

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 1:12-CR-127-WTL-TAB
)	
DONALD SACHTLEBEN,)	
)	
Defendant.)	

Factual Basis for Guilty Plea

The United States of America, by counsel, Joseph H. Hogsett, United States Attorney for the Southern District of Indiana, and Steven D. DeBrotta Senior Litigation Counsel, and the Defendant, and his Counsel, Kathleen M. Sweeney and Charles Hayes, hereby submit the following factual basis to support the guilty plea in the instant case. The Defendant, Donald Sachtleben ("Sachtleben"), is charged with distributing and possessing child pornography in violation of 18 U.S.C. §§ 2252(a)(2)(Count 1) and (a)(4)(B)(Count 2).

1. On September 12, 2010, a Special Agent (SA) with the FBI, who was working in an undercover capacity, signed into an Internet file sharing program and observed that the individual utilizing the user name "pedodad36569" was logged into the network. The undercover SA browsed pedodad36569's shared directories and subsequently downloaded two hundred

and twenty (220) images depicting child pornography (CP) directly from pedodad36569 between 11:34 p.m. (CST) and 12:08 am (CST).

2. Results from and Administrative Subpoena for Internet Protocol (IP) address 68.115.30.125 found that the customer utilizing this IP was Russell H. Schaefer, 8686 Fig Tree, Roscoe, Illinois 61073.

3. Before a search warrant was obtained for 8686 Fig Tree, Roscoe, Illinois, 61073, the Illinois Internet Crimes Against Children (Illinois ICAC) received a similar lead from a different law enforcement agency, and obtained and served a search warrant on the address. During the execution of the search warrant, the Illinois ICAC learned that the occupants had an open wireless connection and none of the computers at the residence was found to contain CP.

4. Thereafter, several attempts were made to re-contact and download from pedodad365669, however, no downloads were able to obtain an IP address for which the data was retained. On December 6, 2011, SA Tim Simon, Innocent Images National Initiative Operations Unit (IINIOW), contacted SA Shannon McDaniel to indicate that he had recently downloaded additional images from pedodad36569. On December 27, 2011, Sprint identified its customer as Jason Nicoson, 8667 Summerwood, Roscoe, Illinois 61073.

5. On January 9, 2012, a search warrant was executed at 8667 Summerwood, Roscoe, Illinois 61073, and Jason Nicoson admitted using various online identities to trade images of child pornography. Two computers

were seized at the scene, and a preliminary review of both found evidence of CP.

6. Pursuant to a search warrant for an email account controlled by Nicoson, SA McDaniel reviewed the contents of this email account, and found various users with whom he was trading images or videos of CP. One such user, pedodave69@yahoo.com, sent Nicoson an email on October 25, 2011, asking to trade, and attaching nine (9) images of CP/child erotica. The email stated, "Saw your profile on iMGSCR.RU Hope you like these and can send me some of ours. I have even better ones if you like."

7. IMGSCR.RU is a website popular with child pornography traders, which is frequently used by them to meet other person with a sexual interest in children or motive to trade child pornography. This website is hosted in Russia.

8. Emailer pedodave69@yahoo.com was last observed by Yahoo! utilizing IP address 76.240.200.17 on February 20, 2012 at 14:44 GMT. This IP address was administered by AT&T.

9. On March 29, 2012, SA McDaniel served an administrative subpoena on AT&T, and on April 11, 2012, they responded and identified their customer as Donald Sachtleben, 11175 St. Andrews Lane, Carmel, Indiana 46032, telephone number XXX-XXX-XXXX (Number redacted herein but known to the Affiant).

10. SA Kerrie Reifel reviewed the images sent to Nicoson by pedodave69@yahoo.com and descriptions of five of these image files are provided below.

11. **Pic211.jpg:** This image file depicts three (3) naked prepubescent female that appears to be between the ages of eleven (11) and thirteen (13) years of age. One female is lying on her back on the bed with her legs spread slightly apart. The second female is kneeling next to the first one and has her right hand touching the inside of the first female's leg and is looking at her vagina. The third female has her back to the camera and is sitting next to the first two. She has her left hand pressing against the second female's vagina.

12. **FAM04.jpg:** This image file depicts a naked prepubescent female that appear to be between the ages of eleven (11) and thirteen (13) years of age. Also, in the image is a nude adult female. The child is sitting on a bed with her legs bent and spread apart. The adult female is sitting next to her and is reaching over her leg with her right arm and pressing her fingers against the child's vagina.

13. **Ll-n2-24.jpg:** This image file depicts a naked prepubescent female that appears to be between the ages of ten (10) and thirteen (13) years of age. The child is sitting on a bed and leaning back against a pillow. The child has her legs spread apart and is pulling the skin surrounding her vagina apart, exposing her clitoris. The focal point of the image is the child's genitalia.

14. **09lils.jpg.jpg:** This image filed depicts a naked prepubescent female that appears to be between the ages of nine (9) and twelve (12) years of age. The child is standing and leaning back on something while pushing her genitalia area forward. Also, in the picture is a second female that appears to be between the ages of fourteen (14) and seventeen (17) years of age. The older female is leaning between the child's legs and has her tongue on the child's vagina. The focal point of the image is the child's genitalia.

15. **Kidx03.jpg:** This image file depicts a prepubescent female that appears to be between the ages of eleven (11) and thirteen (13) years of age. The child does not have a shirt on and is standing, looking at the camera. She has pulled her underwear down with both hands and is exposing her genitalia for the camera.

16. On April 30, 2012, SA Reifel and SA Alan George conducted a wireless survey of the area located in the vicinity of 11175 Saint Andrews Ln, Carmel, Indiana 46032. Results showed two wireless networks, "2WIRE622" with WEP encryption and "dufourhome" with WPA2 encryption indicating both wireless networks require a password to access the router.

17. On April 30, 2012 and May 1, 2012, an NCIC check on Donald Sachtleben was conducted and no records were located.

18. On April 30, 2012, an open source check revealed that Donald Sachtleben resided at 11175 Saint Andrews Lane, Carmel, Indiana 46032 along with his wife.

19. On April 30, 2012 and May 1, 2012, a search of law enforcement sensitive data base identified Donald Sachtleben as residing at 11175 Saint Andrews Lane, Carmel, Indiana 46032.

20. On May 2, 2012, SDA Reifel conducted physical surveillance of 11175 Saint Andrews Lane, Carmel, Indiana 46032 and noted one vehicle in the driveway described as a red truck.

21. On May 11, 2012, A Federal Search Warrant, issued May 3, 2012, out of the Southern District of Indiana was executed at 11175 Saint Andrews Lane, Carmel, Indiana 46032. The law enforcement officers executing this search warrant included Special Agents of the FBI, as well as law enforcement officers from the Indiana State Police (ISP), the Indiana Internet Crimes Against Children Task Force, and the Safe Streets Violent Crimes Against Children Task Force.

22. During the execution of the search warrant, a limited on scene triage of the evidence was completed on computers and storage media found inside the residence and a vehicle. Approximately 30 image and video files containing child pornography were recovered from within a Hitachi Hard Drive inside a Sony VIAO Laptop. This Sony laptop was found in the backseat of a Chevy Suburban. Sachtleben this vehicle to the residence from the airport just before the beginning of the search. Sachtleben was observed by FBI Special Agents carrying this laptop in case at the Indianapolis Airport, some minutes before he drove home in this Chevy Suburban with it.

23. The victims in the child pornography found in the Sony VIAO laptop were generally below the age of twelve years. The sexually explicit conduct in the images and video included actual or simulated oral intercourse and/or lascivious exhibition of the genitals or pubic area of the minor.

24. On series of images in the collection involved the victim in what the National Center for Missing and Exploited Children has names the "Blue Pillow" series. Her identity is known to the FBI.

25. The hard drive of this Sony VIAO laptop was manufactured in Thailand.

26. The child pornography files found in the Sony VIAO laptop included one at least one of the files distributed by pedodave69@yahoo.com to Nicoson, as described above.

27. ISP Sergeant Barnes and ISP Sergeant Bunner, both of whom are trained forensic examiners, previewed the Sony VIAO laptop and found that it contained references to the names of the five files listed above. The names of these files were found in unallocated space. There were also multiple references to the pedodave69 username in unallocated space and master file table. Both of these finding are consistent with the use of this Sony laptop in connection with the child pornography distribution described above. Finally, various files relating to Donald Sachtleben's work were found in the Sony VIAO laptop, indicating he frequently used of the computer.

28. Sachtleben's wife was interviewed during the execution of the search warrant and denied any knowledge of the child pornography found in Sony VIAO laptop or any involvement with child pornography distribution or possession. She also stated that Donald Sachtleben used a laptop computer.

29. Later investigation determined that Sachtleben used his online email accounts to distribute child pornography to at least 12 other persons around the world between September 2011 and his arrest on May 11, 2012. This specifically included child pornography involving the victim in the Blue Pillow series.

30. According to analysis by NCMEC, Sachtleben's collection of child pornography included material he distributed and/or possessed from the following identified and known series. None of these require victim notifications:

19	Little Melissa
Blue Shirt Girl	Maria&Ellen
Clayton&Mat	Melinda
Colourful Bedroom	Menz
English Asian	Paraguay
Golden Angel	PurpleDaisy
Hayley	Sabban
Linda&Patty	Tweety

31. According to NCMEC, Sachtleben's collection of child pornography also included material he distributed and/possessed or from the following four known series. All of these victims require notification:

- A. BluesPink (Girl 1, Girl 2 and Girl 3)(Michigan)
- B. BluePillow (Girl 4)(California)(this victim has submitted victim impact statements)
- C. Jan_Socks (Girl 5, Girl 6 and Girl 7)(Colorado)
- D. 13Shirt (Girl 8)(California)

32. Of these victims in the four series requiring notification, only the one victim girl in the BluePillow series has made a claim for restitution based upon the her past and future costs of mental health treatment and counseling.


Respectfully submitted,

JOSEPH H. HOGSETT
United States Attorney


5/29/13
DATE


Steven DeBrot
Senior Litigation Counsel


5/23/13
DATE


DONALD SACTLEBEN
Defendant

5/23/13
DATE


Kathleen Sweeney
Attorney for Defendant

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Charles Hayes
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