



Department of Justice

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CINCINNATI MAN SENTENCED TO 70 MONTHS IN PRISON FOR ORDERING CHILD PORNOGRAPHY THROUGH THE MAIL

Investigators found more child porn images on his computer

CINCINNATI – Damian Kirby, age 30, of Cincinnati was sentenced in United States District Court here to a total of 70 months imprisonment, followed by 20 years of supervised release, as punishment for ordering two sexually explicit videos of children between the ages of seven and 14, as well as having 54 photos on his computer and 4 videos of child pornography on a compact disc.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio, and Gerald A. O'Farrell, Assistant Inspector in Charge, U.S. Postal Inspection Service announced the sentence imposed yesterday by United States District Judge Michael Barrett.

In March, 2007 Kirby ordered two videos by mail and included a \$70 money order to pay for them. In ordering the videos, he acknowledged that he knew the videos were illegal. The videos contained sexually explicit acts involving children. After a few weeks passed and the videos had not arrived, Kirby mailed a letter to the company asking when the videos would arrive.

Postal Inspectors conducted a search warrant of Kirby's residence on March 14, 2007 and seized several computer media items. Forensic analysis of the computer media uncovered approximately 54 images of child pornography and four video clips of child pornography.

Kirby pleaded guilty on July 31, 2008 to one count of receipt of child pornography.

"After he serves his prison time, Kirby will be placed on supervised release for 20 years," Lockhart said. "Federal law will prohibit him from having access in any manner to any on-line computer service, from entering 'chat rooms', sending or receiving 'instant messages' or communicating online."

In addition, under the Sex Offender Registration and Notification Act, Kirby must register and keep his registration current wherever he lives, works or goes to school. If he moves or changes jobs, Kirby has three business days to register or he can be prosecuted under federal law with failure to register.

Lockhart commended the investigation by Postal Inspectors, as well as Assistant U.S. Attorney Christy Muncy, who prosecuted the case.

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