

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Magistrate No. 09-508M

**APPLICATION AND AFFIDAVIT FOR CRIMINAL COMPLAINT AND ARREST  
WARRANT**

I, Scott E. Fell, being duly sworn, state the following:

**INTRODUCTION**

I am a Special Agent with the Department of Homeland Security, Immigration and Customs Enforcement (ICE), assigned to the Assistant Special Agent in Charge in Pittsburgh. I have been employed as a law enforcement officer for over ten years. While employed by ICE, I have investigated federal criminal violations related to high technology or cyber crime, child exploitation, and child pornography. I have gained experience through ICE training and through everyday work relating to conducting these types of investigations. As a federal agent, I am authorized to investigate violations of United States laws and to apply for and execute warrants issued under the authority of the United States.

This is an application and affidavit for a criminal complaint and arrest warrant for STEPHEN SIMS / MILLARDMYNAME. The statements in this application and affidavit are based in part on information provided by ICE Special Agent James W. Kilpatrick who has served as the primary case agent for the investigation detailed below. The statements in this application and affidavit are also based upon information supplied to me by other ICE Special Agents and law enforcement officials as well as upon my own knowledge and experience relative to the investigation of this case and others. Because this affidavit is being submitted for the limited

purpose of supporting an application for a criminal complaint and arrest warrant, I have not included each and every fact known to me or others concerning this investigation.

As explained in greater detail below, ICE has investigated a secretive, members-only, online group, identified below as Stephen's Group, that fosters the commission of numerous child pornography offenses through a social-networking internet site known as Multiply.com. The main purpose of Stephen's Group is to share images and videos that depict prepubescent children engaged in sexually explicit conduct, including having sex with each other and with adult men. As further explained below, through Stephen's Group on Multiply.com, STEPHEN SIMS / MILLARDMYNAME participated in a child exploitation enterprise in violation of 18 U.S.C. § 2252A(g) and conspired to transport, distribute, receive, and possess massive amounts of child pornography in violation of 18 U.S.C. §§ 2252 and 2252A.

#### **INVESTIGATION OF STEPHEN'S GROUP**

In February 2008, Special Agent James Kilpatrick of the Pittsburgh ICE Office participated in the investigation of Cooperating Witness 1 (CW1) for child pornography distribution and possession offenses. The February 2008 investigation involved the service of a federal search warrant at CW1's residence in the Western District of Pennsylvania. Service of the search warrant resulted in the seizure of CW1's computer – which contained over 1,000 images of child pornography – and CW1's arrest. During the next few months, CW1 cooperated in Special Agent Kilpatrick's investigation of the distribution, receipt, and possession of child pornography through the Internet.

Special Agent Kilpatrick has had the opportunity to discuss child pornography trafficking with CW1 in person on several occasions. CW1 faces a potential federal prison sentence of many years and, as a result, likely has a desire to receive some kind of sentencing credit for his

cooperation. No promises regarding that credit have been made to CW1, however. The contents of CW1's seized computer hard drive and Special Agent Kilpatrick's personal observations, which are described in more detail below, corroborate many of CW1's statements made during the discussions between CW1 and Special Agent Kilpatrick.

During his discussions with Special Agent Kilpatrick, CW1 stated that he used the Internet extensively to distribute, receive, and possess child pornography. According to CW1, several child pornography traffickers have formed a private group and use a social-networking Internet service called Multiply.com to distribute, receive, and possess child pornography. As explained by CW1, the group is dedicated to the distribution, receipt, and possession of child pornography.

Multiply.com enables users to establish online accounts that may contain videos, images, and textual communications. The online content in each account is fully available only to specified contacts designated by the Multiply.com user. Thus, the images contained in Account A are visible to the users of Accounts B and C if User A has designated Users B and C as contacts. When all three users have mutually designated each other as contacts, they each may view the content of the other two users' accounts.

CW1 was part of the group of child pornography traffickers who used Multiply.com to commit their offenses. CW1 explained that the group is largely administered by a person known to CW1 as both "Stephen" and "millardmyname." Millardmyname is the Multiply.com username of Stephen. Stephen / millardmyname serves, among other things, as the group's "security officer." That is, Stephen / millardmyname vets potential new group members and advises current members regarding group membership and security practices that are intended to hide the group's illicit activities from discovery. CW1, as well as CW2 (further identified

below), explained that, during the vetting process, Stephen / millardmyname required potential candidates for group membership to share child pornography with him to demonstrate that the candidate was not a law enforcement officer and had the capacity to supply group members with child pornography. CW1, as well as CW2, also explained that, to maintain group membership after being granted entry into the group, members had to continue to post child pornography on their Multiply.com pages and had to follow the group's security practices. Those that did not were removed from membership in the group. As a result of Stephen's instrumental role in the functioning of the group, the group can accurately be called "Stephen's Group." Stephen's Group is a closed group of Multiply.com users who rely upon the many privacy features of Multiply.com to closely control access to their individual Multiply.com pages and the content contained thereon.

Through search warrants executed in or about April 2009 on the e-mail accounts associated with members of Stephen's Group, Special Agent Kilpatrick has confirmed that a purported Multiply.com user who has "millardmyname" as part of his e-mail address has provided members of Stephen's Group with instructions regarding how to access and post images on a Multiply.com account and the screening process for earning membership in Stephen's Group. In fact, there have been e-mail communications uncovered during the investigation in which Stephen / millardmyname describes himself to a potential group member as the "Den Mother" of a "completely private group on Multiply" of "'like minded' individuals." In the e-mails, Stephen / millardmyname carefully sets forth a screening process for involvement in the group. Stephen explains how to post items on Multiply.com, suggesting that the would-be group member begin by posting depictions of "non sexual, non young types" until Stephen / millardmyname has had the opportunity to "double-check" everything. Stephen /

millardmyname continues by stating that once everything has been double-checked, he will “get [the new member] in w/the others,” i.e., the other members of Stephen’s Group. Stephen / millardmyname also explains to the new recruit that his Mulitply.com account should be set so that only contacts can view postings. Stephen / millardmyname emphasizes in one e-mail that “[w]e are COMPLETELY private and my invite only and ONLY post to other invited contacts. . . We are a group of people who only have one another as contacts, at least under these id’s and only post to ourselves.”

During a six-week period from the end of April 2008 to the beginning of June 2008, two federal search warrants enabled Special Agent Kilpatrick to view many of the pages of members of Stephen’s Group. The pages contained large amounts of child pornography and strongly corroborated the statements made by CW1 establishing that Stephen’s Group on Multiply.com is closely controlled and member-restricted and dedicated to trafficking child pornography. These conclusions are supported by textual communication between members who appear to be familiar with each other.

Special Agent Kilpatrick interviewed CW2 during 2008 and again in September 2009. CW2 is facing a potential federal prison sentence of many years and, as a result, likely has a desire to receive some kind of sentencing credit for his cooperation. A motion for a departure from the sentencing guidelines has been filed on his behalf in the district where he has been prosecuted. It should be noted that CW2 and CW1 are not aware of the current legal status or geographic location of each other and have had no apparent opportunity or demonstrated willingness to communicate with each other since their respective arrests in 2008. They were not arrested together, and the circumstances of their arrests were distinct. Prior to their arrests, it

does not appear that CW2 and CW1 had any link to each other, geographic or otherwise, other than their membership in Stephen's Group.

Special Agent Kilpatrick's discussions with CW2 confirmed that CW2 was a primary member of Stephen's Group. CW2 noted that Stephen played a central role in maintaining the security and membership of the group. CW2 stated that while Stephen's Group relies largely upon Multiply.com for its existence and operation, its members also use other Internet services, such as e-mail, to communicate with each other. It should be noted that a lengthy text file was found on CW2's computer that appears to contain, among other things, "cut-and-paste" portions of textual communications between Stephen's Group members. The portions contain ongoing rosters of the group membership and other information relating to the continuing operation of the group.

#### **MULTIPLY.COM ACCOUNT OF STEPHEN SIMS / MILLARDMYNAME**

Following Special Agent Kilpatrick's interview of CW2, which enabled Special Agent Kilpatrick to identify over 100 potential participants in Stephen's Group, a federal search warrant was obtained for the content of the Multiply.com accounts associated with each of the potential group members. In February 2009, Multiply.com responded to the federal search warrant and supplied a hard drive to Special Agent Kilpatrick that contained the content of the accounts, much of which comprised child pornography. This data had resided on Multiply.com's servers since November 1, 2008.

Special Agent Kilpatrick's review of the data referenced in the preceding paragraph confirmed, among other things, that, since November 1, 2008, the Multiply.com accounts associated with various members of Stephen's Group, including the account associated with STEPHEN SIMS / MILLARDMYNAME, contained images of minors engaged in sexually

explicit conduct. In addition, during the week of May 18, 2009, an additional federal search warrant was served and executed on Multiply.com for the content of the Multiply.com accounts of various members of Stephen's Group, including the account associated with STEPHEN SIMS / MILLARDMYNAME. At that time, the Multiply.com account of STEPHEN SIMS / MILLARDMYNAME was reviewed and graphic images and videos of minors engaged in sexually explicit conduct were observed and copied.

Below are descriptions of three of the videos and images that were located in the Multiply.com account of STEPHEN SIMS / MILLARDMYNAME:

a) BL0112.avi – This video of 139,062 KB, approximately 9 minutes and 45 seconds in length, depicts an obviously pre-pubescent nude boy orally copulating to a male adult. The adult male is lying on his back and appears to be fully nude but his face is never seen. The camera is positioned above the right shoulder of the adult male and the view is as if the viewer is watching from over the adult male's shoulder looking down upon the child. The child masturbates and provides oral sex to the adult male during the entire video. The camera person adjusts the camera at times to obtain "close-up" views of the child providing oral sex to the adult. The video stops prior to the adult achieving orgasm. Voices are audible in the video. The voices sound as if they are speaking a foreign language not known to your affiant.

b) 13yo japanese boy-girl-sex in the car.mpg – This video of 195,183,640 bytes, approximately 19 minutes and 05 seconds, depicts two pre-pubescent children engaging in sexually explicit activity. The video starts with an apparent underage male giving oral sex to a pre-pubescent female. The female is sitting in a car with her legs hanging out of the right side door of the car as the door is open. In this case, the steering wheel is on the opposite side of the U.S. made cars. She is straddling the male's head. Another pre-pubescent male steps in and

starts giving the female oral sex after several seconds. The camera then cuts to the first pre-pubescent male sitting in the car as if to drive it while the female pre-pubescent child straddles him. They begin to have sexual intercourse as she straddles him. The video goes on to show intercourse and oral sex with another subject. It is not clear if this is the first subject seen in the video.

c) 73180-1204839287.jpg – This image of 26.7 KB depicts two, pre-pubescent, nude males. One boy is sitting on a couch facing the camera. He is nude. The other boy is sitting on the first boy's lap and facing the camera as well. The boy on top is "straddling" the boy on the bottom but facing the same way. It appears both boys are erect, but the boy on the bottom appears to have his erection inside the other boy's anus.

#### **IDENTIFICATION OF STEPHEN SIMS / MILLARDMYNAME**

As explained in greater detail below, information obtained from, among other sources, Multiply.com, public records databases, and internet service providers resulted in the offline identification of several members of Stephen's Group, including STEPHEN SIMS / MILLARDMYNAME. The information concerning the identity and location of STEPHEN SIMS / MILLARDMYNAME resulted in the conclusion that he resided in Palm Springs, California, into 2009 and then moved to San Leandro, California, in the Oakland/San Francisco Bay Area. His presence and residence in the Oakland/San Francisco Bay Area has been confirmed through positive visual observations of surveillance agents within the last few days. His physical appearance is known as a result of the acquisition and review of his photograph on file with the state department of motor vehicles.

Pursuant to legal process, Mulitply.com produced transaction records that included the internet protocol addresses organized by the dates and times that Stephen's Group members



accessed Multiply.com. "Internet Protocol address" or "IP address" refers to a unique number used by a computer to access the Internet. IP addresses can be dynamic, meaning that the Internet Service Provider ("ISP") assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be static, if an ISP assigns a user's computer a particular IP address that is used each time the computer accesses the Internet. Centralops.net, a publicly available Internet utility that can identify the IP addresses issued by particular ISPs, was used to identify the ISPs used by Stephen's Group members. Administrative subpoenas under 18 U.S.C § 2703 were sent to these ISPs for the names and residential addresses of the Internet service subscribers whose Internet accounts were used by particular Stephen's Group members on the access dates and times specified in the transaction records provided by Multiply.com.

Consistent with the above investigative activity, STEPHEN SIMS / MILLARDMYNAME was identified through the following steps:

Records produced by Multiply.com dated August 3, 2008, indicated that Millardmyname accessed Multiply.com through an IP address of 76.89.107.39 at 10:20:32 hours, Pacific Time and through Internet service provided by Time Warner Cable, which was registered to the e-mail address of ssims1@dc.rr.com. An administrative subpoena issued under 18 U.S.C § 2703 to Time Warner Cable revealed that the Internet service account primarily used to access STEPHEN SIMS / MILLARDMYNAME'S Multiply.com account was registered to:

Name: Stephen Sims

Address: 1155 East Paseo El Mirador, Palm Springs, CA 92262-4924

Phone: (760) 864-9431

Usernames: ssims@dc.rr.com

Length of Service: 5/22/08 to September 4, 2009

Additional IP address information was obtained pursuant to subpoenas issued to Multiply.com and AT & T that revealed that Millardmyname's Multiply.com account was accessed on one occasion (June 20, 2009) by an IP address (99.33.24.214) which was subsequently traced to Martha Bruce Photography located at 1555 Yosemite Avenue, Suite 22, San Francisco, California. AT & T's response indicated that this Internet service was activated on February 7, 2009, and was still active as of the date of the return (August 26, 2009). The Martha Bruce Photography website states that she specializes in infant and child photography, among other things.

During the execution of one of the Mulitply.com search warrants referenced above, an online chat dated April 10, 2009, between a member of Stephen's Group and Stephen / millardmyname revealed that Stephen / millardmyname was relocating to the Bay Area. On September 15, 2009, the Employment Development Division (E.D.D.) for the State of California confirmed that Stephen G. Sims, with a Social Security number of XXX-XX-6231 has been employed by Del Monte Meat Company, located at 410 Jackson Street, Oakland, CA, for the first and second quarters of 2009. A subsequent employment verification phone call was made on September 15, 2009, to Del Monte Meat Co., which confirmed that Stephen Sims is currently working at the Oakland, CA, based business.

Based upon the review of public record information, it was determined that STEPHEN SIMS / MILLARDMYNAME may be residing at 14745 Avenue, San Leandro, CA 94578, in the Oakland San Francisco Bay Area. On September 18, 2009, the United States Postal Service advised that Stephen G. Sims is receiving mail at 14745 Van Avenue, San Leandro, CA 94578. On September 21, 2009, at 6:45 a.m., ICE Special Agent Da Shun Li conducted surveillance of 14745 Avenue, San Leandro, CA 94578. SA Li positively identified STEPHEN SIMS /


MILLARDMYNAME exiting the residence and driving away in his 1987 Mercedes Benz, CA license #WTHAPH.

### CONCLUSION

Based upon the foregoing, there is probable cause to conclude that STEPHEN SIMS (a/k/a Millardmyname) has participated in a child exploitation enterprise in violation of 18 U.S.C. § 2252A(g) and conspired to transport, distribute, receive, and possess child pornography in violation of 18 U.S.C. §§ 2252 and 2252A. In light of the national and international scope of the online enterprise and conspiracy and the participation of CW1 while in the Western District of Pennsylvania, I respectfully request that this Court issue an arrest warrant for STEPHEN SIMS (a/k/a Millardmyname) in response to the filing of the criminal complaint and this affidavit.

  
\_\_\_\_\_  
SCOTT E. FELL  
Special Agent  
Immigration & Customs Enforcement

Subscribed and sworn to  
before me this 21st day of September 2009

  
\_\_\_\_\_  
LISA PUPO LENIHAN  
United States Magistrate Judge