
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Douglas E. Arpert
: :
v. : Mag. No. 23-6017 (DEA)
: :
DANIEL NILLA : CRIMINAL COMPLAINT

I, Shannon Treney, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHMENT B


continued on the attached pages and made a part hereof.

s/ Shannon Treney

Shannon Treney, Special Agent
Federal Bureau of Investigation

Attested to me by telephone,
pursuant to FRCP 4.1(b)(2)(A)

August 2, 2023,
in the District of New Jersey,



HONORABLE DOUGLAS E. ARPERT
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

COUNT ONE

(Sexual Exploitation of Children)

On or about May 11, 2022, in Ocean County, in the District of New Jersey, and elsewhere, the defendant,

DANIEL NILLA,

did knowingly employ, use, persuade, induce, entice, and coerce MINOR VICTIM 3, an individual who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate commerce, and which visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

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

COUNT TWO
(Sexual Exploitation of Children)

On or about January 22, 2023, in Ocean County, in the District of New Jersey, and elsewhere, the defendant,

DANIEL NILLA,

did knowingly employ, use, persuade, induce, entice, and coerce MINOR VICTIM 4, an individual who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate commerce, and which visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

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

COUNT THREE
(Receipt of Child Pornography)

From on or about December 16, 2021, to on or about April 28, 2023, in Ocean County, in the District of New Jersey, and elsewhere, the defendant,

DANIEL NILLA,

did knowingly receive child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been mailed, and, using any means and facility of interstate and foreign commerce, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and (b)(1).

ATTACHMENT B

I, Shannon Treney, am a Special Agent with the Federal Bureau of Investigation (“FBI”). I have participated in this investigation, discussed this matter with other law enforcement officers, and have reviewed documents and other materials. Accordingly, I have personal knowledge of the facts set forth below. Because this criminal Complaint is being submitted only for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause. Unless specifically indicated, all conversations and statements described in this Complaint are related in sum and substance and in part, and all dates and figures are approximate.

1. At all times relevant to this Complaint, defendant DANIEL NILLA (“NILLA”) was a resident of Brick, New Jersey, located in or around Ocean County, New Jersey.

2. In or around August 2022, law enforcement agents from the FBI and the Frederick County Sheriff’s Office in Winchester, Virginia investigating a sexual assault interviewed a then fourteen-year-old female minor (“MINOR VICTIM 1”) living in a state outside of New Jersey. During that interview, MINOR VICTIM 1 stated, among other things, that she was communicating via Snapchat¹ with individual(s) using two Snapchat accounts (“NILLA ACCOUNT 1” and “NILLA ACCOUNT 2”).

3. A review of the contents of MINOR VICTIM 1’s cell phone, conducted with MINOR VICTIM 1’s parents’ consent, revealed that from in or around July 2022 to in or around August 2022, MINOR VICTIM 1 sent videos depicting child pornography to NILLA ACCOUNTS 1 and 2 on numerous occasions.

4. More specifically, and by way of example, MINOR VICTIM 1’s phone contained the following:

- a. On or about July 16, 2022, MINOR VICTIM 1 sent NILLA ACCOUNT 2 a 19-second video depicting MINOR VICTIM 1 using her hand to touch her vagina repeatedly.
- b. On or about July 16, 2022, MINOR VICTIM 1 sent NILLA ACCOUNT 1 a 24-second video depicting MINOR VICTIM 1 with her breasts and vagina exposed. MINOR VICTIM 1

¹ Snapchat is a mobile application that provides users a way to electronically share photos, videos, and texts.

inserts the left middle finger of her left hand into her vagina. There appears to be a pink hair tie on her left wrist.

- c. On or about July 16, 2022, MINOR VICTIM 1 sent NILLA ACCOUNT 1 a 17-second video depicting MINOR VICTIM 1 with her vagina exposed. MINOR VICTIM 1 inserts the handle of a red and purple hairbrush into her vagina.
- d. On or about August 10, 2022, MINOR VICTIM 1 sent NILLA ACCOUNT 1 a video depicting MINOR VICTIM 1 manipulating her vagina while stating, “you’re such a bad man (undecipherable) . . . you’re gonna cum to a 14-year-old girl”

5. Also, during law enforcement’s interview of MINOR VICTIM 1, she told law enforcement that she saved the user of NILLA ACCOUNT 1’s telephone number ending in 2178 (“FACILITY 1”) in her cell phone under the name “D” and that she saved the user of NILLA ACCOUNT 2’s telephone number ending in 8339 (“FACILITY 2”) in her cell phone under the name “Jake.” Subsequent investigation revealed that both FACILITY 1 and FACILITY 2 were utilized by NILLA during the relevant period.

6. Based upon the information provided by MINOR VICTIM 1, the contents of MINOR VICTIM 1’s phone, and other additional information revealed in the investigation, on or about September 26, 2022, law enforcement sought and obtained a search warrant in the District of Wyandotte County, Kansas, for, among other things, the contents of NILLA ACCOUNTS 1 and 2 from August 1, 2022, to September 8, 2022.

7. Records obtained from Snapchat in response to the above-referenced search warrant revealed that IP addresses 73.215.83.214 (“IP ADDRESS 1”) and 73.248.222.95 (“IP ADDRESS 2”) were frequently used by NILLA ACCOUNTS 1 and 2 to log into Snapchat around the time that MINOR VICTIM 1 was communicating with NILLA ACCOUNTS 1 and 2. Records obtained subsequently from Comcast Communications LLC confirmed that IP ADDRESS 1 was subscribed to NILLA at his residence and IP ADDRESS 2 was subscribed to NILLA’s mother at her residence, both addresses which are located in Ocean County, New Jersey. The investigation further revealed that NILLA frequently stayed at his mother’s residence to care for her.

8. Based on the investigation, on April 27, 2023, law enforcement requested, and the Honorable Tonianne J. Bongiovanni, U.S.M.J. issued, warrants authorizing the search of NILLA’s residence, NILLA’s mother’s residence, and NILLA’s person for the purpose of locating the cellular phones using FACILITY 1 and FACILITY 2.

9. On April 28, 2023, law enforcement executed those search warrants. Pursuant to the warrants, law enforcement seized, among other things, the cell phone using FACILITY 1 (“CELL PHONE 1”), which NILLA confirmed in a voluntary interview with law enforcement was his cell phone.

10. During a preliminary review of CELL PHONE 1, law enforcement determined that CELL PHONE 1 was used to access NILLA ACCOUNTS 1 and 2, and four additional Snapchat accounts (NILLA ACCOUNTS 3 through 6; collectively, the “NILLA ACCOUNTS”). In addition, law enforcement observed videos and images saved within the Snapchat application, which was logged into NILLA ACCOUNT 6 at the time, on CELL PHONE 1 depicting minors engaged in sexually explicit conduct.

11. Based on that information, on May 16, 2023, law enforcement requested, and the Honorable Douglas E. Arpert, U.S.M.J. issued, a search warrant to Snapchat authorizing the search of the NILLA ACCOUNTS.

12. Based on records obtained from Snapchat pursuant to that warrant and reviewed to date, and a forensic review of CELL PHONE 1, in addition to other evidence obtained by law enforcement during the course of the investigation, law enforcement determined that from on or about December 12, 2021, to on or about April 28, 2023, NILLA² was communicating with and receiving images and videos containing child pornography via the NILLA ACCOUNTS from MINOR VICTIMS 1 through 5 (all of whom were living in states outside of New Jersey) and induced at least two of those minor victims to send images and videos of themselves engaging in sexually explicit conduct to the NILLA ACCOUNTS, as described in more detail below.

MINOR VICTIM 2

13. More specifically, and for example, on or about December 20, 2021, a minor female victim (“MINOR VICTIM 2”), who was fourteen (14) years old at the time and living in a state outside of New Jersey, sent NILLA at NILLA ACCOUNT 2 a 50-second video depicting MINOR VICTIM 2 initially wearing a long sleeve top but removing it to expose her nude breasts. The video subsequently depicted MINOR VICTIM 2 removing her black-colored bottoms before touching her breasts and then eventually repeatedly touching her genitals. In addition to this video’s presence in NILLA ACCOUNT 2, law enforcement also located this video in the “Hidden”³ photos folder on CELL

² Law enforcement determined that NILLA is thirty-five (35) years old.

³ The “Hidden” folder on Apple iPhones is a password-protected folder located within the Photos application where users can store photos so that they no longer appear in the Photo Library, in other albums, or on the phone’s Home Screen.

PHONE 1. Review of CELL PHONE 1 determined that the video was saved from Snapchat.

14. Moreover, on at least one occasion, NILLA sent a video depicting pornography to MINOR VICTIM 2 from NILLA ACCOUNT 2. More specifically, on or about December 21, 2021, NILLA sent a 14-second video to MINOR VICTIM 2 depicting an adult male—believed by law enforcement to be NILLA—rubbing his exposed penis with his left hand.

MINOR VICTIM 3

15. On or about May 11, 2022, having acknowledged in a previous conversation with a female minor victim (“MINOR VICTIM 3”)⁴ that she was a minor, NILLA engaged in the following conversation with MINOR VICTIM 3 on NILLA ACCOUNT 2:

NILLA: I can put you naked on my tv haha

MINOR VICTIM 3: Oop really?

NILLA: Ya haha

MINOR VICTIM 3: Oooh show meh

NILLA: I can't the videos aren't saved to my phone haha

MINOR VICTIM 3: You can save them 😊

MINOR VICTIM 3: I trust you anyways

MINOR VICTIM 3: 😊

NILLA: Ok one sec

NILLA: Gotta get the other phone on

MINOR VICTIM 3: Okie

* * *

MINOR VICTIM 3: Damn that's fucking cool

MINOR VICTIM 3: 😊

⁴ At the time of their communications, MINOR VICTIM 3 was seventeen (17) years old and living in a state outside of New Jersey.

NILLA: Lol

NILLA: Mhm soo now you gotta send me a lot of videos for the tv

16. Immediately thereafter, MINOR VICTIM 3 sent NILLA a 41-second video depicting MINOR VICTIM 3 with her tank top pulled up to expose her nude breasts, which she touches for the duration of the video. NILLA and MINOR VICTIM 3 then continue the conversation, as follows:

NILLA: Better get busy making a ton

NILLA: Gotta be like tv worthy tho fora get that face in it

NILLA: ;)

NILLA: You good?

MINOR VICTIM 3: Yeah I am

17. MINOR VICTIM 3 then sent NILLA a 52-second video depicting a close-up view of MINOR VICTIM 3's vagina. In the video, MINOR VICTIM 3 manipulated her vagina with her hand and inserted her middle finger into her vagina. NILLA and MINOR VICTIM 3 then continued the conversation, as follows:

NILLA: Need more full body for the tv ;\$

MINOR VICTIM 3: Okie

MINOR VICTIM 3: But you can enjoy that tho ;)

NILLA: Now go make me more

MINOR VICTIM 4

18. In or around December 2022, a female minor victim ("MINOR VICTIM 4"), who was twelve (12) years old at the time and living in a state outside of New Jersey, told NILLA that she was twelve (12) years old. Thereafter, on or about January 22, 2023, NILLA engaged in the following conversation with MINOR VICTIM 4 on NILLA ACCOUNT 6:

NILLA: What's up

MINOR VICTIM 4: nothing

NILLA: Sucks

MINOR VICTIM 4: fr

NILLA: I'm bout to go in the back room so

MINOR VICTIM 4: nicee

NILLA: Ig

NILLA: Rather be on phone with you

MINOR VICTIM 4: aw

MINOR VICTIM 4: i just cummed

NILLA: God let me see ;) haha

NILLA: Fuck making Me hard

NILLA: Put some stuff in the chat I can save for later ;)

19. Immediately thereafter, MINOR VICTIM 4 sent the following videos to NILLA at NILLA ACCOUNT 6:

- a. A five-second video depicting a close-up view of MINOR VICTIM 4 using her hand to touch her vagina. Her hand has white nail polish on the fingernails.
- b. A five-second video depicting a close-up view of MINOR VICTIM 4 using her hand to touch her vagina in a circular motion. Her hand has white nail polish on the fingernails.
- c. A twenty-one second video depicting MINOR VICTIM 4 in a position exposing the top of her breasts, licking a brown object appearing to be a dildo and inserting it into her mouth. In addition to this video's presence in NILLA ACCOUNT 6, law enforcement also located this video in the "Hidden" photos folder on CELL PHONE 1. Review of CELL PHONE 1 determined that the video was saved from Snapchat.

MINOR VICTIM 5

20. In or around March 2023, a female minor victim ("MINOR VICTIM 5"), who was twelve (12) years old at the time and living in a state outside of New Jersey, sent numerous videos and images to NILLA at NILLA ACCOUNT 6 depicting child pornography. For example, on or about March 3, 2023, MINOR VICTIM 5 sent an image to NILLA depicting a close-up view of her vagina, in which she was spreading the exterior of her genitals with two of her fingers to expose her vagina to the camera.

21. On or about March 7, 2023, MINOR VICTIM 5 sent NILLA at NILLA ACCOUNT 6 an 8-second video depicting MINOR VICTIM 5 sitting on a toilet seat repeatedly inserting the handle of a pink hairbrush into her vagina.

22. On or about that same day, MINOR VICTIM 5 also sent NILLA at NILLA ACCOUNT 6 a 31-second video depicting MINOR VICTIM 5 sitting naked on the floor of a shower with her legs spread, exposing her vagina to the camera, while water runs down over her head. During the video, she repeatedly inserts the handle of a pink hairbrush into her vagina while she covers her mouth with her hand. In addition to this video's presence in NILLA ACCOUNT 6, law enforcement also located this video in the "Hidden" photos folder on CELL PHONE 1. Review of CELL PHONE 1 determined that the video was saved from Snapchat.

23. On or about March 13, 2023, MINOR VICTIM 5 sent NILLA at NILLA ACCOUNT 6 a 13-second video depicting MINOR VICTIM 5 sitting naked on a tan tile floor, visible from her breasts down, with her legs bent and spread in order to expose her vagina to the camera. In the video, MINOR VICTIM 5 repeatedly inserted the handle of a pink hairbrush into her vagina. The camera panned upward to show her face twice and then returned to focus on her vagina. In addition to this video's presence in NILLA ACCOUNT 6, law enforcement also located this video in the "Hidden" photos folder on CELL PHONE 1. Review of CELL PHONE 1 determined that the video was saved from Snapchat.

24. Based on the records obtained by law enforcement and interviews of MINOR VICTIMS 1, 2, 3, 4, and 5 (all of whom were living outside of the state of New Jersey during the relevant period), the images and videos described above were transported or transmitted in interstate commerce via the Internet to NILLA, who at all times relevant to this investigation resided in Brick, New Jersey.