

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO: 08-174
v.	*	SECTION: "S"
AGEGNEHU TSEGA	*	VIOLATION: 18 U.S.C. § 2252(a)(4)(B)
	*	18 U.S.C. § 2253
	*	
	*	

F A C T U A L B A S I S

Should this matter proceed to trial, both the government and the defendant, **AGEGNEHU TSEGA**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the indictment, the defendant, **AGEGNEHU TSEGA**, was a resident of the Eastern District of Louisiana, living in Slidell, Louisiana.

The government would present evidence and testimony that in 2005 Immigration and Customs Enforcement (ICE) agents received information that **AGEGNEHU TSEGA** had purchased access to child pornography websites on three separate occasions. The government would introduce the defendant's Visa debit card records to establish that he made these illegal purchases. On March

25, 2008, ICE agents located **TSEGA** in Slidell, Louisiana at his Wellington Lane residence. **TSEGA** voluntarily provided ICE agents with written consent to search his residence and allowed agents to seize evidence from the Wellington address. Agents would testify that they recovered computers, DVDs, and CDs from the defendant's Slidell residence.

The government would establish through testimony and documentary evidence that **TSEGA** knowingly used his computer to search for, download, and save images of child pornography. Further, the evidence and testimony would establish that a computer forensic search of **TSEGA's** seized computers and related evidence revealed approximately 9,000 images and 50 videos depicting the sexual victimization of children. Computer forensic records revealed **TSEGA** used search terms such as "kinderkutje," "Hard Lolitas," "youngvideomodels," and "tinymodel."

Further, the government would introduce through ICE agents post-*Miranda* statements wherein **TSEGA** voluntarily admitted to federal agents that he knowingly downloaded images of child pornography to his computer. According to **TSEGA**, he used the file sharing peer-to-peer program eMule to download and save child pornography to his computer. **TSEGA** said he had been downloading child pornography via the Internet since 2003. **TSEGA** told ICE agents that he used his Visa debit card to make purchases to child pornography websites and that he would save child pornography to his desktop computer. According to **TSEGA**, he became sexually aroused by child pornography, was addicted to it, and would view sexually explicit images of children weekly.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by **TSEGA** were of real, identifiable victims, less than the age of eighteen (18) at the time the child pornography was created.

_____ Testimony would establish that some of the child victims depicted in the materials possessed by **TSEGA** were of prepubescent children less than 18 years of age; to wit: less than twelve (12) years old and that the images of the child victims were engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256. All of the images of child pornography possessed by the defendant, would be introduced through the testimony of ICE agents.

Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.

Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire the child pornography was transported in interstate or foreign commerce.

AGEGNEHU TSEGA
Defendant

DATE

SAMUEL J. SCILLITANI
Counsel for Defendant

DATE

BRIAN M. KLEBBA
Assistant United States Attorney

DATE