

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

2009 MAR 18 AM 11:45

UNITED STATES OF AMERICA

CASE NO. 2:09-cr-

15-FM-998 PC
U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS, FLORIDA

v.

ROBERT JOHN JOSEPHSON, JR.

18 USC § 2252(a)(4)(B)
18 USC § 2252(b)(2)
18 USC § 2252(a)(2)
18 USC § 2252(b)(1)

INDICTMENT

The Grand Jury charges:

COUNT ONE

From a date unknown but by at least March 6, 2008, through on or about June 19, 2008, in Lee County, Florida, in the Middle District of Florida, and elsewhere, the defendant,

ROBERT JOHN JOSEPHSON, JR.,

did knowingly possess one or more matter(s) which contain a visual depiction that had been transported in interstate and foreign commerce, and which had been produced using materials which had been transported, by any means including by computer, where the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct.

In violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

COUNT TWO

On or about March 6, 2008, in Lee County, in the Middle District of Florida, defendant,

ROBERT JOHN JOSEPHSON, JR.,

did knowingly receive a visual depiction that has been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct.

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

COUNT THREE

On or about May 4, 2008, in Lee County, in the Middle District of Florida, defendant,

ROBERT JOHN JOSEPHSON, JR.,

did knowingly receive a visual depiction that has been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer, the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct.

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

FORFEITURE

The allegations contained in Counts One through Three of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provision of Title 18, United States Code, Section 2253.

A. The defendant, Robert John Josephson, Jr., shall forfeit to the United States of America, any visual depiction described in section 2251, 2251A, or 2252 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which

contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and any property, real or personal, used or intended to be used to commit or to promote the commission of offense.

The assets to be forfeited specifically include, but are not limited to, the following:

1. Acer Notebook Computer, with serial number LXAG30J0226391B1E72500;
2. Emachines T-3958 CPU, with serial number XAW4B10000552;
3. 265 MB SANDISK compact Flash Card; and
4. Any cds containing images of minors engaging in sexually explicit conduct.

B. If any of the property described above, as a result of any act or omission of the defendant:

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided


without difficulty, the United States of America shall be entitled to forfeiture of substitute property under the provision of Title 18, United States Code, Section 2253(o).


A TRUE BILL,

3/18/09
Date


Foreperson

A. BRIAN ALBRITTON
United States Attorney

By: 
Yolande G. Viacava
Assistant United States Attorney
Trial Counsel

By: 
Douglas Molloy
Assistant United States Attorney
Chief, Fort Myers Division

UNITED STATES DISTRICT COURT
Middle District of Florida
Fort Myers Division

THE UNITED STATES OF AMERICA

vs.


ROBERT JOHN JOSEPHSON, JR.

INDICTMENT

Violations:

Title 18, United States Code, Sections 2252(a)(2), 2252(a)(4)(B), 2252(b)(1), and 2252(b)(2).

A true bill,


Foreperson

Filed in open court this 18th day
of March, A.D. 2009.

Clerk

Bail \$ _____