

NOV 20 2015

UNITED STATES DISTRICT COURT

CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

for the
District of Minnesota

UNITED STATES OF AMERICA

v.

Case No. 15-mj-925 JSM

ANTON MARTYNEKO

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. In Dakota County, in the State and District of Minnesota, Defendant


- (1) between 2011 and September 2015, knowingly produced child pornography; (2) between 2011 and September 2015, knowingly received child pornography; (3) on April 19, 2015, knowingly advertised child pornography; and (4) on October 2, 2015, knowingly possessed child pornography.

in violation of Title 18, United States Code, Section(s) 2251(a), 2252(a)(2), 2251(d)(1)(A), and 2252(a)(4)(B)..

I further state that I am a(n) Task Force Officer and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: Yes No

 #2712

Complainant's signature

Dale Hanson, Task Force Officer

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/20/15

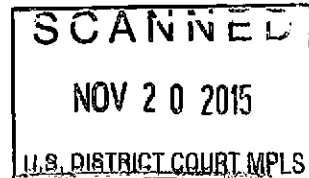
City and State: Minneapolis, MN



Judge's Signature

Janie S. Mayeron, U.S. Magistrate Judge

Printed Name and Title



15MJ-925 JSM

STATE OF MINNESOTA

ss. AFFIDAVIT OF DALE S. HANSON

COUNTY OF HENNEPIN

INTRODUCTION AND AGENT BACKGROUND

1. I am a Task Force Officer (“TFO”) with the Federal Bureau of Investigation (“FBI”) and have been employed as a licensed police officer with the Minneapolis Police Department for 18 years. I am currently assigned to a white collar crime squad with the Minneapolis, Minnesota, Division of the FBI and work on the Child Exploitation Task Force. I am also assigned to the Minneapolis Police Crime Lab Unit as a computer forensic examiner/investigator. I have received extensive training in the investigation of the exploitation of children over the internet. I have also received training in the forensic analysis of computers and cellular phones. This training has been provided by organizations such as Fox Valley Community College, The Internet Crimes against Children (“ICAC”) Task Force, Guidance Software, The National White Collar Crime Center, Accessdata, and the High Technology Crime Investigators Association. I have also conducted over 900 child pornography related peer-to-peer investigations since 2006. I am also an instructor in peer-to-peer investigations and have testified as an expert witness in these types of cases. I have conducted hundreds of computer and cellular phone examinations since 2004. As a task force officer, I am authorized to investigate

violations of United States laws and to execute warrants issued under the authority of the United States.

PURPOSE OF AFFIDAVIT

2. This Affidavit is submitted in support of a Complaint establishing probable cause to believe that ANTON MARTYNENKO committed the following federal violations:

- a. Production of Child Pornography, in violation of Title 18, United States Code, Sections 2251(a);
- b. Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252(b);
- c. Advertising Child Pornography, in violation of Title 18, United States Code, Section 2251(d)(1); and
- d. Possession of Child Pornography, in violation of Title 18, United States Code Section 2252(a)(4)(B).

The facts set forth in this Affidavit are based on my review of reports, my personal investigation, and discussions I have had with other law enforcement personnel.

The facts set forth herein contain information sufficient to support probable cause.

This Affidavit is not intended to convey all of the facts learned during this investigation.

BACKGROUND OF INVESTIGATION

5. I have been investigating the on-line child exploitation activities of MARTYNENKO since mid-summer 2015.¹ By that time, a number of male victims had come forward to various law enforcement authorities to report the following: (1) they had been contacted via social media by a person purporting to be a female; (2) the female had convinced them to send naked pictures of themselves; (3) the female threatened to distribute the naked photographs previously provided unless the victim sent more pictures; and (4) in some instances, the female distributed the pictures to others at the victim's school. The victims came from different high schools and geographic locations. The majority of victims were under the age of 18 when they sent the naked photographs.

6. Based on the investigation to date, I believe that MARTYNENKO poses as a female and uses various alias profiles with "decoy photographs" to contact minor high school males via various social media sites, including Facebook

¹ Other agencies were investigating the illegal activities described herein, beginning at least as early as 2012. Law enforcement began to put the pieces together during the summer of 2015.

(“FB”) Twitter, and Instagram. Using those alias profiles, MARTYNENKO solicits naked pictures or videos of the minor high school males. Many of the minor males reported that they were asked to send photographs of themselves with erect penises or videos of themselves masturbating. In many instances, after MARTYNENKO received the naked pictures, he thereafter distributed those naked pictures through various social media sites.

7. On October 2, 2015, federal law enforcement authorities, with the assistance of local law enforcement authorities, executed a federal search warrant at MARTYNENKO’s residence on Penkwe Way in Eagan. MARTYNENKO lives at the residence by himself. Hidden above the ceiling tiles in a living area, law enforcement authorities located a number of electronic items, including several flash drives, a tablet, and a power cord. Also found above the ceiling tiles was a shoebox containing a collection of “commercial pornography” involving young men. The pornography included magazines and videos. Behind the washer and dryer in the laundry room, law enforcement found a damaged laptop computer. The computer had fresh water on it, and I believe that MARTYNENKO tried to destroy the computer when he realized that law enforcement was at his home to execute a search

warrant. The power cord found hidden above the ceiling tiles was for the wet computer hidden behind the washer/dryer.

8. Law enforcement has conducted a partial forensic review of the electronic items seized from MARTYNENKO's residence. The forensic review is on-going. Nonetheless, law enforcement found thousands of images of naked teenagers and young men on the electronic items seized.² Many of the images were sorted by folders with the male's first and last name, age, and hometown.³ Some of the folders also included the name of the high school the male attended, as well as photograph(s) from the male's social media pages. A number of the folders included the names of victims who had previously come forward to make reports to law enforcement.⁴ Based on the naming conventions of the file folders, there appear to be more than 300 victims. Law enforcement is in the process of contacting the victims. On one of the hidden flash drives, law enforcement found a cache of

² A movie video found on one of the flash drives shows MARTYNENKO recording males changing/naked in a locker room. It is clear from the movie video that MARTYNENKO is operating the recording device, as his head is visible in some of the camera angles.

³Law enforcement has identified victims in Minnesota, Wisconsin, and Illinois.

⁴To date, I have interviewed three of those victims, and they confirmed that the pictures recovered at MARTYNENKO'S residence were pictures they had sent to the "woman" who had contacted them via social media.

dozens of photographs of the female “decoy” used for the various alias profiles. The photographs were in files labeled “Marianna Marie” and “Marie new.”

Victim #1

9. Victim #1 was born in April 1997. He is 18 years of age and a freshman in college. He was one of the original victims to come forward to law enforcement authorities. Naked images of Victim #1 were found on a flash drive found hidden above some ceiling tiles in a living area in MARTYNENKO’S residence on October 2, 2015. Specifically, the naked images were found in a folder labeled with Victim #1’s first and last name, the number 17, and the name of his high school. There are approximately six nude photographs of Victim #1. In one photograph Victim #1 is touching his erect penis, pointing it in the air. In five of the photographs Victim #1 has an erection.

10. I met with Victim #1 on October 15, 2015. He reported that in 2012 or 2013, when he was in high school, a person with the female profile “Marie Anna” contacted him through Twitter messaging. “Marie Anna” represented to Victim #1 that she had recently moved to Lakeville, Minnesota, from Illinois and that she was looking to meet new people. She flattered Victim #1, messaging him that he was handsome. As they engaged in messaging each other, “Marie Anna” quickly

suggested that they exchange nude photographs.

11. According to Victim #1, "Marie Anna" sent him some pictures of a naked female, which she claimed were of herself. In return, via Twitter, Victim #1 sent "her" naked pictures of himself. Victim #1 identified some pictures found at MARTYNENKO's residence as the pictures he sent to "Marie Anna."

12. According to Victim #1, "Marie Anna" quickly demanded more pictures. She also indicated that she wanted to get together with Victim #1, but when he pressed her for details, she put him off. Victim #1 became suspicious and stopped responding to "Marie Anna's" messages. Victim #1 stated that "Marie Anna" then threatened to distribute his nude photographs.

13. Victim #1 told me that when he was a senior in high school, in the winter of 2014/ 2015, he learned from his friends that they had received some of the naked pictures he had sent to "Marie Anna." The photographs were distributed via Twitter. Victim #1 reported that when his picture was posted on Twitter, his name was "tweeted" and the naked photograph was also tagged with his name. Victim #1 told me that he had reported the activity to Twitter. Victim #1 stated that the posting would stop for a little while and then start up again under a different Twitter profile.

14. In April 2015, law enforcement operated an undercover FB account with a fake profile user. The fake profile was for a 24 year old female who graduated from the same high school as Victim #1. On April 19, 2015, the FB profile user “Marie Anna” messaged the undercover FB account. The message read as follows:

Heyyyy I have nudes of minor boy a name, minor boy b name, Victim #2 (see below), Victim #1, minor boy c name, minor boy d name, and other guys too! Wanna see?! [winking emoticon]

The profile photo for the FB profile user was of the same female “decoy” used in the various social media profiles used to solicit naked photographs of the minor victim males in this case. As mentioned, a cache of these photographs was found on a flash drive hidden above the ceiling tiles in a living area during the execution of the search warrant at MARTYNENKO’s residence.

Victim #2

15. Victim #2 was born in September 1996. He is 19 years of age and a freshman in college. He was one of the original victims to come forward to law enforcement authorities. Naked images of Victim #2 were found on a flash drive hidden above a ceiling tile in a living area at MARTYNENKO’s residence on October 2, 2015. Specifically, the images were found in a folder labeled with Victim #2’s first name and last name, the number 16, and the name of his high school. There

are more than three dozen photographs of Victim #2 in the folder. In more than twenty of the photographs Victim #2 is naked with an erect penis. Also found in the folder were four video recordings showing Victim #2 masturbating.

16. I met with Victim #2 on October 15, 2015. He reported that in 2011 or 2012, when he was approximately 15 or 16 years of age, he was contacted via FB by a woman, "Courtney Jansgen," purporting to be with modeling agency. Victim #2 stated he was interested in the modeling opportunity. "Courtney" asked Victim #2 for a series of photographs, clothed and unclothed. Courtney told Victim #2 how to pose. Victim #2 stated that he took the pictures and then e-mailed them to "Courtney."

17. According to Victim #2, his "relationship" with "Courtney" progressed, and she told him that she was attracted to him. They exchanged sexually graphic chats and messages. Victim #2 said that he kept asking "Courtney" for her phone number so that they could talk and meet. She told him that she could not give him her phone number because she would lose her job. At "Courtney's" request, Victim #2 sent her recordings via e-mail of himself masturbating. Victim #2 related that "Courtney" was the only person to whom he sent the recordings. As mentioned, these recordings were found at MARTYNENKO's residence during the execution

of the search warrant on October 2, 2015.

18. Victim #2 related that a year after he sent "Courtney" the photographs and recordings, in approximately December 2013, his friends started messaging him that naked pictures of him were posted on Twitter. Victim #2 related that the pictures were the naked photographs he had sent to "Courtney." According to Victim #2, the pictures would go away and then "pop up" on a different Twitter account. Additionally, Victim #2 reported that various friends of his were contacted via social media and asked if they wanted to see naked photographs of him.

19. Victim #2 recalled that at one point, a FB profile user by the name of "Marie Samann" was distributing his naked photographs. Victim #2 messaged "Marie Samann" and told her to stop. The profile user messaged Victim #2 back and denied that she was distributing his photographs.

20. In September 2014, Victim #2 made a report to the Lakeville Police Department.

21. As mentioned above, on April 19, 2015, the FB profile user "Marie Anna" messaged a law enforcement undercover FB account advertising the naked photographs of Victim #2. Significantly, the profile photograph for the FB user "Marie Anna" is of the same female pictured in the profile photograph for the FB

user “Marie Samann.” Again, a cache of photographs of the same “decoy” female was found during the execution of the October 2, 2015, search warrant on a flash drive hidden above a ceiling tile in a living area of MARTYNENKO’s residence.

22. Also found on the evidence seized at MARTYNENKO’s residence were Microsoft word documents which I would describe as e-mail “scripts.” Some of the scripts are authored by “Courtney,” who represents that she works for “JH modeling in the Twin Cities and we do nude male modeling.” The document lists several hundreds of male names with the notation “Sent to.”

Victim #3

23. Victim #3 was born in October 1999. He is 16 years of age and a sophomore in high school. Naked images of Victim #3 were found on a flash drive hidden above a ceiling tile in a living area at MARTYNENKO’s residence on October 2, 2015. Specifically, the images were found in a folder labeled with Victim #3’s first name and last name, the number 15, and the name of his high school. The images were also found on the wet laptop computer found behind the washer/dryer in MARTYNENKO’s laundry room. There were more than two dozen naked images of Victim #3 with an erect penis. Victim #3 is a previously unknown victim.

24. On November 12, 2015, I interviewed Victim #3. Victim #3 identified the photographs of him and explained that in mid-August 2015, he received a message on his Twitter account from an individual purporting to be a female by the name "Marie." At the time, Victim #3 was 15 years of age. The female used the Twitter profile name "Marie94mn."⁵ According to Victim #3, Marie represented that she was a college student at the University of Minnesota. Victim #3 related that Marie progressively turned the chat conversation sexual, and she convinced him to send "her" nude photographs of himself via Twitter. Victim #3 indicated that Marie directed him on how to pose. Victim #3 could not remember the exact date he sent the photographs, but he believes it was in either late August or early September 2015. Victim #3 identified some of the photographs found at MARTYNENKO's residence at the photographs he sent to "Marie" via the internet. Victim #3 stated that "Marie" was the only person to whom he sent the photographs.

⁵ Prior to the interview on November 12, 2015, law enforcement was not aware of the social media profile "Marie94mn." Prior to October 2, 2015, when law enforcement executed the search warrant at MARTYNENKO'S residence, the following similar social media profile names had been used to engage the minor male victims to send naked images: Marie Anna, Marie Samann, m93anna, Maryann, and Marie_Samann. Photographs of the same "decoy" female were repeatedly associated with the alias profile names.

CONCLUSION

25. Based on the above, I believe probable cause exists that between 2011 to the present, ANTON MARTYNENKO did the following:

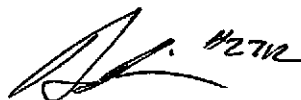
- a. employed, used, persuaded, induced, enticed and coerced minor Victims #1- #3 to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depictions MARTYNENKO knew were then mailed, shipped and transported in interstate commerce, specifically via the internet, in violation of 18 U.S.C. § 2251(a); and
- b. knowingly received visual depictions of minor Victims #1-#3 engaging in sexually explicit conduct using a means and facility of interstate and foreign commerce and that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, by any means including by computer, in violation of 18 U.S.C. § 2252(a)(2).

26. Based on the above, I believe probable cause exists that on April 19, 2015, ANTON MARTYNENKO did the following:

- a. knowingly made, printed and published, and caused to be made, printed, and published, a notice and advertisement offering to produce, display, distribute, and reproduce visual depictions of Victim #1 and Victim #2 engaging in sexually explicit conduct and such visual depictions were of such conduct, and such notice and advertisement was transported using a means and facility of interstate commerce, that is, via the Internet, in violation of 18 U.S.C. § 2251(d)(1)(A) and 2(B).

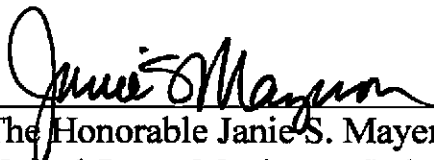
27. Base on the above, I believe probable cause exists that on October 2, 2015, ANTON MARTYNENKO did the following:

- a. knowingly possessed one or more matters which contained visual depictions of Victims #1-#3 that had been mailed, shipped, and transported in interstate and foreign commerce, by any means including by computer, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct, and such visual depictions were of such conduct, in violation of 18 U.S.C. § 2252(a)(4)(B).



Dale S Hanson, Task Force Officer
Federal Bureau of Investigation

Sworn and subscribed before me
this 20th day of November, 2015.



The Honorable Janie S. Mayeron
United States Magistrate Judge