

Lcw

FILED
LEW

NOV 03 2016

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

No.

16CR 734

v.

Violations: 18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 641
18 U.S.C. § 1512(c)(1)

FLOYD O'HARA

COUNT ONE

JUDGE PALMEYER
MAGISTRATE JUDGE KIM

The SPECIAL AUGUST 2015 GRAND JURY charges:

On or about June 6, 2016, at Naperville, in the Northern District of Illinois,
Eastern Division,

FLOYD O'HARA,

defendant herein, knowingly possessed material, namely, (1) a Dell Laptop Latitude E6320, Model P12S, Serial # 3GGJTR1 and (2) a Samsung Flash Drive DUO USB Device, Serial #0326015120011435, that contained an image of child pornography as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor and a minor who had not obtained 12 years of age, such image having been shipped and transported using any means and facility of interstate and foreign commerce, and such image having been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means;

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

COUNT TWO

The SPECIAL AUGUST 2015 GRAND JURY further charges:

Beginning no later than on or about May 31, 2016, and continuing until on or about June 6, 2016, at Naperville, in the Northern District of Illinois, Eastern Division,

FLOYD O'HARA,

defendant herein, did steal, purloin, and knowingly convert to his own use property of the United States, namely (1) one Dell Laptop Latitude E6320, Model P12S, Serial # 3GGJTR1; (2) one Dell Desktop Optiplex GX260, Serial #20131312357; (3) one Dell Desktop Precision T1500, Serial #5RF3KN1; (4) Dell Laptop Latitude E4300, Serial #715RBK1; (5) one Dell Laptop Latitude 6430u, Serial #20YR8Z1; (6) one Dell Laptop Inspiron 5150, Model PP08L, Serial #45T3P31; (7) one Dell Server with 3 HDs Model STP, Power Vault 725N Rackmount NAS Appliance, Serial #GNR1831; and (8) one Dell Desktop Server with 6 HDs Model PowerEdge 2300, Serial #FMZ3F; each of which is owned by the Environmental Protection Agency and were devices that defendant was not entitled to convert;

In violation of Title 18, United States Code, Section 641.

COUNT THREE

The SPECIAL AUGUST 2015 GRAND JURY further charges:

On or about April 5, 2016, at Chicago, in the Northern District of Illinois,
Eastern Division,

FLOYD O'HARA,

defendant herein, did corruptly alter, destroy, mutilate and conceal an object,
namely, the hard drive of a Dell Laptop Latitude E6320, Model P12S, Serial
3GGJTR1, with the intent to impair the object's integrity and availability for use
in an official proceeding, namely a prosecution for possession of child pornography;

In violation of Title 18, United States Code, Section 1512(c)(1).

COUNT FOUR

The SPECIAL AUGUST 2015 GRAND JURY further charges:

On or about April 5, 2016, at Chicago, in the Northern District of Illinois,
Eastern Division,

FLOYD O'HARA,

defendant herein, did corruptly alter, destroy, mutilate and conceal an object,
namely, the hard drive of a Dell Optiplex 755, Serial # J1F3BH1, with the intent to
impair the object's integrity and availability for use in an official proceeding,
namely a prosecution for possession of child pornography;

In violation of Title 18, United States Code, Section 1512(c)(1).

FORFEITURE ALLEGATION

The SPECIAL AUGUST 2015 GRAND JURY further alleges:

1. Upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, as set forth in this Indictment, defendant shall forfeit to the United States of America any matter which contains visual depictions described in Title 18, United States Code, Section 2252A; and any property used and intended to be used to commit and to promote the commission of such offense, and any property traceable to such property, as provided by Title 18, United States Code, Section 2253(a).

2. The property to be forfeited includes, but is not limited to, the following specific property: (1) a Dell Laptop Latitude E6320, Model P12S, Serial # 3GGJTR1 and (2) a Samsung Flash Drive DUO USB Device, Serial #0326015120011435.

3. If any of the property described above, as a result of any act or omission by a defendant: cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; the United States of America shall be entitled to forfeiture of substitute property, as provided by Title 21, United States Code Section 853(p).

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY