

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**INDICTMENT FOR DISTRIBUTION, RECEIPT, AND POSSESSION OF MATERIALS
INVOLVING THE SEXUAL EXPLOITATION OF MINORS
AND NOTICE OF FORFEITURE**

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
FORREST BYRON SMITH	*	VIOLATION: 18 U.S.C. § 2252(a)(2)
	*	18 U.S.C. § 2252(a)(4)(B)
	*	18 U.S.C. § 2253

The Grand Jury charges that:

COUNT 1 - DISTRIBUTION OF CHILD PORNOGRAPHY

A. AT ALL TIMES MATERIAL

1. The defendant, **FORREST BYRON SMITH** (“SMITH”), was an adult male, residing in in Slidell, Louisiana, within the Eastern District of Louisiana.
2. **FORREST BYRON SMITH**, in the Eastern District of Louisiana and elsewhere, utilized personal computers and the Internet as facilities of interstate commerce to download and save, and subsequently transmit and distribute, images and videos depicting the sexual victimization of children.
3. In particular, **SMITH** used a Peer-to-Peer file sharing program on his computers

to download and save, as well as transmit and distribute, images and videos of child pornography. **SMITH** stored, organized, and catalogued many of the files (images and videos) depicting the sexual exploitation of children that he downloaded on his computers' hard drives in a series of folders he created.

4. **SMITH** created multiple user accounts with the Peer-to-Peer file sharing program, including two with user names "swampbojjj" and "stephanierdi."

5. "Swampboyjj" and "Stephanierdi" were two names that **SMITH** used to create e-mail accounts with America Online and Yahoo!, respectively. Using screen names including "swampboyjj@aol.com" and "stephanierdi@yahoo.com," **SMITH** communicated with others. In some of his communications, **SMITH** pretended to be a juvenile female.

6. Bebo.com is a free online tool that allows people to communicate through various methods and form social networks. Bebo.com members create "profiles," or individualized Web pages to identify themselves to others. A profile may include, should the creator wish, photos, videos, personal identification information, contact details, and a section in which a user can describe himself.

7. In or about Spring 2010, **SMITH** created a profile on "Bebo.com" under the user name "Swampboyjj." In the profile, **SMITH** represented himself to be a juvenile male from Auckland, New Zealand. **SMITH**, pretending to be a young male, joined numerous "groups" on Bebo.com, including "Gay Boiz 10-16 Only," "Beautiful Boys and Girls," and "Sexy Gay Lads."

8. In or about 2008, **SMITH** also created a profile on the social networking website "Facebook.com" under the user name "Stephanierdi," representing himself to be a juvenile female.

B. THE OFFENSE

1. From on or about July 22, 2007, through on or about January 30, 2008, within the Eastern District of Louisiana and elsewhere, the defendant, **FORREST BYRON SMITH**, did knowingly distribute, and attempt to distribute, visual depictions, that is, digital images and computer images, that had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), and such visual depictions were of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 2 - DISTRIBUTION OF CHILD PORNOGRAPHY

A. AT ALL MATERIAL TIMES HEREIN:

1. The allegations of Section A of Count 1 are hereby realleged and incorporated herein in their entirety.

B. THE OFFENSE

1. From on or about September 9, 2010, through on or about October 11, 2010, within the Eastern District of Louisiana and elsewhere, the defendant, **FORREST BYRON SMITH**, did knowingly distribute, and attempt to distribute, approximately twelve visual depictions, that is, digital images and computer images and videos, that had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), and such visual depictions were of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 3 - RECEIPT OF CHILD PORNOGRAPHY

A. AT ALL MATERIAL TIMES HEREIN:

1. The allegations of Section A of Count 1 are hereby realleged and incorporated herein in their entirety.

B. THE OFFENSE:

1. Beginning at a time unknown and continuing until on or about November 10, 2010, within the Eastern District of Louisiana, and elsewhere, the defendant, **FORREST BYRON SMITH**, did knowingly receive, and attempt to receive, visual depictions, that is, digital images and computer images, that had been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(2), and such visual depictions were of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2).

COUNT 4 - POSSESSION OF CHILD PORNOGRAPHY

A. AT ALL MATERIAL TIMES HEREIN:

1. The allegations of Section A of Count 1 are hereby realleged and incorporated herein in their entirety.

B. THE OFFENSE:

1. Beginning at a time unknown and continuing until on or about November 10, 2010, within the Eastern District of Louisiana, and elsewhere, the defendant, **FORREST BYRON SMITH**, did knowingly possess one or more matters, that is, computer hard drives and computer media, containing digital images, computer images, and digital video files, that contained visual depictions that had been mailed, shipped, and transported in interstate and

foreign commerce, and that were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce, by any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depictions were of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(4)(B).

NOTICE OF FORFEITURE

1. The allegations of this Indictment are re-alleged as if fully set forth herein, for the purpose of alleging forfeiture, pursuant to Title 18, United States Code, Section 2253.
2. If convicted of the offense or offenses set forth above, the defendant, **FORREST BYRON SMITH**, shall forfeit to the United States any and all materials and property used and intended to be used in the receipt and possession of visual depictions of minors engaging in

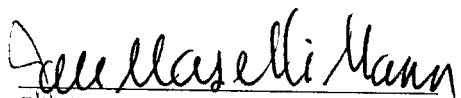
sexually explicit conduct, as well as any and all property, either real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense. Such property includes, but is not limited to, the following specific items found by federal agents on November 10, 2010:

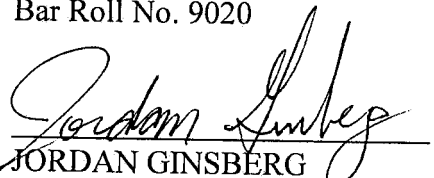
- a. One (1) HP G62-228CL laptop computer, with serial number CNF023C9CS
- b. One (1) Dell Inspiron 5100 laptop, with serial number CBGZF41
- c. One (1) Toshiba Satellite A205 laptop, with serial number 67104821Q
- d. One (1) Toshiba Satellite A305 laptop, with serial number 68053890Q

A TRUE BILL:


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FOREPERSON


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New Orleans, Louisiana
July 28, 2011