

**AFFIDAVIT**

I, Lisa M. Hack, a Special Agent with the Federal Bureau of Investigation (FBI), Cleveland Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since 2004, and am currently assigned to the Cleveland Division, Violent Crimes/Crimes Against Children Task Force. While employed by the FBI, I have investigated federal criminal violations related to high technology or cyber crime, child exploitation, and child pornography. I have gained experience through training at Crimes Against Children and ICAC conferences as well as everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251 and 2252A, and I am authorized by the Attorney General to request arrest warrants.
2. As will be shown below, there is probable cause to believe that Edward R. Marrero used a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and such visual depiction was produced using materials that had mailed shipped and transported in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a). I am submitting this affidavit in support of an arrest warrant authorizing the arrest of Edward R. Marrero.

**PROBABLE CAUSE**

3. On June 28, 2018, Edward R. Marrero testified as a defense witness in the case titled United State of America, Plaintiff V. Adam Libbey-Tipton, Case No. 1:16CR236, in the United States District Court, Northern District of Ohio, the Honorable Patricia A. Gaughan.
4. While on the witness stand, under oath, Edward R. Marrero (DOB XX-XX-1990) testified on direct examination that he had taken photographs of his girlfriend for prurient purposes.
5. On cross-examination, Marrero admitted to taking photographs of his now ex-girlfriend (DOB XX-XX-1993), when she was under the age of 18. Marrero was shown Governments' exhibits 31 and 32. Government exhibit 31 consisted of a screen shot of 15 photographs. Government exhibit 32 consisted of a screen shot of 15 photographs. Marrero identified himself and his ex-girlfriend in these photographs.
6. Marrero testified that he knew his ex-girlfriend was under the age of 18 at the time he took the photographs.

a.) **File Name: Picture106.jpg**

**Description:** This color image is described as a pubescent female, completely nude, lying on her back on a bed with her genitalia exposed. The female's legs are spread open to view her spread genitalia to the camera. The camera is focused on her genitalia and pubic area. The pubescent female was identified to be under the age of 18 at the time of this photo.

b.) **File Name: Picture113.jpg**

**Description:** This color image is described as a pubescent female, completely nude, lying on her back on a bed with her knees pulled up and legs spread with her genitalia exposed. The female's legs are spread open to view her spread genitalia to the camera.

The camera is focused on her genitalia and pubic area. The pubescent was identified to be under the age of 18 at the time of this photo.

7. According to the BCI&I forensic examiner, the files Picture106.jpg and Picture113.jpg were both produced using a Kodak EasyShare camera model M575. Both images were produced on April 2, 2011.
8. On May 18, 2017, Affiant interviewed the pubescent female (Victim). The Victim admitted to being the ex-girlfriend of Marrero. The Victim identified herself and Marrero in a photograph in which Marrero's hand and mouth were on the Victim's breast.
9. On June 28, 2018, affiant telephonically interviewed the Victim. The Victim admitted that the photographs were taken in Cuyahoga County when she was under the age of 18.
10. The Kodak EasyShare camera was not produced in the State of Ohio.

CONCLUSION

11. Based on the aforementioned factual information, your affiant respectfully submits that there is probable cause to believe that Edward R. Marrero did use a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and such visual depiction was produced using materials that had mailed shipped and transported in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a).



Lisa M. Hack  
Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me this 28th day of June, 2018



Thomas M. Parker  
UNITED STATES MAGISTRATE JUDGE