in September 2011. Pilon received information
18 through Child Protection System ("CPS") that this IP address
19 may have been involved in the possession and distribution of
20 child pornography. CPS is a database created by law
21 enforcement and utilized by federal and state law enforcement
22 agencies in P2P child exploitation investigations nationwide.
23 CPS maintains a log of IP addresses that may have been
24 previously involved in the possession and distribution of
25 child pornography. When the IP address was online in the
26 Peer-to-Peer ("P2P") file-sharing network of eDonkey,
27 Sergeant Matt Pilon's computer would automatically begin to
28 download the files available for distribution from the

1 suspect's computer. He was able to complete the download of
2 3 files from the suspect IP address and have 2 partial files
3 downloaded from the suspect IP.

4
5 8. CPS was also able to provide Sergeant Matt Pilon a
6 Globally Unique Identification ("GUID") number associated
7 with the computer using the suspect IP address. A GUID is a
8 pseudo-random number used in software applications and is
9 produced when some P2P software applications are installed on
10 a computer. Each generated GUID is not guaranteed to be
11 unique, but the total number of keys is so large that the
12 probability of the same GUID number being generated twice is
13 very small. The GUID associated with this address at the time
14 of the download was AD532F59030EDD1A26ED12D528526F8F.

15
16 9. Sergeant Matt Pilon was able to complete a direct
17 download of a file with the ED2K value of,
18 8cc6e5ac3a56f725dbab5fd43c222653, named, "Bibcam 13Yo Boy
19 Timmy Showers For Webcam (2009.avi". The download started on
20 September 19, 2011 at 22:03:38 MST and completed on September
21 20, 2011 at 10:41:48 MST from IP 76.18.69.203. Sergeant Matt
22 Pilon then watched the video file with the ED2K value of
23 8cc6e5ac3a56f725dbab5fd43c222653 and believed it to contain
24 graphic images depicting minors engaged in sexually explicit
25 conduct. Your Affiant also viewed the file with the ED2K
26 value of 8cc6e5ac3a56f725dbab5fd43c222653 and confirmed the
27 video file contains images of a male Your Affiant believes to
28 be approximately sixteen years of age naked, showering, and

1 touching his penis repeatedly. The male looks at the camera
2 repeatedly and strokes his erect penis.

3
4 10. Sergeant Matt Pilon then was able to complete another
5 direct download of a file with the ED2K value of,
6 f542b9332f953747767581e9f73cfae1 named, "Stickam-Punkrocker-
7 12-Privatel Bibcam Gay.avi". The download started on
8 November 19, 2011 at 01:52:49 MST and completed on November
9 19, 2011 at 01:53:58 MST from IP 76.18.69.203. Sergeant Matt
10 Pilon then watched the video file with the ED2K value of
11 f542b9332f953747767581e9f73cfae1 and believed it to contain
12 graphic images depicting minors engaged in sexually explicit
13 conduct. Your Affiant also viewed the file with the ED2K
14 value of f542b9332f953747767581e9f73cfae1 and confirmed the
15 video file contains images of a male Your Affiant believes to
16 be approximately twelve years of age showing his penis and
17 stroking it repeatedly.

18
19 11. Sergeant Matt Pilon was able to complete another direct
20 download of a file with the ED2K value of,
21 b95629bd5e107e61564c7b26b6d8529a, named "Stickam Boy Gay -
22 Zac-E All.avi". The download started on November 19, 2011 at
23 01:51:07 MST and completed on November 19, 2011 at 01:52:17
24 MST from IP 76.18.69.203. Sergeant Matt Pilon then watched
25 the video file ED2K value of b95629bd5e107e61564c7b26b6d8529a
26 and believed it to contain graphic images depicting minors
27 engaged in sexually explicit conduct. Your Affiant also
28 viewed the file ED2K value of

1 b95629bd5e107e61564c7b26b6d8529a and confirmed the video
2 contains images of a male Your Affiant believes to be
3 approximately twelve years of age participating in an online
4 chat naked, and stroking and touching his penis. The male
5 also put a flashlight in his anus and attempts to put his
6 mouth on his penis at the request of a participant in the
7 chat. The video also contains images of the male
8 masturbating and ejaculating.

9
10 12. During this same time period, Sergeant Matt Pilon was
11 able to directly connect with the suspect computer and
12 receive partial download of files from the IP address of
13 76.18.69.203.

14
15 13. Sergeant Matt Pilon started to download a file with the
16 ED2K value of, ff8b101a80d9012a1f95c418d1595f09, named,
17 "Bibcam Boys 13Yo Show And Rsuck.avi." The download started
18 on November 4, 2011 at 22:51:02 MST and received the last
19 segment on November 4, 2011 at 22:53:06 MST from the IP
20 address of 76.18.69.203. Sergeant Matt Pilon watched the
21 downloaded incomplete video file and believed it to contain
22 graphic images depicting minors engaged in sexually explicit
23 conduct. Your Affiant also viewed the downloaded file and
24 confirmed the incomplete video contains images of two males
25 Your Affiant believes to be approximately fourteen years of
26 age showing their penises and touching and stroking their
27 penises with their hands. The video also contained images of
28

1 a male Your Affiant believes to be approximately fourteen
2 years of age putting a penis in his mouth.

3
4 14. Sergeant Matt Pilon started to download a file with the
5 ED2K value of, 1038c4e630907853aaf3a587ba6a9827, named,
6 "!!!!!! 10Yo Mexican Boy Suck 16Yo_ Then He Cum On His
7 Face.avi." The download started on November 21, 2011 at
8 17:06:27 MST and received the last segment on November 21,
9 2011 at 17:06:58 MST from the IP address of 76.18.69.203.
10 Sergeant Matt Pilon have watched the downloaded incomplete
11 video file and believed it to contain graphic images
12 depicting minors engaged in sexually explicit conduct. Your
13 Affiant also viewed the downloaded file and confirmed the
14 incomplete video contains images of a naked male Your Affiant
15 believes to be approximately nine years of age putting an
16 erect adult male's penis in his mouth. The male also touches
17 the man's penis with his hands.

18
19 15. Sergeant Matt Pilon also noted that from the CPS logs
20 from July 9, 2011 at 12:00:58 GMT to December 15, 2011 at
21 5:08:57 GMT, a computer utilizing IP address 76.18.69.203 was
22 seen with files containing ED2K values, which have been
23 previously identified by other law enforcement as depicting
24 images of minors engaged in sexually explicit conduct.
25 Sergeant Matt Pilon reviewed these file lists and noted that
26 there were numerous files on the listings. Sergeant Matt
27 Pilon also noticed the overwhelming majority of the file
28 names were pornographic in nature and many appeared to be

1 directly referencing underage children. A few of these file
2 names, consistent with what Your Affiant believes to be child
3 pornography, were listed as:

- 4 • "2011 Toddler Cookie (Anal Penetration_ Suck_ Cum)
5 (Excellent).avi"
- 6 • "(p101) 7Yo Boy Suck Man And Fuck By Man.mpg"

7
8 16. Sergeant Matt Pilon then noted a file with a ED2K Value,
9 9085B28476A8222752B8390817C7CBD8, named, "Videos Porno Sexo
10 Kdv Rbv Pjk Pth Hussyfan Brn Hmv New Sex018B ((Boy Brasileiro
11 Italiano))Masturbacion Casting Robn3Fab Fine Ass.mov" was
12 logged by CPS on December 13, 2011 at 13:53 GMT from the IP
13 address of 76.18.69.203. Sergeant Matt Pilon then watched
14 the video file with the same ED2K Value,
15 9085B28476A8222752B8390817C7CBD8, that Sergeant Matt Pilon
16 had previously downloaded and believed it to contain graphic
17 images depicting minors engaged in sexually explicit conduct.
18 Your Affiant also viewed the file with the same ED2K Value,
19 9085B28476A8222752B8390817C7CBD8, and confirmed the video
20 contains images of a male inserting his penis into a female's
21 anus and vagina. Your Affiant believes the female was
22 approximately four years of age. The video also contains
23 images of a prepubescent female Your Affiant believes to be
24 approximately four years of age putting the adult male's
25 penis in her mouth, and the adult male licking the vagina of
26 the prepubescent female.

1 17. Sergeant Matt Pilon noted that from CPS logs, the GUID,
2 mentioned above was also seen utilizing the IP addresses of
3 69.254.156.41 from September 30, 2009 until December 20, 2011
4 and 174.56.117.81 on January 13, 2012. Your Affiant concludes
5 based on the same GUID, the same computer with the same P2P
6 software was utilizing the IP addresses 69.254.156.41 from
7 September 30, 2009 until December 20, 2011 and 174.56.117.81
8 on January 13, 2012.

9
10 18. Sergeant Matt Pilon then noted a the file with a ED2K
11 Value, 9085B28476A8222752B8390817C7CBD8, named, "##### FriFam
12 Pedo New Serie 2011 (pthc) Julia 8Yo Lisa 4Yo Mike 7Yo Lara
13 8Yo Rape Suck Fuck Cumshot 30Min Nice Have More Flv xvid.avi"
14 was logged by CPS on December 17, 2011 at 14:17 GMT and on
15 December 20, 2011 at 12:37 GMT utilizing the IP address of
16 69.254.156.41. Sergeant Matt Pilon watched the video file
17 with the same ED2K Value, 9085B28476A8222752B8390817C7CBD8,
18 that Sergeant Matt Pilon had previously downloaded and
19 believed it to contain graphic images depicting minors
20 engaged in sexually explicit conduct. Your Affiant also
21 viewed the file with the the same ED2K Value,
22 9085B28476A8222752B8390817C7CBD8, and confirmed the video
23 contains images of a male inserting his penis into a female's
24 anus and vagina. Your Affiant believes the female was
25 approximately four years of age. The video also contains
26 images of a female Your Affiant believes to be approximately
27 four years of age putting the adult male's penis in her
28 mouth, and the adult male licking the vagina of the female.

1 19. Sergeant Matt Pilon then noted a the file with a ED2K
2 Value, D9EF94E1C200AD70201CCF3F0312A869, named, "Son 13Yo And
3 Dad (Nice Fat Cockhead) Jacking Together_ Cumming (Close Up)
4 - pl01 Gay Luto Gdbs Yamad Bibcam.mpg" was logged by CPS on
5 January 13, 2012 at 12:06 GMT utilizing the IP address of
6 174.56.117.81. Sergeant Matt Pilon then watched the video
7 file with the same ED2K Value
8 D9EF94E1C200AD70201CCF3F0312A869, that he had previously
9 downloaded and believed it to contain graphic images
10 depicting minors engaged in sexually explicit conduct. Your
11 Affiant also viewed the file with the same ED2K Value
12 D9EF94E1C200AD70201CCF3F0312A869 and confirmed the video
13 contains images of what Your Affiant believes to be a male
14 between fourteen and seventeen years of age, touching and
15 stroking his penis while an adult male touches and strokes
16 the adult male's penis. The video also contains images of
17 what Your Affiant believes to be the arm of an individual
18 between five and ten years of age stroking an erect penis.
19 Both males ejaculate during the video.

20
21 20. Your Affiant can conclude from specialized training and
22 experience that the logged results indicated that a computer
23 utilizing IP addresses of 76.18.69.203, 69.254.156.41 and
24 174.56.117.81 on the above listed dates and times was
25 receiving, possessing and distributing visual depictions of
26 minors engaged in sexually explicit conduct.

1 21. Sergeant Matt Pilon determined by using Internet
2 websites that the IP address on the dates listed above was
3 owned by Comcast Cable as the Internet Service Provider
4 (ISP).

5
6 22. Working this as a joint investigation, Sergeant Matt
7 Pilon requested the assistance of Department of Homeland
8 Security (HSI) Special Agent, Justin Allen. Agent Allen
9 completed a summons requesting the identification of the
10 subscriber using the IP addresses used on the above-mentioned
11 dates and times.

12
13 23. Comcast Cable replied and Special Agent Allen forwarded
14 these results to Sergeant Matt Pilon. The response indicated
15 that one account had been accessing the IP address on the
16 dates and times in question. The response contained the
17 following information:

- 18
19 • Subscriber Name: Antonio Gallegos
20 • Subscriber Address: 3501 Atrisco Dr. NW Apt. 212
21 Albuquerque, NM 87120
22 • Home Phone: 505-508-5606
23 • Start of Service: 1/31/2003
24

25 24. On March 2, 2012, a Federal search warrant was obtained
26 from the Honorable Lorenzo Garcia, United States Magistrate
27 Judge, for the property and premises located at 3501 Atrisco Dr
28 NW, Apt 212, Albuquerque, NM, to search for evidence and

1 instrumentalities of violations of 18 USC Sections 2252,
2 distribution, receipt, and possession of visual depictions of
3 minors engaged in sexually explicit conduct.

4
5 26. On March 6, 2012, FBI, with the assistance of other
6 agencies, served a federal search warrant on 3501 Atrisco Drive
7 Apartment 212, Albuquerque, New Mexico. Numerous items of
8 computer media, electronic media, and videotapes were seized
9 throughout the apartment. On March 6, 2012, Gallegos (Year of
10 Birth 1964, SSAN xxx-xx-3251) was interviewed by Your Affiant
11 and New Mexico State Police Agent Joey Casarez. Gallegos
12 stated in this recorded interview he was the only resident of
13 the apartment, and had resided there for "quite a while."
14 Gallegos stated he knew what a peer to peer file sharing
15 program was, but had not used one in years. Gallegos stated he
16 was a closeted homosexual who was interested in erect penises,
17 but not a specific age. Gallegos stated he viewed "a bunch" of
18 images of children involved in sex acts on his computer,
19 including anal and oral sex, with adults. Gallegos stated
20 these images involved children as young as ten years of age.
21 Gallegos stated he sometimes saved the images of children
22 involved in sex acts, and had "for years." Gallegos stated he
23 used the terms "boys" and "teen boys" in looking for images of
24 child pornography. Gallegos initially denied touching any
25 children in an inappropriate way. Gallegos denied knowing how
26 many images he had in his possession, and stated he had a hard
27 drive crash a few months ago. Gallegos denied having any
28 encryption software, and stated he "did not know anything about

1 it." Gallegos stated he fantasized about touching penises,
2 whether that penis belonged to an adult or a child.

3
4 27. On March 6, 2012, Gallegos agreed to take a polygraph
5 regarding hands-on sexual abuse of children. After the
6 polygrapher informed Gallegos that he failed the polygraph,
7 Gallegos was subsequently interviewed at the Albuquerque FBI
8 building. During the recorded interview at the FBI building,
9 Gallegos told Your Affiant and Special Agent Jennifer Sullivan
10 he was attracted to penises, but not just penises of children.
11 Gallegos was informed agents were aware some of his computers
12 were encrypted. Gallegos stated that years ago, when he was in
13 high school, on two separate occasions, he touched the genitals
14 of two different male cousins, both of whom were approximately
15 nine years old at the time. Gallegos was put in the same
16 bedroom to sleep as the cousins. On both occasions, Gallegos
17 touched their penises while they slept. On one occasion,
18 Gallegos also stroked his own penis until he reached orgasm.
19 Gallegos stated his family confronted him about touching his
20 cousins, but he denied anything took place.

21
22 28. Gallegos also stated in this recorded interview that he
23 worked at a daycare when he was approximately eighteen years of
24 age and an employee reported witnessing him touch a child to
25 police. Gallegos was questioned by police, but lied to police
26 and denied touching the child. Gallegos told Your Affiant that
27 he sat in a chair during the children's naptime. During the
28 naptime, Gallegos massaged a boy's penis. Gallegos did not

1 remember the boy's name, but remembered the boy was
2 approximately 10 or 11 years old. Gallegos stated he touched
3 the boy's penis, either through his underwear or directly on
4 his skin, no more than five times. At the conclusion of the
5 interview with Your Affiant and Agent Sullivan, Gallegos agreed
6 to take another polygraph regarding if he fully disclosed all
7 of his prior sexual contact with underage minors.

8
9 30. On April 10, 2012, Your Affiant and Special Agent David
10 Backlund asked Gallegos to submit to another polygraph
11 examination regarding if he fully disclosed all of his prior
12 sexual contact with underage minors. Gallegos refused to take
13 the polygraph, stating it was "too stressful" last time.

14
15 31. Your Affiant submitted numerous forms of computer media to
16 the New Mexico Regional Computer Forensic Laboratory (NMRCFL).
17 NMRCFL examiners informed Your Affiant at least one form of
18 computer media seized at Gallegos' residence was encrypted.
19 The approximate volume of child pornography on Gallegos' seized
20 computer media was thousands of images. Software associated
21 with these images included eMule and Gigatribe. Your Affiant
22 knows from training and experience that Gigatribe is a private
23 file sharing program that users must be "invited" to join. A
24 user must first acquire and set up software, and then approve
25 "friends" or users who can access and download one's shared
26 files.

27
28 32. In the course of reviewing evidence seized from Gallegos'

1 residence, the following images were identified:

2

3 **Image from High Speed USB hard drive located in South bedroom:**

4 **File Name:** Qqaazz Pthc Pedo Dad Puts 5 Inches Into Toddler Boy
5 Ass 05.jpg

6 **File Path:** eMule/Incoming/Qqaazz Pthc Pedo Dad Puts 5 Inches
7 Into Toddler Boy Ass 05.jpg

8 **Create Date:** 08/07/2011, 12:59:23 AM

9 National Center For Missing and Exploited Children ("NCMEC")
10 Confirmed "KovTod" series.

11 **Description:** A still digital image of a prepubescent male
12 Your Affiant believes to be approximately one year of age.
13 The male is laying down while a penis is inserted into his
14 anus. This known image is part of the NCMEC identified
15 series "KovTod", which originated out of the country of
16 Russia.

17

18 **Images from Hewlett Packard Computer located in South
19 Bedroom:**

20

21 **File Name:** stil_1318487568_1439820_2.png

22 **File Path:** Users/HP

23 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1318
24 487568_1439820_2.png

25 **Create Date:** 10/15/2011 11:33:46 AM

26 NCMEC Confirmed Will&T Series

27 **Description:** A still digital image of a male Your Affiant
28 believes to be approximately seven years of age removing the

1 pants and underwear of a male Your Affiant believes to be
2 approximately thirteen years of age. The focal point of this
3 image is the older male's penis and testicles. This known
4 image is part of the NCMEC identified series "Will&T" out of
5 Arizona.

6
7 **File Name:** stil_1317676772_1440490_99.png

8 **File Path:** Users/HP

9 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1317
10 676772_1440490_99.png

11 **Create Date:** 11/12/2011 11:11:58 AM

12 NCMEC Confirmed "Pierce" Series

13 **Description:** A still digital image of a nude prepubescent
14 male Your Affiant believes to be approximately four years of
15 age. The male's penis is being licked by another individual
16 in the image. This known image is part of the NCMEC
17 identified series "Pierce" out of Utah.

18
19 **File Name:** stil_1317676772_1440490_142.png

20 **File Path:** Users/HP

21 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/sti
22 l_1317676772_1440490_142.png

23 **Create Date:** 11/12/2011 11:11:54 AM

24 NCMEC Confirmed "Privat Shots" series.

25 **Description:** A still digital image of two nude males Your
26 Affiant believes to be approximately ten years of age. One
27 male's penis is being touched by another individual not displayed
28 in the image. This known image is part of the NCMEC identified

1 series "Privat Shots" out of Brazil.

2
3 **File Name:** stil_1317676772_1440490_140.png

4 **File Path:** Users/HP

5 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1317
6 676772_1440490_140.png

7 **Create Date:** 11/12/2011 11:11:52 AM

8 NCMEC Confirmed "BluePlaid" series

9 **Description:** A still digital image with a prepubescent male
10 Your Affiant believes to be approximately five years of age.
11 The male is nude, with one leg above his head, exposing his
12 penis and testicles. The words "Boyfuck" and "Sex with Kids"
13 are present in the image. This known image is part of the
14 NCMEC identified series "BluePlaid" out of California.

15
16 **File Name:** stil_1317676772_1440490_133.png

17 **File Path:** Users/HP

18 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1317
19 676772_1440490_133.png

20 **Create Date:** 11/12/2011 11:11:44 AM

21 NCMEC Confirmed "Erik" series

22 **Description:** A still digital image containing two frames of a
23 male Your Affiant believes to be approximately six years of
24 age. In one frame, the male has a penis in his mouth. In
25 another frame, the male is holding a penis in his hand, with
26 his mouth above the penis. The words "Boyfuck" and "Sex with
27 Kids" are present in the image. This known image is part of
28 the NCMEC identified series "Erik" out of Washington.

1 **File Name:** stil_1317676772_1440490_101.png

2 **File Path:** Users/HP

3 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1317
4 676772_1440490_101.png

5 **Create Date:** 11/12/2011 11:11:11 AM

6 NCMEC confirmed "Amy&Bro" series

7 **Description:** A still digital image of a prepubescent male Your
8 Affiant believes to be approximately two years of age with his hand
9 on his exposed penis. Another individual's mouth is on the male's
10 genitals in the image. This known image is part of the NCMEC
11 identified series "Amy&Bro" out of France.

12
13 **File Name:** stil_1313036143_1395208_6.png

14 **File Path:** Users/HP

15 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1313
16 036143_1395208_6.png

17 **Create Date:** 10/23/2011 12:58:40 AM (2011-10-23 06:58:40 UTC)

18 NCMEC confirmed "KDV" series

19 **Description:** A still digital image of two nude males. Your
20 Affiant believes one male to be approximately thirteen years
21 of age, and the other male to be approximately nine years of
22 age. The hands and mouth of one male is on the other male's
23 penis. This known image is part of the NCMEC identified
24 series "KDV" out of Russia.

25
26 **File Name:** stil_1306949766_1404080_3.png

27 **File Path:** Users/HP

28 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1306

1 949766_1404080_3.png

2 **Create Date:** 11/12/2011 11:51:19 PM

3 NCMEC Confirmed "BluePillow" series

4 **Description:** This digital image displays a female Your Affiant
5 believes to be approximately ten years of age laying down. The
6 female's hand pulls her underwear to the side to expose her vagina,
7 which is the focal point of the image. This known image is part of
8 the NCMEC identified series "BluePillow" out of California.

9 **File Name:** stil_1273692699_449803_8634.png

10 **File Path:** Users/HP

11 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1273
12 692699_449803_8634.png

13 **Create Date:** 10/10/2011 3:27:42 AM

14 NCMEC Confirmed "Angeli" series

15 **Description:** A digital still image displays a female Your
16 Affiant believes to be approximately seven to ten years old,
17 laying on her back, looking at a television. The female's
18 vagina is exposed and her hand is on her vagina. The
19 television displays a woman putting a penis in her mouth.
20 This known image is part of the NCMEC identified series
21 "Angeli" out of Pennsylvania.

22
23 **File Name:** stil_1273692699_449803_8625.png

24 **File Path:** Users/HP

25 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1273
26 692699_449803_8625.png

27 **Create Date:** 10/10/2011 3:26:10 AM

28

1 NCMEC Confirmed "Misty" series

2 **Description:** A digital still image displays a prepubescent
3 female Your Affiant believes is between four and six years
4 old. The female is nude from the waist down, sitting in a
5 chair, with her fingers inserted into her vagina. This known
6 image is part of the NCMEC identified series "Misty" out of
7 Pennsylvania.

8 **File Name:** stil_1273692699_449803_8624.png

9 **File Path:** Users/HP

10 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1273
11 692699_449803_8624.png

12 **Create Date:** 10/8/2011 3:03:18 PM

13 NCMEC Confirmed "Clayton&Mat" series

14 **Description:** A digital image displays a nude male Your
15 Affiant believes to be approximately eight to ten years old,
16 laying on top of another nude male. The male has his mouth
17 on the other male's penis. This known image is part of the
18 NCMEC identified "Clayton&Mat" series out of Australia.

19
20 **File Name:** stil_1273692699_449803_8617.png

21 **File Path:** Users/HP

22 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1273
23 692699_449803_8617.png

24 **Create Date:** 10/8/2011 2:33:11 PM

25 NCMEC Confirmed "Tweety" series

26 **Description:** A digital still image displays a nude
27 prepubescent female Your Affiant believes to be between six
28

1 and ten years old. The female is laying on her back while a
2 male performs oral sex on her. This known image is part of
3 the NCMEC identified "Tweety" series out of Nebraska.

4
5 **File Name:** stil_1273692699_449803_8291.png

6 **File Path:** Users/HP

7 Owner/AppData/Local/Shalsoft/GigaTribe/1421963/ressources/stil_1273
8 692699_449803_8291.png

9 **Create Date:** 9/17/2011 12:24:46 PM

10 NCMEC Confirmed "Sabban" series

11 **Description:** A digital still image displays a nude male Your
12 Affiant believes to be between nine and fourteen years of age
13 laying underneath a partially nude female Your Affiant
14 believes to be between nine and fourteen years of age. The
15 male's hand is on his erect penis and his erect penis is
16 against her vagina. This known image is part of the NCMEC
17 identified "Sabban" series out of Brazil.

18
19 32. On the Hewlett Packard computer located in the South
20 Bedroom, Your Affiant identified an email received in August
21 2011. The email provided a username and password for a
22 Gigatribe account. Your Affiant identified the same login
23 for the following social network accounts: Zorpia.com,
24 Zebo.com, Yoopeho.com, IMVU.com, Viibee.com, GYC.com (short
25 for Gay Youth Corner), MeetMe, Sonico, Rockyou.com,
26 Quibblo.com, and Photobucket.com.

27
28 33. On April 30, 2012, Gallegos was interviewed by Your

1 Affiant and Special Agents David Backlund and Brian
2 O'Sullivan at Gallegos' residence. Gallegos stated in this
3 recorded interview he downloaded Gigatribe and knew it was a
4 private file sharing program. Gallegos downloaded child
5 pornography from another user on the program, and knew the
6 child pornography he downloaded would be shared with other
7 users whom he authorized to have access to his Gigatribe
8 account. Gallegos stated he used eMule to download child
9 pornography, along with other files. Gallegos also agreed he
10 was sexually aroused by the images of children that he
11 downloaded, but claimed the images were nothing more than
12 penises to him. Gallegos stated he didn't know what search
13 terms he used to search for images of child pornography.
14 Gallegos stated he knew it was illegal to have images of
15 child pornography, but he thought he downloaded the images
16 because it was like hoarding, and just "downloaded the images
17 to download them."

18 19 III. INTERSTATE NEXUS

20
21 34. According to the Child Victim Identification Program of
22 the National Center for Missing and Exploited Children, the
23 above described child pornography images, which are
24 identified and known as the "KovTod," "Will&T," "Pierce,"
25 "Privat Shots," "BluePlaid," "Erik," "Amy&Bro," "KDV,"
26 "BluePillow," "Angeli," "Misty," "Clayton&Mat," "Tweety," and
27 "Sabban" series were produced in a state outside of New
28 Mexico. Your Affiant believes that because these images were

1 known to have originated outside the state of New Mexico, the
2 "in or affecting interstate commerce" is satisfied for the
3 purposes of receipt, distribution, and possession of visual
4 depictions of minors engaged in sexually explicit conduct in
5 violation of 18 USC Section 2252(a)(2) and 2252(a)(4)(B).
6 See United States v. Sturm and United States v. Dayton (to
7 satisfy interstate nexus elements of the crimes of receipt
8 and possession, the government was only required to prove the
9 image crossed state lines, not the digital file which
10 contained the image crossed state lines).


IV. CONCLUSION

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35. Based on the foregoing information contained in this affidavit, Your Affiant has probable cause to believe that during a period ranging from on or about August 7, 2011 to March 6, 2012, Antonio Gallegos possessed, distributed, and received visual depictions of minors engaged in sexually explicit conduct in violation of Title 18, USC Section 2252 (a) (4) (B) and (a) (2).

I swear that this information is true to the best of my knowledge and belief.

Respectfully submitted,


Victoria M. Ryder
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 1st day of May 2012.


UNITED STATES MAGISTRATE JUDGE