

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 10-
 :
 BRYAN JACOBS : 18 U.S.C. §§ 2251(a),
 a/k/a "Brianna" : 2252A(a)(2),
 a/k/a "xbriannas89x" : 2252A(a)(5)(B), & 2

I N D I C T M E N T

The Grand Jury, in and for the District of New Jersey,
sitting at Newark, charges:

COUNTS ONE THROUGH FIVE
(Sexual Exploitation of Children)

1. At all times relevant to this Indictment, defendant
BRYAN JACOBS, a/k/a "Brianna," a/k/a "xbriannas89x," was a
resident of New Jersey.

2. MySpace.com is a social networking website, which
operates through the Internet, and which allows users to create a
"profile" for themselves. This profile ordinarily includes a
homepage, on which the user can, among other things, upload
images, text, and videos; invite others to become their
"friends"; and have their "friends" post comments. MySpace.com
also permits users to engage in instant messaging, or "chatting,"
where users can communicate with others in real time, just like
telephone calls or face to face communications, albeit through
typed messages. Each participant in a chat uses a "screen name,"

which is akin to a nickname. These communications can also include the exchange of photographs from one MySpace.com user to another.

3. Every MySpace.com account is assigned a unique user identification number, and the owner of the account registers using an e-mail address, among other information.

4. Defendant BRYAN JACOBS utilized a MySpace.com account in the false persona of "Brianna," purportedly a female from the Philadelphia, Pennsylvania area, complete with an image of a young woman who appeared to be in her late teens.

5. Using this false persona, defendant JACOBS engaged in "chats" with his victims, who were all male children (the "Child Victims"), through the Internet. At the time of the chats, each Child Victim was under the age of 18, and each Child Victim was a real child. In these chats, defendant JACOBS used the screen name "xbriannas89x."

6. During the course of numerous chats, defendant JACOBS persuaded the Child Victims to engage in sexually explicit conduct, to create photographic images of the Child Victims engaging in sexually explicit conduct, and to send images of the Child Victims engaging in sexually explicit conduct to defendant JACOBS through the Internet.

7. On or about the dates set forth below, in Gloucester County, in the District of New Jersey and elsewhere, the defendant

BRYAN JACOBS,
a/k/a "Brianna,"
a/k/a "xbriannas89x,"

did employ, use, persuade, induce, entice, and coerce minors to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depictions having actually been transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, as set forth below:

COUNT	CHILD VICTIM ("C.V.")	DATE	CHAT EXCERPT
ONE	1	November 30, 2008	xbriannas89x: is ur famil home? C.V. 1: yea . . . xbriannas89x: get the cord for ur cam from ur sister . . . borrow the cord or borrow some of her clothes C.V. 1: i got a thong of hers . . . xbriannas89x: show me! C.V. 1: what do u mean xbriannas89x: take some pics of you wearing it C.V. 1: what kinda pics...give me details . . . xbriannas89x: take some pics by an open door wearing it xbriannas89x: i want to see from the front and of ur back side C.V. 1: what if i'm hard?

			<p>xbriannas89x: nothing wron with that . . . C.V. 1: but it wont fit in it haha it will be popping out xbriannas89x: that's good xbriannas89x: i think that's sexy . . . C.V. 1: my dad is right next to me so when he leves xbriannas89x: okay xbriannas89x: umm, if he's that close by, maybe a shut door is better this time . . . i dont want my boi getting grounded xbriannas89x: why was the shirt on? C.V. 1: cause my dad kept coming in . . . xbriannas89x: make it soft and retake that last pic too</p>
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TWO AND THREE	2 (Count Two) 3 (Count Three)	October 26, 2007	<p>C.V. 2&3: wat do u wantt us to take a pic of</p> <p>xBriannas89x: ur butts, with u looking over ur shoulder so i see its really you</p> <p>C.V. 2&3: me and [C.V. Name]?</p> <p>xBriannas89x: both of you. . .</p> <p>C.V. 2&3: idk wat else we could possibly do</p> <p>xBriannas89x: front again, but let me see ur armpits</p> <p>C.V. 2&3: armpits?</p> <p>xBriannas89x: pits</p> <p>xBriannas89x: yes</p> <p>xBriannas89x: and dicks</p> <p>C.V. 2&3: y do u wanna see our pits?</p> <p>xBriannas89x: cause i think pits are sexy</p> <p>C.V. 2&3: ooo ok</p> <p>xBriannas89x: do i really need a reason?</p> <p>xBriannas89x: lol</p> <p>C.V. 2&3: wait so pants off with are hands behind our heads</p> <p>xBriannas89x: yup</p> <p>C.V. 2&3: okk</p> <p>C.V. 2&3: so u want us to send the butt one and pit one then ur gonna send one or two</p> <p>xBriannas89x: yea</p> <p>C.V. 2&3: one or two?</p> <p>xBriannas89x: if u send 2 that are good and i see its you guys, then u get 2 from me. don't make this difficult</p>
FOUR	4	October 12, 2008	<p>xbriannas89x: is that ur pic with all the abs</p> <p>. . .</p> <p>Child Victim ("C.V.") 4: haha yea</p> <p>. . .</p> <p>xbriannas89x: are u sending naked pics?</p> <p>C.V. 4: haha no</p> <p>C.V. 4: why</p> <p>xbriannas89x: i love those types</p> <p>. . .</p> <p>C.V. 4: u have any nude shot</p>

			xbriannas89x: many C.V. 4: can i see xbriannas89x: let me see u C.V. 4: ok now u send one xbriannas89x: got any ful.l body nudes?
FIVE	5	October 5, 2008	xbriannas89x: you got nude pics? C.V. 5: yea C.V. 5: do u xbriannas89x: yes . . . xbriannas89x: any with ur face and dick? xbriannas89x: u dont smile? C.V. 5: srry . . . C.V. 5: did u already get the ones i just sent u xbriannas89x: all but 1 xbriannas89x: can i get a full nude pic of u with face and soft dick? C.V. 5: well i'm hard right now C.V. 5: i can do it later xbriannas89x: ok

In violation of Title 18, United States Code, Section 2251(a) and
Section 2.

COUNTS SIX THROUGH NINE

(Receipt and Attempted Receipt of Child Pornography)

1. Paragraphs 1 through 6 of Counts One through Five are realleged and incorporated by reference as if fully set forth herein.

2. On or about the dates set forth below, in Gloucester County, in the District of New Jersey and elsewhere, the defendant

BRYAN JACOBS,
a/k/a "Brianna,"
a/k/a "xbriannas89x,"

did knowingly receive and attempt to receive material that contained child pornography, as defined in Title 18, United States Code, Section 2256(8), which had been mailed, shipped, and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and which were produced using material which had been mailed, shipped, and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, each constituting a separate Count of this Indictment:

COUNT	DATE
SIX	November 30, 2008
SEVEN	October 26, 2007
EIGHT	October 12, 2008

NINE	October 5, 2008
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In violation of Title 18, United States Code, Section 2252A(a)(2) and (b)(1) and Section 2.

COUNT TEN

(Possession of Child Pornography)

1. Paragraphs 1 through 6 of Counts One through Five are realleged and incorporated by reference as if fully set forth herein.

2. In or about June 2009, in Gloucester County, in the District of New Jersey, and elsewhere, defendant

BRYAN JACOBS,
a/k/a "Brianna,"
a/k/a "xbriannas89x"

did knowingly possess material that contained at least three images of child pornography, as defined in 18 U.S.C. § 2256(8), which images were shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and which were produced using materials that were shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a) (5) (B) and (b) (2) and Section 2.

A TRUE BILL

FOREPERSON



PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: 2008R01180

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

BRYAN JACOBS

a/k/a "Brianna"

a/k/a "xbriannas89x"

INDICTMENT FOR

18 U.S.C. §§ 2251(a), 2252A(a)(2), 2252A(a)(5), and 2

A True Bill,

Foreperson

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U.S. ATTORNEY

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