AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America
v.

Anthony Rivera,

Defendant(s)

Case No. 22-6261-Hunt

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 25, 2022 in the county of Broward in the Southern District of Florida, the defendant(s) violated:

Code Section	*Offense Description*
Title 18, United States Code, Sections 2252(a)(4)(B) and (b)(2)	That the defendant did knowingly possess any visual depiction using any means and facility of interstate and foreign commerce, that had been shipped and transported in interstate and foreign commerce by any means, including by computer, and the possession of such visual depiction involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Sections 2252(a)(4)(B) and (b)(2).

This criminal complaint is based on these facts:

See attached affidavit

☑ Continued on the attached sheet.

Complainant's signature

HSI Special Agent Vanessa Juede
Printed name and title

Sworn to before me and signed ~~in my presence~~ by telephone.

Date: 5/26/2022

Judge's signature

City and state: Fort Lauderdale, Florida

Patrick M Hunt
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Vanessa Juede, having been first duly sworn, do hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations, Fort Lauderdale, Florida. I have been employed as a Special Agent since October 2002. I am responsible for investigations of offenses under Titles 8, 18, 19 and 21 of the United States Code. As part of my daily duties as a HSI agent, I investigate criminal violations relating to child exploitation and child pornography including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252(a), 2252A, 2251(a) and (e), and 2422(b). I have received training in the area of child pornography and child exploitation.

2. I have participated in investigations involving pedophiles, preferential child molesters, and persons who collect and/or distribute child pornography, along with the importation and distribution of materials relating to the sexual exploitation of children. I have also conducted several child pornography and child exploitation investigations, which has involved reviewing several forms of media, including computer.

3. I make this Affidavit in support of a criminal complaint charging Anthony RIVERA ("RIVERA"), with possession of child pornography, in violation of Title 18, United States Code, Section 2252(a)(4)(B) and (b)(2).

4. The information contained in this Affidavit is based on my personal knowledge, as well as information relayed to me by other law enforcement agents and officers involved in this investigation. I have not included in this Affidavit each and every fact known to me or to other law

enforcement officers surrounding this investigation. Rather, I have included only those facts that I believe are necessary to establish probable cause.

PROBABLE CAUSE

5. In February 2022, Homeland Security Investigation (HSI) Fort Lauderdale received three (3) Cybertip from the National Center of Missing Exploited Children (NCMEC) that Google Inc. reviewed the contents and identified child sexual abuse material (CSAM) in the Google , Inc. account of a user identified as tonymiami5@gmail.com in accordance with the federal statutes on child pornography.

6. Responsive records from Google, Inc. for email address tonymiami5@gmail.com list the subscriber of the account as Anthony RIVERA. The recovery phone number provided for RIVERA, the subscriber of tonymiami5@gmail.com, is 305-290-0221. Responsive records from T-Mobile for phone number 305-290-0221 list the subscriber information as RIVERA with an address of 3751 SW 45th Avenue West Park, Florida 33023.

7. Law enforcement reviewed the Cybertip images provided by Google Inc, and two (2) video files were identified depicting children under the age of eighteen (18) engaged in sexual acts and/or the lascivious exhibition of their genitals, all of which are consistent with child pornography. The files were located in RIVERA's Google application on January 18, 2022. The description of the two (2) videos are as follows:

A) Video 1: CT-RPT-169e07d36caa20ffe.3sf66bb786aacf3-4meixp2axtxp5p
Description: Video depicts a prepubescent female being anally penetrated by an adult male.

B) Video 2: CT-RPT-604c37a9d11boo5359aa00cb0db663752c-mom-pussy eating
Description: Video depicts a prepubescent male performing oral sex on an adult female.

8. Law enforcement sought and was granted a federal search warrant for RIVERA's residence and for RIVERA's Google Inc., account.[1] Google Inc., provided responsive records to law enforcement evidencing that RIVERA's Google account, tonymiami5@gmai.com,was created in January 2013 and was disabled in January 2022.

9. On May 25, 2022, law enforcement officers executed the search warrant at the RIVERA's residence. RIVERA was present at the time of the execution. Law enforcement identified electronic devices consisting of a desktop computer, multiple cellular telephones and tablets, which were seized for further analysis.

10. RIVERA was interviewed by law enforcement, waived his *Miranda* rights and agreed to speak with law enforcement. Post-*Miranda,* RIVERA confirmed that he is the owner of the email address tonymiami5@gmail.com, but stated that it was disabled. RIVERA advised that his current email is tonymiami49@gmail.com. RIVERA provided the password for his cell phone to law enforcement and advised that he had other phones in his possession with the same password. A preliminary forensic review of RIVERA's iPhone Xs Max cellular telephone showed that both emails (tonymiami5@gmail.com and tonymiami49@gmail.com) were connected to the phone. There was an additional email of antoniorivera083@gmail.com as well. RIVERA's iPhone Xs Max had Instagram, Facebook, Google, Mega, Snapchat and Dropbox applications installed and linked to email address tonymiami5@gmail.com. The phone also contained additional indicia of ownership such as images of RIVERA, PDF documents of bank statements belonging to RIVERA, insurance renewal belonging to RIVERA and a prescription medicine refill.

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[1] 22-MJ-6243-SNOW, 22-MJ-6244-SNOW

11. Law enforcement also seized and searched an additional iPhone, 13 Pro Max, Serial No. HDX7L5J0YQ. In the settings of that iPhone, RIVERA is listed as the owner. This iPhone 13 Pro Max was also linked to the tonymiami5@gmail.com in the Instagram, Snapchat and Dropbox applications. In the Dropbox application, law enforcement located child pornography titles such as, "CP," "young," and "child 4."

12. During the interview, RIVERA stated that no one else has access to his phone or email address. RIVERA also stated that if law enforcement did find child sexual abuse material (CSAM) in his phone, it was not "intentional." RIVERA admitted that he watched adult pornography, but claimed that sometimes CSAM and bestiality would appear and he would delete it. RIVERA indicated that he believes he may have had malware on his phone and that the malware sent him the CSAM material.

13. Law enforcement conducted a preliminary forensic analysis on the electronics seized from RIVERA. The full forensic analysis remains pending. The Apple iPhone Xs Max, Model No. MT5K2LL/A, bearing serial number FFNX88APKPHC, contained two (2) videos of child sexual abuse material (CSAM). The videos are described as follows:

A) File Name: Adry 8yo-full movie (2015).mp4
Description: The video depicts an adult male performing oral sex and penetrating the vagina of a naked prepubescent female.

B) File Name: Tropical cuties – Deli & Sara gang bang.mp4
Description: The video depicts an adult male performing oral sex and penetrating the vagina of a naked prepubescent female.

CONCLUSION

14. Based upon the information provided above, I respectfully submit that probable cause exists to believe that Anthony Rivera ("RIVERA"), did commit a violation of Title 18, United States Code, Section 2252(a)(4)(B) and (b)(2).

FURTHER YOUR AFFIANT SAYETH NOT.

Respectfully submitted,

Vanessa Juede, Special Agent
Homeland Security Investigations (HSI)

Sworn to and subscribed before me telephonically
this 26th day of May, 2022.

PATRICK M. HUNT
UNITED STATES MAGISTRATE JUDGE