

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 3:18cr63/MCR

GLENN VARRIN
_____ /

FACTUAL BASIS FOR GUILTY PLEA

This statement of facts is submitted on behalf of the undersigned parties. All parties agree that if the above-captioned case were to go to trial, the government could produce competent, substantial evidence of the following facts to prove the Defendant is guilty of the offense charged in the Indictment to which the Defendant is pleading guilty. The parties further agree that not all of the facts known from or related to this investigation are contained in this brief summary.

STATEMENT OF FACTS

Beginning in or about March 2018, an investigator (hereinafter "UC") with the Okaloosa County Sheriff's Office (hereinafter "OCSO"), acting in an undercover capacity, began chatting online on the website "www.kidschat.net," in order to identify any individuals interested in exploiting or harming children.

According to their publicly accessible website, Kidschat.net professes to be the

“world's largest chat for kids.” Kidschat.net allows its users to register for an account before chatting, or an option exists to utilize the website as a “Guest” instead. All users must accept the chat room rules before being permitted to chat on its social platform. A sampling of the chat room rules are as follows:

- You will agree to be 13 or over (not older than 19) before entering the kids chat rooms;
- You will not post obscene or vulgar messages;
- You will choose an appropriate and clean nickname;
- You have finished all your homework and have some free time now; and
- You will take breaks to rest your eyes and clear your mind.

On or about March 2, 2018, at approximately 12:06 a.m., the Defendant using the Kidschat username “Prew654” sent a private unsolicited message to the UC, who was posing online as a 14-year-old female using the username “Amiee14.” The following conversation occurred on Kidschat.net between the Defendant utilizing username “Prew654” and the UC, using the username “Amiee14.”

Prew654: hi age
Amiee14: 14 you
Prew654: older is that ok
Amiee14: yeah asl
Prew654: 50s m is that ok
Amiee14: Yep where u at
Prew654: usa, u?
Amiee14: florida
Prew654: what city
Amiee14: soth walton
Prew654: what part of the state is that in

Amiee14: Walton county
Prew654: what do u looks like
Amiee14: shot with brown hair
Prew654: eyes color height weight
Amiee14: 5 foot 100
Prew654: very pretty, any bros and sis ages
Amiee14: no
Prew654: ever kiss a boy, you can tell me
Amiee14: no is that ok
Prew654: yea, ever had a bf
Amiee14: no you wanna text somewhere else this is running slow
Prew654: what is running slow
Amiee14: this program, u wanna ****
Prew654: space that word tjat word is block
Prew654: that
Amiee14: K I K
Prew654: no, do u have a email
Amiee14: yeh
Prew654: can i have it
Amiee14: elfingirl@gmail
Prew654: can u email me now
Amiee14: yeah
Prew654: happyperson2900@gmail.com
(This portion of the conversation concluded at approximately 1:00 a.m. and then switched to email and continued.)

On or about March 2, 2018, at approximately 1:03 a.m., the Defendant requested the UC send an email to his email address happyperson2900@gmail.com. The UC using email address elfingirl2005@gmail.com sent an email stating, "hello." Within minutes, the Defendant using email address happyperson2900@gmail.com responded, "hi how r u doing," and asked, "any pics of u sweetie?" The UC responded, "sure where do

u live?" Happyperson2900@gmail.com replied, "n y can I see them?" The UC shortly thereafter emailed an image of a young female in a red and white checkered shirt. The following is a synopsis version of the conversation that ensued beginning at approximately 1:12 a.m., between the UC, using the email address elfingirl2005@gmail.com (hereinafter referred to as "EG"), and the Defendant using the email address Happyperson2900@gmail.com (hereinafter referred to as "HP"):

HP: y r very pretty will u be my gf.

EG: sure but we kind far

HP: I will come down there to see u. any more pics of u sweetie. is that a yes u r my gf now.

EG: yes im ur gf. what u wanna do when u come down

HP: do u like water parks. movies.

EG: yeah is that all u wanna do be honest

HP: do u want me to touch u sweetie

Having not responded right away, the Defendant continued inquiring by stating, "What kind of stuff do u want to do" and, "what r u doing now?"

EG: im looking to learn stuff I haven done anything is that ok

HP: I will teach u new stuff sweetie any sexy pics of u yes or no

At approximately 7:30 a.m. on or about March 2, 2018, the emails continued with the following:

HP: Gm sweetie.

EG: i have pics. what new stuff will u teach me

HP: I will teach u about sex and how I can please u a lot to feel good, when can I see your sexy pics sweetie. can I kiss u sweetie

At approximately 4:09 p.m. on or about March 2, 2018, the Defendant sent an email stating, “r u home from school yet?”

At approximately 4:37 p.m. on or about March 2, 2018, after receiving confirmation that EG, who the Defendant believed was a minor was home, the Defendant sent an email stating, “miss me sweetie,” and, “can I see some pics please.”

At approximately 4:52 p.m. on or about March 2, 2018, the UC, at the request of the Defendant, and using email EG, emailed a second picture of the same young female, which depicted the female in a black and white shirt. The following emails continued between HP and EG:

HP: u r very beautiful

HP: any sexy pics yes or no

EG: um idk

HP: please send me one kisses baby

EG: I think you just want pics from me

HP: I want to spend time with you

HP: can I see a full pic of u

HP: Will u spend the night with me

HP: do u have a cell phone

HP: can I take u take the new water park that open last year

EG: yeah I got a phone. yes ill spend the night with u but what u wanna do

HP: do u like camping movies

HP: do u want sex with me yes or no

EG: yes I want to learn that be kool

HP: can I have your number

HP: what' grade r u in and when is your birthday

EG: im in 8th grade and my birth day is novemver 11. just so u know im deaf if that bothers u and u dont want to talk to me any more i understand

HP: it's doesn't bother me u r deaf, u have to teach me some sign alight then

At approximately 5:45 p.m. on or about March 2, 2018, the conversation between the UC, using email EG, continued with the Defendant utilizing the email

HP:

HP: do u have tits yet

EG: yeah that ok

HP: do u remember how old I am.

HP: Will u let me take your clothes off of u

HP: r u still here

EG: sry was feeding my dogs. yes ur 50 right. and yes ill let u take my clothes off.

HP: can I get u pregnant

EG: idk

HP: am I your first bf

EG: yes

HP: r u happy with me

At approximately 6:38 p.m. on or about March 2, 2018, the Defendant sent an email which included a picture depicting seven adult men, dressed in formal attire, standing in front of a giant cross inside a building. (The image is similar in nature/appearance to what a typical wedding picture would look like in which the groomsmen are all posed together side by side in the front of a church.) The Defendant asked, "do u like what I looks like." After the UC responded affirmatively using email EG, HP asked, "did u ever saw a cock yet." and then, "how big r your tits."

At approximately 8:08 p.m. on or about March 2, 2018, HP asked, “what kind of school do u go to. can we take a shower together.”

At approximately 8:28 p.m. on or about March 2, 2018, the Defendant asked how long she was going to be his girlfriend, the UC replied using email EG, “How long u want me too. U ever gonna answer my questions” The following conversation ensued, which is synopsisized below:

HP: I want u to with me forever. what questions do u want me to answer.

EG: what are u gonna teach me and how silly lol

HP: are u smiling

EG: yes

HP: I am going teach u how to touch me play with my cock suck it I am going play with your tits and pussy do u want that sweetie.

HP: am I making u very happy

EG: yes very much, Yes please

HP: r u falling in love with me

EG: idk is that ok i cant wait for u to teach me

Several minutes later, the Defendant asked:

HP: do u have a nude pics of u yes or no. it's ok.

EG: no I got in trouble once for it.

HP: that's ok sweetie will u be faithfully to me

EG: what do you mean

HP: Will u cheat on me go with other guys

EG: no

HP: do u have any hair on your pussy

At approximately 10:05 p.m. on or about March 2, 2018, the Defendant asked,

HP: can I put my cock inside your pussy

HP: Will u let me put it in you
EG: yeah, is that what you want to do
HP: I do baby

Later on that same night, the Defendant asked:

HP: would u be mad at me if I got u pregnant
EG: idk. I think I might be a little young for it. would u be mad.
HP: but if u get pregnant what will u do.
HP: did u had a period yet
EG: idk what I would do what would u want me to do and yes on the other
HP: if u get pregnant I will take care of u sweetie
EG: ok kool. ur so sweete
HP: can I have your address

Having not received a reply, the Defendant asked again:

HP: Will you give to me your address
HP: r u there
EG: idk bout that
HP: how r we going to meet without your address
EG: i can meet u by my house and u can pick me up if thats ok
HP: that ok but I need some kind of address to get u, don't have to be yours.
HP: what will u wear when u first meet me
EG: sry what do u want me to wear
HP: skirt blouse sexy bra and panties

On or about March 3, 2018, at approximately 5:56 p.m., the Defendant continued the conversation via email, and asked if the UC had ever seen snow before and indicated that it snowed a lot where he resided. HP then asked EG, who the Defendant believed was a minor, who EG lived with, and the UC replied using email EG, "my mom." Three images were then emailed by HP that depicted large piles of snow. The Defendant then inquired, "where is dad at." The UC replied,

“no dad, he left when I was yug. that looks cold.” The Defendant commented, “I will keep u warm when we cuddle together.” The Defendant then asked, “are u going to let me take good care of u sweetie.” The UC replied, “that be great. how are you going to do that.” The Defendant responded, “after a while u will be living with me.”

Conversations between the Defendant and UC continued via email until on or about March 13, 2018, when the Defendant wrote: “text me when u come home from school.” The UC, using email EG, replied, “I don’t have your phone number to text you.” The Defendant supplied cellular telephone number 727-458-XXXX. At approximately 4:33 p.m., the UC emailed, “I sent u a text.” The conversation then switched over to text communications using cellular telephone number 727-458-XXXX. Law enforcement databases revealed that the Defendant was the subscriber of cellular telephone number 727-458-XXXX.

Between on or about March 14, 2018, through May 4, 2018, the Defendant using cellular telephone number 727-458-XXX exchanged text messages with the UC, posing in an undercover capacity.

On or about March 28, 2018, the Defendant using cellular telephone number 727-458-XXXX continued to make his intentions to meet for sexual activity known by sending the following text messages to the UC:

727-458-XXXX: how old r u again 12 13 14
UC: 13 u don't remember
727-458-XXXX: I though u was. do u want to learn French kissing
UC: Yeah what else u gonna teach me
727-458-XXXX: do u want to see my c o ck
UC: It that's what u want yes
727-458-XXXX: what will u do with it
UC: What u wanna me to do
727-458-XXXX: play with it rub and suck it

On or about April 15, 2018, the Defendant using cellular telephone number 727-458-XXXX sent a text message that he would be coming to Fort Walton Beach, Florida, to visit the UC, who the Defendant believed was a minor, in 19 days:

UC: U sure u ok with my age and all
727-458-XXXX: your is is very fine with me
727-458-XXXX: is me good for u
727-458-XXXX: we going see each other in 19 days
727-458-XXXX: are u getting nervous
727-458-XXXX: baby what is wrong
UC: Yeah I good with you just making sure you know
UC: Sometimes you talk to me like I'm older but I'm only 13 u no
727-458-XXXX: are u mad at me
727-458-XXXX: do you still want to meet me. I love u. I want to meet my love real bad. r u going meet me may 4 Fri.

The Defendant communicated via text message with the UC, who continued to pose as a female minor, that he would be spending the night in the Fort Walton Beach area on or about May 3, 2018, and he had acquired a hotel room at an establishment that had the word "emerald" in the name. Furthermore, the

Defendant informed that he had dropped off his semi-truck, and had rented a black Mazda sport utility vehicle (hereinafter "SUV"), which he would utilize as his temporary mode of transportation when picking up the UC, who the Defendant believed was a minor, at the designated meeting location near to her house. The Defendant arranged to pick-up the UC, who the Defendant believed was a minor, to spend the weekend together and engage in a sexual relationship.

On or about May 4, 2018, law enforcement established surveillance at the Emerald Coast Inn and Suites hotel located in Fort Walton Beach, Florida. At approximately 11:00 a.m., agents observed the Defendant exiting the Emerald Coast Inn and Suites hotel and get into the SUV. He was wearing a dark colored shirt and khaki colored shorts and carried a duffle bag that he placed in the rear of the vehicle. The UC, while still posing as a 14-year-old female, arranged to meet the Defendant around 2:00 p.m. after school. At approximately 11:08 a.m., the UC sent a text message to the Defendant providing the address of a nearby Tom Thumb gas station located in Shalimar, Florida. The UC informed the Defendant that he could pick-up the UC, who the Defendant believed was a 14-year-old female, at this location, because it was within walking distance from her residence. At approximately 11:30 a.m., agents followed the Defendant as he departed the hotel in the SUV. The Defendant sent a text message to the UC asking what her

favorite colored roses were. The UC responded that pink roses were her preference. Agents observed the Defendant drive to a grocery store, but he was not followed into the store.

After leaving the grocery store, agents observed the Defendant drive by the Tom Thumb several times. At approximately 1:10 p.m., the UC sent a text message to the Defendant informing him she was walking from her house to meet him at the Tom Thumb gas station. At approximately 1:20 p.m., the Defendant pulled his SUV into the Tom Thumb gas station and exited his vehicle. At that time, law enforcement with the OCSO arrested the Defendant. Pursuant to his arrest, the Defendant's SUV was inventoried. In the SUV, law enforcement found pink roses, bags of clothing, condoms, and generic Viagra pills.

The Defendant was transported to the Okaloosa County Sheriff's Office. After providing him with *Miranda* warnings, the Defendant agreed to speak with agents. The Defendant was shown the Kidschat.net conversations that he had with the purported 14-year-old minor. The Defendant stated he recognized the conversation. The Defendant admitted that email address of happyperson2900@gmail.com and cellular telephone number 727-458-XXXX belonged to him. When asked where he intended to spend the night that evening with the person who the Defendant believed was a 14-year-old female, the

Defendant said Panama City, Florida. When asked if he had already reserved a room for the evening, he stated that he had not, but that he was going to book a hotel room that evening online.

The Defendant's use of Google email and cellular text messages was a facility or means of interstate commerce. The Defendant is 56 years old and engaging in sexual activity with a 14 year old is a violation of Florida Law. Florida Statutes, section 800.04(4) and (5).

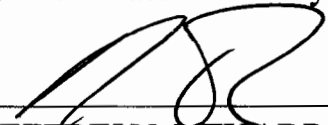
ELEMENTS

Count One – Attempted Enticement of a Minor, in violation of Title 18, United States Code, Section 2422(b). ECCA Pattern Jury Instruction 92.3.

- First:* the Defendant knowingly intended to persuade, induce, entice, or coerce [individual named in the indictment] to engage in [sexual activity], as charged used a facility or means of interstate commerce;
- Second:* the Defendant used [the Internet] [a cellular telephone] [describe other facility of interstate or foreign commerce as alleged in indictment] to do so;
- Third:* at the time, the Defendant believed that [individual named in the indictment] was less than 18 years old;
- Fourth:* if the sexual activity had occurred, one or more of the individual(s) engaging in sexual activity could have been charged with a criminal offense under the law of [identify the state or specify the United States]; and

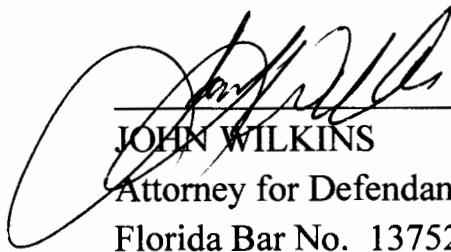
Fifth: the Defendant took a substantial step towards committing the offense.

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GLENN VARRIN
Defendant

August 9, 2018
Date