
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. James B. Clark, III, U.S.M.J.
v. : Mag. No. 20-12397
JESUS MODESTO SANCHEZ : **CRIMINAL COMPLAINT**


I, James Muller, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.




James Muller, Special Agent
Federal Bureau of Investigation

Special Agent Muller attested to this Complaint by telephone pursuant to F.R.C.P. 4.1(b)(2)(A).

October 19, 2020
Date

at New Jersey
State

Honorable James B. Clark, III
United States Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Travelling with the Intent to Engage in Illicit Sexual Conduct)

On or about October 17, 2020, in the District of New Jersey, and elsewhere, the defendant,

JESUS MODESTO SANCHEZ,

did knowingly travel in interstate commerce from New York to New Jersey, for the purpose of engaging in any illicit sexual conduct, that is sexual conduct, as that term is defined in 18 U.S.C. 2246, with another person believed to be under the age of eighteen, which sexual conduct would constitute a violation of Title 18, United States Code, Chapter 109A.

In violation of Title 18, United States Code, Section 2423(b) and Title 18, United States Code, Section 2.

COUNT TWO

(Possession of Child Pornography)

On or about October 17, 2020, in Somerset County, in the District of New Jersey, and elsewhere, the defendant,

JESUS MODESTO SANCHEZ,

did knowingly possess material that contained at least three images of child pornography, as defined in Title 18, United States Code, Section 2256(8), which images had been mailed, shipped, and transported using any means or facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that were produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2.

ATTACHMENT B

I, James Muller, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I am fully familiar with the facts set forth herein based on my own investigation, my discussions with other law enforcement officers, and my review of reports, documents, and other items of evidence. Where statements of others are related herein, they are related in substance and in part. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. In or around mid-October 2020, an undercover law enforcement officer ("UC-1") established a profile on an internet-based dating platform ("Application-A"). UC-1's profile, which was under the name "Marina," had a profile picture of a minor female who appeared to be approximately thirteen to fourteen years old. Shortly after establishing this profile, UC-1 received a direct message from "Eric," who was subsequently identified as twenty-nine-year-old Jesus Modesto Sanchez ("MODESTO SANCHEZ").

2. Early in the conversation on Application-A, "Marina" advised MODESTO SANCHEZ that she was thirteen years old. The pair continued speaking and exchanged telephone numbers so that they could communicate via text messages.

3. Shortly thereafter, MODESTO SANCHEZ sent a text message to "Marina" and initiated a further conversation. During the conversation, which occurred over a period of approximately four days, "Marina" advised MODESTO SANCHEZ that she was working on homework and that she resided in Somerset County, New Jersey. MODESTO SANCHEZ indicated that he lived in Manhattan, New York. MODESTO SANCHEZ asked "Marina" if she had a boyfriend, and then offered to give her "the boyfriend experience" and take her on dates. MODESTO SANCHEZ asked "Marina" to "hang out" with him at multiple points in the conversation. MODESTO SANCHEZ then offered to "practice making out" with "Marina" and asked if she knew of a private location. "Marina" explained that her mother had to go to work and MODESTO SANCHEZ asked if he could come to her home once her mother left. MODESTO SANCHEZ told "Marina" that typically, sex would be reserved for the third date. MODESTO SANCHEZ then stated "[b]ut Idk [I don't know] you are younger than me. Kinda by a lot. Are you ok with that?" MODESTO SANCHEZ then said he could bring condoms and offered to teach "Marina" how to put them on. MODESTO SANCHEZ advised "Marina" that he was 19 years old. MODESTO SANCHEZ then offered to travel to New Jersey to meet "Marina" and asked her to send him her specific location. The pair agreed to meet on or about October 17, 2020 at approximately 12:00 p.m.

4. MODESTO SANCHEZ repeatedly messaged "Marina" in the morning of on or about October 17, 2020 with updates regarding his travel. It was ultimately learned that he was taking a train from Manhattan, New York to "Marina's" location in Somerset County. MODESTO SANCHEZ planned to walk to "Marina's" location after disembarking from the train. Law enforcement established physical and electronic surveillance near "Marina's" location. Shortly thereafter, law enforcement observed MODESTO SANCHEZ enter the area. Law enforcement identified MODESTO SANCHEZ from a photograph that he had previously sent and his clothing, which matched the description he had provided to "Marina." Law enforcement approached MODESTO SANCHEZ and arrested him without incident.

5. On MODESTO SANCHEZ's person, law enforcement located a box of condoms and a container of personal lubricant. Law enforcement also located the cellular telephone that MODESTO SANCHEZ had used to communicate with "Marina."

6. Law enforcement advised MODESTO SANCHEZ of his Miranda rights, which MODESTO SANCHEZ waived. In a video-recorded statement, MODESTO SANCHEZ acknowledged that he had travelled from New York to New Jersey in order to have sex with an underage female that he had met on Application-A. MODESTO SANCHEZ also acknowledged lying to "Marina" about his age – more specifically, he had previously told "Marina" that he was 19 years old when he was actually 29 years old.

7. Pursuant to a judicially authorized search warrant, law enforcement searched MODESTO SANCHEZ's cellular telephone. During the examination, law enforcement located over approximately 200 videos of suspected child pornography. These videos had been saved onto the device prior to October 17, 2020. Three such videos are described as follows:

- a. **"(Pthc) 6yo rape and scream (Gay).mpg"** is approximately 11:17 minutes in length. The video appeared to be filmed in the cabin of a tractor trailer, or a RV/camper. The video included two young boys, both Caucasian and pre-pubescent. The boys appeared to be between eight to ten years old. Both the boys were naked. There was also an adult male in the video who appeared to be between 30 and 40 years old. He remained clothed for the duration of the video. The video included the boys touching each other's genitals and groping one another. During the video, the adult male placed each of the boy's genitals in his mouth.
- b. **"10yo suck fuck.mpg"** is approximately five and half minutes long. The video included a Caucasian, pre-pubescent female, naked on a bed being sexually abused by an adult Caucasian male.

- c. **"Boy Man 6Yo Son Bathroom Mb.mpg"** is approximately 57 seconds long and includes a pre-pubescent male child, who appears to be approximately 10 to 12 years old. An adult male attempts to penetrate the child's anus, among other sexual acts.

8. Based upon my education, training and experience, and my discussions with other law enforcement officers, and to the best of my knowledge, the images/videos described above were transported and transmitted in interstate commerce because they were located on MODESTO SANCHEZ's device, which he carried across state lines from New York into New Jersey approximately one hour prior to the seizure of the device.