

SARASOTA COUNTY PROBABLE CAUSE AFFIDAVIT

Affix label here

AGENCY: ☐ SSO ☐ SPD ☐ FHP ☐ VPD ☒ NPPD ☐ LBPD ☐ OTHER

☒ Original
☐ Supplemental

SSO Case #:	SSO BK #:	OBTS #:	Arrest #:
Agency Case #: 21-012881	SAO #:	FDLE #:	UTC#:

ADULT ARREST: With Warrant

JUVENILE: N/A

DEFENDANT INFORMATION

Defendant: Shane Patrick Penczak				Alias:			
DOB: 12/22/1976	Age: 45	Sex: Male	Race: White	Hgt: 5'07"	Wgt: 135	Hair: Brown	Eyes: Brown
Street: 2380 Jasmine Way			City: North Port		State: Florida		Zip: 34287
Phone: (941) 587-1149		Scars/Tattoos: Unknown					
DL #: P522785704620		ST: Florida	SS#: [REDACTED]	Place of Birth: Michigan			
Occupation: None			Employer: None				
Employer Address: N/A						Phone: N/A	

Citizenship	Immigration Status	Residence Type	Residence Status	Under the Influence
US	<input checked="" type="checkbox"/> Permanent/Legal U.S.	<input checked="" type="checkbox"/> City	<input type="checkbox"/> N/A	Drugs:
	<input type="checkbox"/> Legal Visitor	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Full Year	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk
	<input type="checkbox"/> Undocumented Illegal	<input type="checkbox"/> Florida	<input type="checkbox"/> Part Year	Alcohol:
	<input type="checkbox"/> Unknown	<input type="checkbox"/> Out of State	<input type="checkbox"/> Non-Resident	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk

CRIME EVENT

Date: 05/01/2018	Time:	Loc. 1. Residence/Single	Zone:	Grid:
Crime Location: 2380 Jasmine Way, North Port, FL 34287				
F.S. / Ord #: 800.04(4)(a)(2)	Charge: Lewd and Lascivious Battery Victim Age 12 To 16	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #: 827.071(2)	Charge: Use Or Allow Child To Engage In Sex	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #: 827.071(3)	Charge: Direct Promote Sexual Performance By Child	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #: 827.071(5)	Charge: Poss Control View Depiction Child Sex Conduct	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #: 847.0135(3)	Charge: Misrep Age Use Computer Solicit Lure Seduce	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
Investigating Officer: Det. Lee Wallace			I.D. #: 163	
Drug Unit: 00. N/A	Drug Type: N. N/A	Drug Activity: N. N/A		
Weapon Type: 00. N/A	Weapon Finish: N/A	Caliber Type:	Weapon Seized: <input type="checkbox"/>	

ARREST EVENT

Date:	Time:	Arrest LEO / ID #:	Assist LEO / ID #:
Arrest Location:		Zone:	Grid:
Capias/Warrant #:		County/State of Warrant:	
Dated Booked:	Time Booked:	Returnable Date:	Booking Officer:
Released By:	Released To:	Date:	Time:

VICTIM INFORMATION

Victim Name: [REDACTED]			Home Phone: [REDACTED]		
Address: [REDACTED]			Work/Cell Phone:		
DOB: [REDACTED]	Age: [REDACTED]	Sex: [REDACTED]	Race: [REDACTED]	Notified of Release: <input type="checkbox"/> Yes <input type="checkbox"/> No	Time:

SARASOTA COUNTY PROBABLE CAUSE AFFIDAVIT

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AGENCY: ☐ SSO ☐ SPD ☐ FHP ☐ VPD ☒ NPPD ☐ LPPD ☐ OTHER

☒ Original
☐ Supplemental

SSO Case #:	SSO BK #:	OBTS #:	Arrest #:
Agency Case #: 21-012881	SAO #:	FDLE #:	UTC#:

ADULT ARREST: N/A

JUVENILE: N/A

DEFENDANT INFORMATION

Defendant: Shano Patrick Penczak				Alias:			
DOB: 12/22/1976	Age: 45	Sex: Male	Race: White	Hgt: 5'07"	Wgt: 135	Hair: Brown	Eyes: Brown
Street: 2380 Jasmine Way			City: North Port		State: Florida		Zip: 34287
Phone: (941) 587-1149		Scars/Tattoos: Unknown					
DL #: P522795764620		ST: Florida	SS#: [REDACTED]	Place of Birth: Michigan			
Occupation: None				Employer: None			
Employer Address: N/A						Phone: N/A	

Citizenship	Immigration Status	Residence Type	Residence Status	Under the Influence
US	<input checked="" type="checkbox"/> Permanent/Legal U.S.	<input type="checkbox"/> City	<input type="checkbox"/> N/A	Drugs:
	<input type="checkbox"/> Legal Visitor	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Full Year	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk
	<input type="checkbox"/> Undocumented Illegal	<input type="checkbox"/> Florida	<input type="checkbox"/> Part Year	Alcohol:
	<input type="checkbox"/> Unknown	<input type="checkbox"/> Out of State	<input type="checkbox"/> Non-Resident	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk

CRIME EVENT

Date: 06/01/2018	Time:	Loc. 1. Residence/Single	Zone:	Grid:
Crime Location: 2380 Jasmine Way, North Port, FL 34287				
F.S. / Ord #: 847.0138	Charge: Transmit Info Harmful To Minors	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #: 934.215	Charge: Use 2 Way Comm Device To Facil Felony	<input checked="" type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
F.S. / Ord #:	Charge:	<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Bond:	
Investigating Officer: Det. Lee Wallace			I.D. #: 163	
Drug Unit: 00. N/A	Drug Type: N. N/A	Drug Activity: N. N/A		
Weapon Type: 00. N/A	Weapon Finish: N/A	Caliber Type:	Weapon Seized: <input type="checkbox"/>	

ARREST EVENT

Date:	Time:	Arrest LEO / ID#:	Assist LEO / ID #:
Arrest Location:		Zone:	Grid:
Capias/Warrant #:	County/State of Warrant:		
Dated Booked:	Time Booked:	Returnable Date:	Booking Officer:
Released By:	Released To:	Date:	Time:

VICTIM INFORMATION

Victim Name: [REDACTED]				Home Phone: [REDACTED]	
Address: [REDACTED]				Work/Cell Phone: [REDACTED]	
DOB: [REDACTED]	Age: [REDACTED]	Sex: [REDACTED]	Race: [REDACTED]	Notified of Release: <input type="checkbox"/> Yes <input type="checkbox"/> No	Time:

Defendant: Shane Patrick Penczak**Case #:** 21-012881**CO-DEFENDANT****Co-Def Name:****Home Phone:****Address:****Work/Cell Phone:****DOB:****Age:****Sex:** N/A**Race:****CO-DEFENDANT****Co-Def Name:****Home Phone:****Address:****Work/Cell Phone:****DOB:****Age:****Sex:** N/A**Race:****TO BE COMPLETED BY L.E.O. FOR JUVENILE DEFENDANT****JUVENILE****PARENT / GUARDIAN****Name:****Home Phone:****Address:****Work/Cell Phone:****DOB:****Age:****Sex:** N/A**Race:****Relation:** N/A**PARENT / GUARDIAN****Name:****Home Phone:****Address:****Work/Cell Phone:****DOB:****Age:****Sex:** N/A**Race:****Relation:** N/A**Act was admitted:** N/A**Juvenile was:** N/A**Parents were:** N/A**Prior Arrest:** N/A**Processed:** N/A**By:****ID:****Dept:****Juvenile Authority Contacted:****Name of Person Contacted:****Released to:** N/A**Date Released:****Time Released:****Released to:****Home Phone:****Work/Cell Phone:****Address:****City:****State:****Zip:****NOTICE TO PARENT OR CUSTODIAN**

THIS JUVENILE DEFENDANT IS BEING RELEASED TO YOUR CUSTODY PENDING THE DISPOSITION OF THIS CASE. IF THIS JUVENILE DEFENDANT'S ADDRESS CHANGES YOU WILL NEED TO NOTIFY THE DEPARTMENT OF JUVENILE JUSTICE. YOU WILL BE NOTIFIED OF A DATE AND TIME FOR THIS JUVENILE DEFENDANT TO APPEAR BEFORE THE COURT TO ANSWER TO THE ALLEGED OFFENSE (S).

JUVENILE SIGNATURE**PARENT / CUSTODIAN SIGNATURE**

**VICTIM RIGHTS
PUBLIC RECORDS EXEMPTION REQUEST
PURSUANT TO F.S. 119.071(2)(j)(1) / ART I, §16(b)**

Defendant: Shane Patrick Penczak

Case #: 21-012881

Victim: [REDACTED]

☐ OFFENSE/INCIDENT REPORT ☒ PCA ☐ JCC ☐ NTA/UTC

AGENCY: ☐ SSO ☐ SPD ☐ FHP ☐ VPD ☒ NPPD ☐ LBPD ☐ OTHER

THE VICTIM QUALIFIES UNDER (check all that apply):

- ☒ CRIME VICTIM, Art I, §16(b) (Marsy's Law) ☐ AGGRAVATED CHILD ABUSE, F.S. 827.03
☐ SEXUAL BATTERY, F.S. 794.011 ☐ AGGRAVATED BATTERY, F.S. 784.045
☐ HARASSMENT, F.S. 784.048(2) ☐ AGGRAVATED STALKING, F.S. 784.048(3),(4),(5)
☐ DOMESTIC VIOLENCE, F.S. 741.28

Victim ☐ DID ☒ DID NOT receive a copy of the Marsy's Law Rights.

Victim ☒ DOES ☐ DOES NOT wish to opt in to Marsy's Law notifications.

Victim ☒ DOES ☐ DOES NOT request that any document which reveals victim identity, home or employment telephone number, home or employment address, or personal assets be withheld from public view pursuant to F.S. 119.071(2)(j)(1) / Art I, §16(b) (Marsy's Law).

Victim ☐ DOES ☐ DOES NOT ☒ NOT APPLICABLE consent to having information released to SPARCC (Safe Place and Rape Crisis Center) which provides free and confidential services to victims of sexual violence and/or intimate partner domestic violence.

Victim ☒ DOES ☐ DOES NOT request notification of the defendant's release:

Please Notify: [REDACTED]

☐ Victim ☐ Next of Kin ☒ Designated Contact

Address: [REDACTED]

Home Phone: [REDACTED]

Work Phone: ()

L.E.O. Affiant: Detective Lee Wallace

ID#: 163

Date: 01/20/2022

Notes:

Defendant: Shane Patrick Penczak

Case #: 21-012881

NARRATIVE

On and between June 1, 2018 and February 28, 2021, in the City of North Port, Sarasota County and by use of the Internet, one SHANE PENCZAK did encourage, force, or entice, a person less than 16 years of age to engage in sadomasochistic abuse, sexual bestiality or any other act involving sexual activity contrary to Chapter 800.04(4)(a)(2), Florida Statutes; did knowing the character and content thereof, did employ and induce a child less than 18 years of age to engage in a sexual performance contrary to Chapter 827.071(2), Florida Statutes; did knowingly promote a sexual performance by a child when he knew the character and content thereof he produced, directed or promoted any performance which included sexual conduct by a child less than 18 years of age contrary to Chapter 827.071(3), Florida Statutes; did knowingly possess a photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part he knew to include any sexual conduct by a child contrary to Chapter 827.071(5), Florida Statutes; did knowingly use a computer online service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission and did and/or attempt to seduce, solicit, lure, or entice a child to engage in unlawful sexual conduct contrary to Chapter 847.0135(3), Florida Statutes; did knowingly transmit an image, information, or data that is harmful to minors contrary to Chapter 847.0138, Florida Statutes; and did use a two-way communications device, including, but not limited to, a portable two-way wireless communications device, to facilitate or further the commission of any felony offense contrary to Chapter 934.215, Florida Statute and in such case made and provided, against the peace and dignity of the State of Florida.

The following facts support your Affiant's probable cause: On March 5, 2021, the North Port Police Department (NPPD) received information regarding the exploitation of the child, [REDACTED] who resides in New Jersey from Homeland Security Investigations (HSI). The incident was first reported to the Winslow Police Department, Camden County, New Jersey on February 21, 2021. The case was then adopted by the Camden County Prosecutor's Office. Detectives with NPPD learned that on February 28, 2021, the Winslow Police Department was advised that then thirteen (13) year old [REDACTED] had been blackmailed into sending naked videos of himself in the shower and sending other videos including sexual acts with dog, urination, and human feces to an individual he met online.

Your Affiant learned that [REDACTED] stated in a forensic interview [REDACTED]

SIGNATURE OF L.E.O. AFFIANT: 

ID#: 163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022

BY: Det Lee Wallace

(NAME OF AFFIANT)

☒ WHO IS PERSONALLY KNOWN OR☐ WHO HAS PRODUCED IDENTIFICATION:WITNESS SIGNATURE: 

PRINTED: B. McHALE 262

SUPERVISOR SIGNATURE:

NARRATIVE CONTINUED

Discord is a free instant messaging and digital distribution platform where users commonly communicate with voice calls, video calls, text messaging, media, and files in private chat. Discord can be accessed via web browser, at discord.gg, or by installing an application for a Windows, iOS, or Android device. New users register for the service with an email address, username, and password.

Your Affiant is aware that despite having the capability to indefinitely store message history, Discord allows users the ability to delete Discord Direct Messaging (DM) history or otherwise referred to as "chat" history with keyboard commands or by automating the process with an auto hotkey script. A Windows user can download this application for free. Discord users can also delete Discord Direct Messages with bots. A bot is an artificial intelligence tool that can perform several useful tasks automatically on a server. Discord allows the capability of a user to add a bot with the application. [REDACTED] advised that he communicated with xboxdiamondgirl using Discord Direct Messaging for approximately one year and that he believed this user to be a female around his age who lived in California.

[REDACTED] stated that xboxdiamondgirl sent him electronic gift cards in exchange for nude photos of himself. [REDACTED] redeemed and used the gift cards on Roblox, an online gaming platform that allows users to share experiences and utilizes a chat filtration system. During their communication on Discord xboxdiamondgirl directed [REDACTED] to transmit a nude photo to xboxdiamondgirl. [REDACTED] stated that after he transmitted the nude photo of himself, xboxdiamondgirl threatened to post his nude photo online if he did not do what "she" wanted.


[REDACTED] explained that xboxdiamondgirl would share "her" screen with him so that he could see that his videos were ready to post if he refused to do what "she" directed him to do. From that point forward, xboxdiamondgirl did induce direct and promote the sexual performance of [REDACTED] and did seduce, solicit, lure, or entice [REDACTED] who he believed to be a child, to engage in unlawful sexual conduct. [REDACTED] stated that every day since then, he felt forced to log onto the Discord application and live stream his showers. [REDACTED] stated that while livestreaming on Discord, xboxdiamondgirl would direct him to masturbate, put the semen on his body, scoop the semen up with his finger and eat it. [REDACTED] stated that xboxdiamondgirl directed him to urinate into a cup and drink it. [REDACTED] stated that xboxdiamondgirl would direct him to defecate and lick his own feces while livestreaming on the application. [REDACTED] stated that xboxdiamondgirl would direct him to engage in sexual acts with his dog. [REDACTED] stated that xboxdiamondgirl instructed him to insert toothbrushes, lollipops, and pens in his butt while live streaming on Discord video chat. [REDACTED] feared that xboxdiamondgirl would expose his nude picture online if he refused to comply.

SIGNATURE OF L.E.O. AFFIANT: 

ID#: 1163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022

BY: Det. Lee Wallace

(NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR☐ WHO HAS PRODUCED IDENTIFICATION:WITNESS SIGNATURE: 

PRINTED: B. McHALE 262

SUPERVISOR SIGNATURE:

NARRATIVE

If [REDACTED] did not log on, then xboxdiamondgirl would repeatedly text him via Discord. [REDACTED] always communicated with xboxdiamondgirl via DISCORD on his phone. The user xboxdiamondgirl never showed his face to [REDACTED] or appeared online as he portrayed himself to be a young female approximately fourteen (14) to fifteen (15) years of age.

Your Affiant learned through the course of this investigation that [REDACTED] username on Discord was [REDACTED]. The person he was communicating with was known by the usernames: xboxdiamondgirl#2683 on Discord, xboxdiamondgirl on Twitch and xboxdiamondgirl on Roblox.

Your Affiant was made aware that Detective Cody Skinner, Special State Investigator/Acting County Detective of the Special Victims Unit, Office of the County Prosecutor's Office, County of Camden led the investigation in New Jersey. Your affiant learned that preservation letters were sent to Discord and Twitch for the accounts [REDACTED] and xboxdiamondgirl. On February 28, 2021, the Office of the Camden County Prosecutor issued a subpoena to Discord Inc for Internet Protocol (IP) addresses and subscriber information for xboxdiamondgirl#2683 and [REDACTED].

Your Affiant is aware from his training and experience in computer related investigations that an IP address is an identifier for a computer or device on a TCP/IP (Transmission Control Protocol/Internet Protocol) network. Your Affiant knows networked computers identify each other by the IP address. I.P. addresses can assist Law Enforcement in finding a particular computer on the Internet and/or a particular location from which an Internet connection was made. Your Affiant knows that that an IP address can typically lead Law Enforcement to a particular service provider (ISP), and that ISP can typically identify the account that used the IP address to access the Internet at a specific date and time, or during a specific block of time. IP addresses belong to an assigned user much the same as phone numbers. ISP's purchase blocks of IP addresses and then supply them to customers as they connect to the Internet. A customer cannot get access to the Internet without a uniquely assigned IP address. No two computers on the Internet can have the same external IP address on the Internet at the same time. Your Affiant knows from training and experience that these applications, including Discord, can capture the IP addresses of the users involved and that have accessed the application.

Your affiant learned that the Office of the Camden County Prosecutor received a response back from Discord Inc that same day providing an I.P address of 47.201.21.79 and an email address of mvppwi@yahoo.com that was associated with the Discord xboxdiamondgirl#2683 account. The Discord results documented that the first session date was September 1, 2020, and the last session date was February 27, 2021.

SIGNATURE OF L.E.O. AFFIANT: _____

ID#: 163

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BY: Det. Lee Wallace

(NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR☐ WHO HAS PRODUCED IDENTIFICATION: _____

WITNESS SIGNATURE: _____

PRINTED: B. McHale 262

SUPERVISOR SIGNATURE: _____

NARRATIVE CONTINUED

Your affiant was advised that Detective Skinner conducted an I.P. address look up and discovered that the IP address was assigned to Frontier Communications of America. Detective Skinner prepared a subpoena for the subscriber information for the I.P. address 47.201.21.79 and one for Oath Holdings for the yahoo email address used to register the user xboxdiamondgirl with Discord.

Your Affiant learned that Frontier Communications provided the subscriber information for IP address 47.201.21.79 as associated to a Jeff Goodyear contact number 941-587-1584 and 941-587-0831 at 2380 Jasmine Way, North Port, Florida. Research was conducted on the address through the Driver and Motor Vehicle Information Database (DAVID). The occupants at this address were identified as Jeffrey Goodyear (W/M, 07/19/1952), Cheryl Penczak (W/F, 04/22/1950), and SHANE PENCZAK (W/M, 12/22/1976).

Your Affiant learned that Oath Holdings (Yahoo) responded to the subpoena and provided the yahoo account for the email address mvppwi@yahoo.com had been terminated on March 5, 2021, by the user.

Your Affiant learned that Detective Skinner prepared a Communications Data Warrant (CDW) for the Discord usernames xboxdiamondgirl#2683 and [REDACTED] that was executed on Discord Inc. Discord provided search warrant returns from both [REDACTED] and user account for

xboxdiamondgirl. Upon review and analysis of the return from Discord Inc, a single direct message chat (600087378186600479.csv) that ran from July 14, 2019, to February 27, 2021, was located between the victim [REDACTED] and SHANE PENCZAK (xboxdiamondgirl#2683). [REDACTED] statements provided to law enforcement during his forensic interview are consistent with what was observed in the chats recovered in the Discord return. Your Affiant was able to observe that the returns from the search warrant executed on Discord did not show the side of the conversation attributed to the user xboxdiamondgirl. Based upon your affiant's training and experience in digital forensic analysis and your affiant's knowledge that a user could delete Discord Direct Messaging, it is reasonable to believe that SHANE PENCZAK routinely deleted, or used code to auto delete, his messages leaving just the other party's messages behind and available as stored history in the direct message conversation.

Your Affiant learned that on March 2, 2021, Detective Skinner subpoenaed the IP addresses and subscriber information for the usernames xboxdiamondgirl and [REDACTED] from the livestreaming application "Twitch" The return from Twitch for xboxdiamondgirl documented that the user registered with the email account mvppwi@yahoo.com at IP address 47.201.21.79 located in North Port, Florida.

SIGNATURE OF L.E.O. AFFIANT: _____

ID#: 163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022BY: Ret Lee Wallace (NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR☐ WHO HAS PRODUCED IDENTIFICATION: _____

WITNESS SIGNATURE: _____

PRINTED: B. McHALE 262

SUPERVISOR SIGNATURE: _____

Defendant: Shane Patrick Penczak

Case #: 21-012881

NARRATIVE

The return documented that the Twitch account was created on January 16, 2019, with a last log in date of March 1, 2021. The IP address 47.201.21.79 and the email account mvppwi@yahoo.com was noted to be the same IP address and yahoo account that was associated with the xboxdiamondgirl#2683 account.

Your Affiant learned that on March 3, 2021, Detective Skinner subpoenaed the user information xboxdiamondgirl from online gaming platform Roblox Inc. Roblox Inc. provided account information for the user xboxdiamondgirl in that the account was created on January 30, 2018 registered with the email account mvppwi@yahoo.com and pttpens@usa.com at IP address 47.201.21.79 North Port, Florida, and was active through March 3, 2021. The IP address 47.201.21.79 and the email account mvppwi@yahoo.com was noted to be the same IP address and yahoo account that was associated with the Discord xboxdiamondgirl#2683 account and the Twitch xboxdiamondgirl account.

Your Affidavit received and reviewed additional results from the search warrant executed on Discord for the account xboxdiamondgirl#2683. Six different images of Child Sexual Abuse Material (CSAM) were located in the account xboxdiamondgirl#2683 in addition to chats that corresponded with each picture. The images from the chats are described below:

Date/Time: 2019-09-07 16:25

File name: 600141168545759242/619931200559120394/002_441.jpg

Chat Users: xboxdiamondgirl#2683 and Deleted User 84850575#9573

Description: Self-produced photo of a white female juvenile on her knees, arching her back, in front of a toilet. She is unclothed, exposing her breasts, which are the main focal point of the image. Your Affiant estimated the minor in this image to be between the ages of 10 and 12.

SIGNATURE OF L.E.O. AFFIANT: _____

ID#: 163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 22TH DAY OF January, 2022

BY: Det Lee Wallace (NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR

☐ WHO HAS PRODUCED IDENTIFICATION: _____

WITNESS SIGNATURE: B. McHale 262

PRINTED: B. McHale 262

SUPERVISOR SIGNATURE: _____

Defendant: Shane Patrick Penczek

Case #: 21-012881

NARRATIVE CONTINUED

Date/Time: 2019-08-06 04:54

File name: 600141168545759242/608161068489113621/002_272.jpg

Chat Users: xboxdiamondgirl#2683 and Deleted User 84850575#9573

Description: Self-produced photo of a white female juvenile standing in front of a mirror. She is unclothed, exposing one of her breasts which are the main focal point of the image. Your Affiant estimated the minor in this image to be between the ages of 10 and 12.

Date/Time: 2019-07-24 22:22

File name: 600141168545759242/603713595548631051/002_441.jpg

Chat Users: xboxdiamondgirl#2683 and Deleted User 84850575#9573

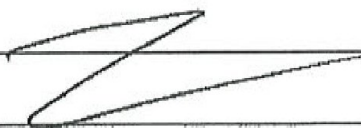
Description: Self-produced photo of a white female juvenile on her knees, arching her back, in front of a toilet. She is unclothed, exposing her breasts, which are the main focal point of the image. Your Affiant estimated the minor in this image to be between the ages of 10 and 12.

Date/Time: 2019-07-24 21:01

File name: 600141168545759242/603693147565850637/001_13.mp4

Chat Users: xboxdiamondgirl#2683 and Deleted User 84850575#9573

Description: Self-produced video of a white female juvenile (same female from pictures listed above) leaning towards the camera. She is unclothed from the waist up, exposing her breasts before zooming in for a close up of her face. Your Affiant estimated her to be between the ages of 10 and 12. Your Affiant noted that during the zooming in process the viewer acquires a quality view of her front teeth. Her upper and lower teeth are mamelon teeth. These are teeth with rounded bumps of enamel on the edge. These are typical of newly erupted teeth and are most noticeable between the ages of 10 and 12.

SIGNATURE OF L.E.O. AFFIANT: 

ID#:

163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022

BY:

Det Lee Wallace

(NAME OF AFFIANT)



WHO IS PERSONALLY KNOWN OR

☐ WHO HAS PRODUCED IDENTIFICATION:

WITNESS SIGNATURE:



PRINTED:

B. MCHALE 262

SUPERVISOR SIGNATURE:

Defendant: Shane Patrick Penczak

Case #: 21-012881

NARRATIVE

Date/Time: 2019-07-24 18:00

File name: 600141168545759242/603647678013767691/00117.jpg

Chat Users: xboxdiamondgirl#2683 and Deleted User 84850575#9573

Description: Self-produced photo of a white female juvenile on her knees, arching her back, in front of a toilet. She is unclothed, exposing her breasts, which are the main focal point of the image. Your Affiant estimated the minor in this image to be between the ages of 10 and 12

Date/Time: 2020-05-22 02:29

File name: 709916197797494888/713216829849337916/c1_-.jpg

Chat Users: xboxdiamondgirl#2683 and [REDACTED]

Description: Photo of unclothed white male juvenile on his back, facing the camera, with his legs in the air. He has his right index finger inserted into his anus. His genitals are exposed. Your Affiant estimated the minor to be between the ages of 8 and 10.

Based on your Affiant's training and experience, the children shown in these images appears to depict real children.

Based upon the results from the Discord search warrant, subpoena results, the victim's statements, and the IP address results, a residential search warrant was obtained for 2380 Jasmine Way, North Port, Florida. The search warrant was executed on March 24, 2021. SHANE PENCZAK, Cherly Penczak (defendant's mother), and Jeffery Goodyear (mother's boyfriend) were all located inside.

Post Miranda, the Defendant SHANE PENCZAK [REDACTED]

SHANE PENCZAK did [REDACTED]

[REDACTED] Your Affiant can confirm that this time frame was after [REDACTED] had been interviewed by law enforcement.

SIGNATURE OF L.E.O. AFFIANT: _____

ID#: 163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022

BY: Det. Lee Wallace (NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR

☐ WHO HAS PRODUCED IDENTIFICATION: _____

WITNESS SIGNATURE: [Signature] 2022

PRINTED: B. MCHALE 2022

SUPERVISOR SIGNATURE: _____

NARRATIVE CONTINUED

Detective Keller, NPPD, conducted interviews of Jeffrey Goodyear and Cheryl Penczak, the two other occupants in the home. Both advised that they are computer illiterate and do not use their computer often. They advised that approximately three weeks ago, confirmed as March 5, 2021, they bought the defendant a new computer that was now in his bedroom. They advised that he plays video games and never leaves the house. They further stated that he stays up at all hours of the night to play his games and to be on the internet. They use him for all their technical/computer support.

During the execution of the search warrant at 2380 Jasmine Way, North Port, Florida, the following devices were located within the residence. A newer HP All-in-one computer and Xbox 360 were found in the suspect's bedroom. An HP laptop was found in the den. There were two Samsung Note 10+ cell phones found in the master bedroom.

Your Affiant reviewed a computer forensic analysis from a computer seized and searched pursuant to the North Port Police Department investigation. During your affiant's review of the forensic analysis, your affiant was able to locate artifacts on the HP all-in-one computer related to Roblox and a VPN (virtual private network). Based on training and experience, your Affiant can state that digital artifacts found in a computer forensic analysis are the fragments left behind and are similar to DNA, fingerprints or hair fibers left at a crime scene.

During the defendant's post Miranda interview, [REDACTED]

[REDACTED] Based on observing the artifacts for Roblox on the forensic report for the HP all-in-one computer seized during the execution of the search warrant, your Affiant contacted law enforcement customer support for Roblox. Your affiant learned that Roblox does not come preinstalled on any computer and that a user must actively download it onto their device to utilize the online gaming platform.

[REDACTED]

[REDACTED]


[REDACTED] L.E.O. AFFIANT: 

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BY: Det. Lee Wallace (NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR

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WITNESS SIGNATURE: 

PRINTED: B. MICHALE 202

SUPERVISOR SIGNATURE: _____

Defendant: Shane Patrick Penczak

Case #: 21-012881

NARRATIVE

[REDACTED]

[REDACTED]

[REDACTED]

Your Affiant learned that after the execution of the search warrant, Detectives with the Camden County Prosecutor's office conducted a follow up interview on March 24, 2021 with [REDACTED]. [REDACTED] did confirm that xboxdiamondgirl had participated on Roblox with him on his [REDACTED] profile, which he later sold to a friend. [REDACTED] advised that he believed xboxdiamondgirl did have the password to this profile. [REDACTED] then started a new profile, [REDACTED] that he had not shared with xboxdiamondgirl. Your affiant did not find artifacts on SHANE PENCZAK's computer for this profile, but did locate artifacts related to three of [REDACTED] friends [REDACTED] that are associated to this profile.

During this interview with [REDACTED] Detective Kimberly Abreu of the Camden County Prosecutor's Office, did show the photos recovered from the forensic analysis of SHANE PENCZAK's computer. [REDACTED] did confirm that xboxdiamondgirl had sent him three photos that "she" claimed were her. [REDACTED] did recognize one of the recovered photos as one sent to him by xboxdiamondgirl. [REDACTED] described all the photos transmitted to him by xboxdiamondgirl as nude girls that he could see their nude bodies down to their legs.

SIGNATURE OF L.E.O. AFFIANT: _____

ID#: 163

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BY: Det Lee Wallace (NAME OF AFFIANT) ☐ WHO IS PERSONALLY KNOWN OR

☐ WHO HAS PRODUCED IDENTIFICATION: _____

WITNESS SIGNATURE: _____

PRINTED: B. McHALE 202

SUPERVISOR SIGNATURE: _____

NARRATIVE CONTINUED


After a thorough review of all of the facts and evidence provided to your Affiant by the investigators with the Office of the Camden County Prosecutor, Camden NJ, your Affiant's investigation, including execution of the search warrant, interviews of the witnesses and a review of the forensic analysis, including a review of all chats and images associated with the Discord account for xboxdiamondgirl chats and the child forensic interview conducted by the Office of the Camden County Prosecutor's office, your affiant has determined that probable cause does exist on the following ground: by use of the Internet, one SHANE PENCZAK did encourage, force, or entice, [REDACTED] a person less than 16 years of age to engage in sadomasochistic abuse, sexual bestiality or any other act involving sexual activity contrary to Chapter 800.04(4)(a)(2), Florida Statutes; did knowing the character and content thereof, did employ and induce a child less than 18 years of age to engage in a sexual performance contrary to Chapter 827.071(2), Florida Statutes; did knowingly promote a sexual performance by a child when he knew the character and content thereof he produced, directed or promoted any performance which included sexual conduct by a child less than 18 years of age contrary to Chapter 827.071(3), Florida Statutes; did knowingly possess a photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part he knew to include any sexual conduct by a child contrary to Chapter 827.071(5), Florida Statutes; did knowingly use a computer online service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission and did and/or attempt to seduce, solicit, lure, or entice a child to engage in unlawful sexual conduct contrary to Chapter 847.0135(3), Florida Statutes; did knowingly transmit an image, information, or data that is harmful to minors contrary to Chapter 847.0138, Florida Statutes; and did use a two-way communications device, including, but not limited to, a portable two-way wireless communications device, to facilitate or further the commission of any felony offense contrary to Chapter 934.215, Florida Statute and in such case made and provided, occurring within the City of North Port, Sarasota County and against the peace and dignity of the State of Florida.

SIGNATURE OF L.E.O. AFFIANT: 

ID#: 163

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME ☐ IN PERSON OR ☐ ONLINE THIS 20th DAY OF January, 2022

BY: Det. Lee Wallace

(NAME OF AFFIANT) ☒ WHO IS PERSONALLY KNOWN OR☐ WHO HAS PRODUCED IDENTIFICATION:WITNESS SIGNATURE: 

PRINTED: B. McHale

SUPERVISOR SIGNATURE: