



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 depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce and mailed, to wit, DAVID OHNMACHT, the defendant, persuaded, induced and enticed a 14-year-old girl to engage in sexually explicit conduct, video it and send it, via Instagram, to the defendant.

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

Count Two

2. From in or about November 2016 up through and including in or about February 2017, in the Southern District of New York and elsewhere, DAVID OHNMACHT, a/k/a "Dannyw290," a/k/a "little.kitty.love," the defendant, being required by Federal and other law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2251, to wit, the violation of Title 18, United States Code, Section 2251(a) charged in Count One of this Complaint.

(Title 18, United States Code, Sections 2260A.)

The bases for my knowledge and for the foregoing charge, are, in part, as follows:

3. I have been a Special Agent with the FBI for approximately sixteen years. I am currently assigned to the FBI Westchester Safe Streets Task Force, which primarily investigates violent crimes, including crimes against children. During my tenure as a Special Agent, I have conducted and participated in numerous investigations of criminal activity involving crimes against children, including the receipt, possession, and/or distribution of child pornography by electronic means, sexual exploitation, and enticement of minors. I have gained expertise in these areas through training and daily work related to conducting these types of investigations.

4. I am familiar with the facts and circumstances set forth below based upon my participation in this investigation, from conversations with other law enforcement officers, and from

my review of reports and other documents created by law enforcement agents. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part. I have not included details of every aspect of this investigation.

5. In or about February 2017, I spoke with an FBI Task Force Officer ("Officer-1") in Wilmington, North Carolina. Officer-1 told me that, on or about January 6, 2017, a detective ("Detective-1") with the New Hanover County Sheriff's Office in Wilmington, North Carolina, contacted the FBI concerning communications between a 14-year-old victim ("Victim-1") and an individual using the Instagram screenname, "Dannyw290."

6. I have spoken with Detective-1 and I have reviewed reports concerning Detective-1's interviews of Victim-1. Based on my conversations with Detective-1 and my review of the reports, I am aware that Victim-1 reported the following, in sum and substance:

a. Beginning in or about November 2016, Victim-1 communicated on Instagram with someone using the Instagram screen name "Dannyw290." "Dannyw290" told her he was 19 years old, lives in New York, works on cars, and lives by himself.

b. After Victim-1 began communicating with "Dannyw290," someone using the Instagram screenname "little.kitty.love" became a "follower" of Victim-1 on Instagram and Victim-1 began communicating with "little.kitty.love." Victim-1 believed that "little.kitty.love" was another teen girl around her age. "Little.kitty.love" requested sexually explicit photographs of Victim-1, and Victim-1 provided such photographs to "little.kitty.love" via Instagram.

c. Victim-1 told "Dannyw290" that she regretted sending photos to "little.kitty.love." "Dannyw290" told her that "little.kitty.love" was his cousin and he would go to "little.kitty.love"'s house and retrieve the photos.

d. During Victim-1's communications with "Dannyw290," "Dannyw290" requested sexually explicit photos of Victim-1 and she provided them to him via Instagram. In or

about December 2016, Victim-1 gave "Dannyw290" her home address and he sent her sexual toys, including a vibrator. He asked Victim-1 to take and send him photos and videos of herself using the items he sent. Victim-1 made videos and photos using the items and transmitted them to "Dannyw290" via Instagram. "Dannyw290" requested additional videos and, when Victim-1 said she did not want to make additional videos, he told Victim-1 that if she did not send the videos, he would expose her prior videos to her friends on Instagram.

e. "Dannyw290" made Victim-1 call him "Daddy" and he referred to her as "Baby Girl."

f. Around Christmas 2016, Victim-1 had a live video chat with "Dannyw290" via Skype. During that video chat, Victim-1 observed what appeared to Victim-1 to be a young girl performing oral sex on "Dannyw290."

7. Based on my conversations with Detective-1, I am aware that, in January and February 2017, Detective-1, with Victim-1's consent, pretended to be Victim-1 and engaged in communications with "Dannyw290" via Instagram. Victim-1 was present on the occasions when Detective-1 communicated with "Dannyw290" posing as Victim-1. Officer-1 was also present with Detective-1 and Victim-1 on at least one occasion. During these communications, which were preserved and which I have reviewed, Detective-1 sent a "selfie" photo of Victim-1 to "Dannyw290," with Victim-1's fingers making a partial heart over her face. Detective-1 asked "Dannyw290" to send back a photo with the heart completed. Thereafter, Detective-1 received a photograph of a male using his hand to create a partial heart over his face. During these communications, Detective-1 told "Dannyw290" that it was not fair that he had her address and she did not have his. In response, he provided a street address in New Rochelle, New York (the "Address").

8. Based on my experience and training, I am familiar with Instagram. Instagram operates a free social networking application and website, accessed through applications for mobile devices and at Instagram.com, which is centered around photography. Instagram's users establish accounts and create a profile, which they can use to post and share photographs and

other information from computers and other web-enabled devices, such as certain cellular phones. Instagram's application for mobile devices also includes a camera application, which can assist a user in taking pictures and posting the photographs to their Instagram account. Instagram's users may also "follow" other users.

9. Based on my conversations with Detective-1, I know that Victim-1 provided Detective-1 with the phone ("Device") Victim-1 used to communicate with "Dannyw290" and that the New Hanover County Sheriff's Office conducted a forensic analysis of the Device. I have reviewed the results of that analysis. The analysis reveals the following, among other things:

a. The Device contains a number of sexually explicit videos and photos of a girl. In one video of approximately 14 seconds in duration, the camera captures the girl from the hips down as she places what appears to be a vibrator in her vagina. In this video, the girl appears to be on a blanket on a bed. In several of the videos found on the Device, the girl's face is visible. Based on my conversations with Officer-1, who has also reviewed the videos on the Device, I am aware that Officer-1 recognizes the girl in the videos as Victim-1.

b. A number of chats were recovered from the Device. For example:

- i. "Dannyw290" told Victim-1, "u can use the vibrator on ur clit u kno." Victim-1 replied, "yeh."
- ii. "Dannyw290" said, "Tell daddy where you want it." Victim-1 replied, "In me (mouth & pussy)." "Dannyw290" replied, "Mmmm yes pls."
- iii. "Dannyw290" said, "yeah. I'm just like terrified I'll show up n ur mom n a cop will be standing there waiting"

10. I am aware that Officer-1 conducted a search of public records and determined the name of a business ("Business") that is located at the Address. Officer-1 located a Facebook page for the Business and observed photographs of an individual on the Business's Facebook page that matched the photograph that "Dannyw290" transmitted to Victim-1. According to Officer-1, a witness reviewed the Instagram account for the Business and discovered a photograph of an individual that identified the individual as "Dave, the office manager." The photograph of "Dave" appeared to the witness to be of the same individual pictured in the photograph sent by "Dannyw290" to Victim-1. The witness reported to Officer-1 that the witness called the Business and asked for the full name of the office manager. The person who answered the phone identified the manager as "David Ohnmacht."

11. Based on my review of public records, I am aware that the Business appears to be a business that specializes in car alteration.

12. I have reviewed records from the New York State Sex Offender Registry Archive, criminal history records and other records available to law enforcement relating to DAVID OHNMACHT, the defendant. These records indicate that DAVID OHNMACHT, the defendant, who is now age 36, was convicted on August 19, 2003, in Westchester County Court of multiple sexual abuse and sexual assault charges including Sexual Abuse in the Third Degree, Possessing an Obscene Sexual Performance by a Child less than 16 years old, Rape in the First Degree, Use of a Child less than 17 years of age in a sexual performance, Possessing a Sexual Performance by a child less than 16 years of age, Sexual Abuse in the First Degree, Promoting a Sexual Performance by a child less than 17 years of age, and Sodomy, Intercourse, Forcible Compulsion. Based on these records, I am aware that OHNMACHT was sentenced to a term of imprisonment of 40 months to ten years. The records indicate that OHNMACHT served approximately nine years in prison and was released on or about November 1, 2011. OHNMACHT then began a five-year term of post-release supervision with New York State Parole that ended on or about November 1, 2016. Based on my review of these records, I understand that OHNMACHT's convictions involved four different


victims, who ranged in age from 13 to 15. As a result of his convictions, OHNMACHT was required to register with the New York State Sex Offender Registry. The records I reviewed include a photograph of DAVID OHNMACHT, the defendant. The individual in the photograph that "Dannyw290" sent to Victim-1 appears to be the same individual who appears in the photograph of DAVID OHNMACHT, the defendant.

13. I am aware that, because DAVID OHNMACHT, the defendant, is a registered sex offender, he is required to register his address, among other things, with the local police precinct in which he lives. Based on my review of records maintained at the Bedford Police Department, I am aware that DAVID OHNMACHT, the defendant, listed an address in Katonah, New York ("Address-2"). In addition, I am aware, based on my review of documents maintained by the Bedford Police Department relating to DAVID OHNMACHT, the defendant, that he provided the Bedford Police Department with a copy of a letter dated December 6, 2016 to him at Address-2 from the Supplemental Nutrition Assistance Program ("SNAP") indicating that SNAP would provide OHNMACHT, the defendant, with continued SNAP benefits.

14. I am aware that Instagram retains IP logs for users. I have reviewed records from Instagram that indicate that the account belonging to Instagram User "little.kitty.love" was opened on June 19, 2016 by a user who logged into Instagram from IP Address 246.145.130 ("IP-Address"). The user listed an email to associate with the account as "Danny.w2901@gmail.com." Records from Verizon reveal that, from on or about June 9, 2016

through on or about August 12, 2016, IP-Address was assigned to a subscriber at Address-2.

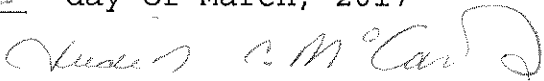
WHEREFORE, deponent prays that DAVID OHNMACHT, a/k/a "Dannyw290," a/k/a "little.kitty.love," the defendant, be arrested and imprisoned or bailed, as the case may be.



---

GEORGE GJELAJ  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
13 day of March, 2017



---

UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK