

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

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CRIMINAL NO: 09-153

v.

\*

SECTION: "S"

TONY TEMPLET

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VIOLATION: 18 U.S.C. § 2252(a)(2)  
18 U.S.C. § 2253

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FACTUAL BASIS

Should this matter proceed to trial, both the government and the defendant, **TONY TEMPLET**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crime to which the defendant is pleading guilty and that the government would prove the following beyond a reasonable doubt at trial:

The government would show that at all times mentioned in the Indictment, the defendant, **TONY TEMPLET**, was a resident of the Eastern District of Louisiana, living in Gretna, Louisiana.

The government would present evidence and testimony that Special Agents from the U. S. Department of Homeland Security Immigration and Customs Enforcement (ICE) received information that **TONY TEMPLET** had purchased access to child pornography websites. On or about December 30, 2008, ICE agents conducted a consensual interview of the defendant at his residence located at 1784 Carol Sue Avenue in Gretna, Louisiana. Agents would testify that during



their interview the defendant provided written consent to allow the agents to search his computer. The agents recovered a computer which was found to contain images of child pornography.

The government would establish through testimony and documentary evidence that **TEMPLET** knowingly used his computer to search for, download, and save images of child pornography. Specifically, the government would introduce records that **TEMPLET** subscribed to websites that contained child pornography and that he knowingly received and possessed images of child pornography. Further, the evidence and testimony would establish that a forensic search of **TEMPLET**'s computer media revealed approximately 206 videos depicting the sexual victimization of children including prepubescent children being vaginally and anally penetrated.

Further, the government would introduce post-*Miranda* statements of the defendant wherein **TEMPLET** admitted to federal agents that he knowingly used the Peer-to-Peer file sharing program Limewire to download and save videos of child pornography. According to **TEMPLET**, he would use search terms such as "R@ygold" and "PTHC" to locate videos of child pornography. **TEMPLET** told agents that "PTHC" meant "Pre-teenhardcore." **TEMPLET** told ICE agents that he had a really bad child pornography collection and that he had videos of children ranging in age from 10 to 13 years old. **TEMPLET** also said he was confident he was the only one with access to his computer because it was password protected.

Forensic evidence consisting of medical testimony, law enforcement officers, and supporting documentation would establish that some of the child victims depicted in the images possessed by **TEMPLET** were of real, identifiable victims, less than the age of eighteen (18) at the time the child pornography was created.



Testimony would establish that some of the child victims depicted in the materials possessed by **TONY TEMPLET** were of prepubescent children less than 18 years of age; to wit: less than twelve (12) years old and that the images of the child victims were engaged in “sexually explicit conduct” as defined in Title 18, United States Code, Section 2256. These images included pictures of adult males penetrating minor victims. All of the images of child pornography possessed by the defendant would be introduced through the testimony of ICE agents.

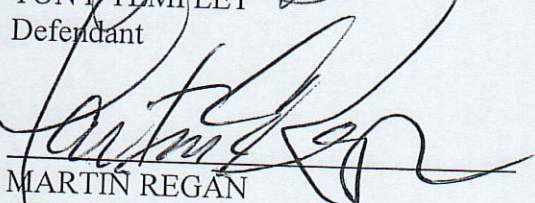
Further, the government would present evidence that would establish that the images of child pornography had been transported in interstate and foreign commerce via computer.



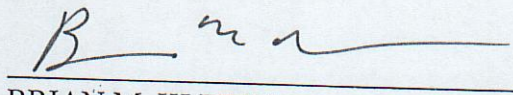
Further, the government would show through testimony and documentary evidence that the equipment used by the defendant to acquire the child pornography was transported in interstate or foreign commerce.

  
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TONY TEMPLET  
Defendant


March 19, 2010  
DATE

  
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MARTIN REGAN  
Counsel for Defendant

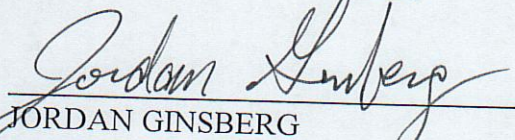
March 19, 2010  
DATE

  
\_\_\_\_\_  
BRIAN M. KLEBBA  
Assistant United States Attorney

March 19, 2010  
DATE

  
\_\_\_\_\_  
MATT CHESTER  
Assistant United States Attorney

March 19, 2010  
DATE

  
\_\_\_\_\_  
JORDAN GINSBERG  
Assistant United States Attorney

March 19, 2010  
DATE