

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 08 - 251**

v. : **DATE FILED: May 1, 2008**

KENNETH R. WARNER : **VIOLATIONS:**
: **18 U.S.C. § 2252(a)(1) (receipt and distribution**
: **of child pornography - 3 counts);**
: **18 U.S.C. § 2252(a)(4) (possession of child**
: **pornography - 1 count);**
: **Notice of forfeiture**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about February 15, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

KENNETH R. WARNER

knowingly shipped and transported in interstate and foreign commerce approximately 21 visual depictions of minors engaging in sexually explicit conduct, the production of which depictions involved the use of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 15, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

KENNETH R. WARNER

knowingly received approximately 10 visual depictions of minors engaging in sexually explicit conduct that had been shipped and transported in interstate and foreign commerce, the production of which depictions involved the use of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 28, 2007, in the Eastern District of Pennsylvania and elsewhere,
defendant

KENNETH R. WARNER

knowingly shipped and transported in interstate commerce approximately 14 visual depictions of minors engaging in sexually explicit conduct, the production of which depictions involved the use of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 7, 2007, in the Eastern District of Pennsylvania, defendant

KENNETH R. WARNER

knowingly possessed more than 600 visual depictions of minors engaging in sexually explicit conduct, the production of which depictions involved the use of minors engaging in such sexually explicit conduct, and which depictions had been transported in interstate and foreign commerce.

In violation of Title 18, United States Code, Section 2252(a)(4).

NOTICE OF FORFEITURE

1. As a result of the violations of Title 18, United States Code, Sections 2252(a)(2) and 2252(a)(4), set forth above, defendant

KENNETH R. WARNER

shall forfeit to the United States of America the following:

- a. Any visual depiction described in §§ 2251 or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of 18 U.S.C. §§ 2251 and 2252;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such an offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including but not limited to:
 - Dell laptop computer, Serial No. DPQRZ81, with batter and power supply;
 - Dell Dimension 4550 computer, Serial No. BO4WG21;
 - One box containing 31 videos and three DVDs;
 - One box containing 5 star binder with computer printouts and magazines, eight CD-Rs, six floppy disks, photo paper and computer printouts.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- cannot be located upon the exercise of due diligence;
- has been transferred or sold to, or deposited with, a third party;
- has been placed beyond the jurisdiction of the court;
- has been substantially diminished in value; or
- has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 2253.

FOREPERSON

**PATRICK L. MEEHAN
UNITED STATES ATTORNEY**