

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF **MONROE**



**POLICE CRIMINAL COMPLAINT**  
**COMMONWEALTH OF PENNSYLVANIA**

**VS.**

(NAME and ADDRESS)

Magisterial District Number: **43-3-01**

DEFENDANT:

MDJ Hon. **ANTHONY FLUEGEL**  
Address: **5220 MEMORIAL BLVD**  
**TOBYHANNA, PA 18466**

**CHRISTOPHER JOHN GOLDBERG**  
*First Name Middle Name Last Name Gen.*  
**9541 JASMINE DRIVE**  
**TOBYHANNA, PA 18466**

Telephone: **570-894-8566**

**NCIC Extradition Code Type**

- 1 - Felony Full
  - 2 - Felony Ltd.
  - 3 - Felony Surrounding States
  - 4 - Felony No Ext.
  - 5 - Felony Pend.
  - 6 - Felony Pend. Extradition Determ.
  - A - Misdemeanor Full
  - B - Misdemeanor Limited
  - C - Misdemeanor Surrounding States
  - D - Misdemeanor No Extradition
  - E - Misdemeanor Pending
  - F - Misdemeanor Pending Extradition Determ.
- Distance: \_\_\_\_\_

**DEFENDANT IDENTIFICATION INFORMATION**

Docket Number	Date Filed	OTN/LiveScan Number	Complaint/Incident Number <b>20170504M0320</b>	SID	Request Lab Service? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>GENDER</b> <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	DOB <b>11/24/1984</b>	POB <b>NEW YORK</b>	Add'l. DOB	Co-Defendants? <input type="checkbox"/>	
AKA		First Name	Middle Name	Last Name	Gen.
<b>RACE</b>	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Asian	<input type="checkbox"/> Black	<input type="checkbox"/> Native American	<input type="checkbox"/> Unknown
<b>ETHNICITY</b>	<input type="checkbox"/> Hispanic	<input checked="" type="checkbox"/> Non-Hispanic	<input type="checkbox"/> Unknown		
<b>HAIR COLOR</b>	<input type="checkbox"/> Gry (Gray)	<input type="checkbox"/> Red (Red/Aubn)	<input type="checkbox"/> SDY (Sandy)	<input type="checkbox"/> BLU (Blue)	<input type="checkbox"/> PLE (Purple)
	<input type="checkbox"/> Blk (Black)	<input type="checkbox"/> Ong (Orange)	<input type="checkbox"/> WHI (White)	<input type="checkbox"/> XXX (Ink./Bald)	<input type="checkbox"/> GRN (Green)
	<input type="checkbox"/> Bln (Blonde / Strawberry)				
<b>EYE COLOR</b>	<input type="checkbox"/> Blk (Black)	<input type="checkbox"/> Blu (Blue)	<input type="checkbox"/> BRO (Brown)	<input type="checkbox"/> GRN (Green)	<input type="checkbox"/> GRY (Gray)
	<input checked="" type="checkbox"/> HAZ (Hazel)	<input type="checkbox"/> MAR (Maroon)	<input type="checkbox"/> PNK (Pink)	<input type="checkbox"/> MUL (Multicolored)	<input type="checkbox"/> XXX (Unknowr)
<b>Driver License</b>	State <b>PA</b>	License Number <b>27165873</b>	Expires		<b>WEIGHT (lbs.)</b>
<b>DNA</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			<b>282</b>
<b>FBI Number</b>			<b>MNU Number</b>		
<b>Defendant Fingerprinted</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				<b>5</b>
<b>Fingerprint Classification</b>					<b>08</b>

**DEFENDANT VEHICLE INFORMATION**

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. Same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth  Approved  Disapproved because: \_\_\_\_\_

(The attorney for the Commonwealth may require the complaint, arrest warrant affidavit, or both, be approved by the attorney for the Commonwealth prior to filing. See PA. R. Crim. P 507.)

\_\_\_\_\_  
(Name of the attorney for the Commonwealth - Please Print or Type)

\_\_\_\_\_  
(Signature of the attorney for the Commonwealth)

\_\_\_\_\_  
(Date)

I, **DETECTIVE BRIAN WEBBE**  
(Name of the Affiant)

**I-5/27835**  
PSP/MPOETC - Assigned Affiant ID Number & Badge #

of **DISTRICT ATTORNEY'S OFFICE**  
(Identify Department or Agency Represented and Political Subdivision)

**PA045013A**  
(Police Agency ORI Number)

do hereby state:

1.  I accuse the above named defendant who lives at the address set forth above
- I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [ 203 ] **COOLBAUGH TWP**  
(Subdivision Code) (Place-Political Subdivision)

**9541 JASMINE DRIVE**

in MONROE County [ 45 ] on or about **04/22/2017 to 06/28/2017**  
(County Code) (Offense Date)



# POLICE CRIMINAL COMPLAINT

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<b>Defendant Name</b>	First <b>CHRISTOPHER</b>	Middle <b>JOHN</b>	Last <b>GOLDBERG</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits 204 PA §§ 213. - 213.7.)

<b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903						
<input checked="" type="checkbox"/> <b>Lead?</b>	<b>1</b>	<b>6312</b>	<b>D</b>	<b>of the</b>	<b>18</b>	<b>1</b>	<b>F2</b>		<b>370</b>
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	<b>Accident Number</b>				<input type="checkbox"/> <b>Safety Zone</b>			<input type="checkbox"/> <b>Work Zone</b>	
Statute Description (Include the name of statute or ordinance): <b>SEXUAL ABUSE OF CHILDREN - POSS CHILD PORNOGRAPHY</b>									

Acts of the accused associated with this Offense:  
18 PA C.S. Section 6312(d)(1) - SEXUAL ABUSE OF CHILDREN

To wit, the defendant did intentionally view or knowingly possess or control any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction, or other material depicting a child under the age of 18 years engaging in a prohibited sexual act or in the simulation of such act.

<b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903						
<input type="checkbox"/> <b>Lead?</b>	<b>2</b>	<b>6312</b>	<b>D</b>	<b>of the</b>	<b>18</b>	<b>64</b>	<b>F3</b>		<b>370</b>
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	<b>Accident Number</b>				<input type="checkbox"/> <b>Safety Zone</b>			<input type="checkbox"/> <b>Work Zone</b>	
Statute Description (Include the name of statute or ordinance): <b>SEXUAL ABUSE OF CHILDREN - POSS CHILD PORNOGRAPHY</b>									

Acts of the accused associated with this Offense:  
18 PA C.S. Section 6312(d) - SEXUAL ABUSE OF CHILDREN

To wit, the defendant did intentionally view or knowingly possess or control any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction, or other material depicting a child under the age of 18 years engaging in a prohibited sexual act or in the simulation of such act.

<b>Inchoate Offense</b>	<input type="checkbox"/> <b>Attempt</b> 18 901 A	<input type="checkbox"/> <b>Solicitation</b> 18 902 A	<input type="checkbox"/> <b>Conspiracy</b> 18 903						
<input type="checkbox"/> <b>Lead?</b>	<b>3</b>	<b>7512</b>	<b>A</b>	<b>of the</b>	<b>18</b>	<b>1</b>	<b>F3</b>		
	Offense #	Section	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
<b>PennDOT Data (if applicable)</b>	<b>Accident Number</b>				<input type="checkbox"/> <b>Safety Zone</b>			<input type="checkbox"/> <b>Work Zone</b>	
Statute Description (Include the name of statute or ordinance): <b>CRIMINAL USE OF COMMUNICATION FACILITY</b>									

Acts of the accused associated with this Offense:  
18 PA C.S. Section 7512(a) - CRIMINAL USE OF COMMUNICATION FACILITY

To wit, the defendant used a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a Felony under this title or under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device, and Cosmetic Act.



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<b>Defendant Name</b>	First <b>CHRISTOPHER</b>	Middle <b>JOHN</b>	Last <b>GOLDBERG</b>

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of section 4904 of the Crimes Code (18 PA C.C. 4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered 1 through 2.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of Assembly, or in violation of the statutes cited.  
**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

\_\_\_\_\_, \_\_\_\_\_ (Date) \_\_\_\_\_ (Signature of Affiant)

AND NOW, on this date \_\_\_\_\_ I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

**43-3-01**  
 \_\_\_\_\_  
 (Magisterial District Court Number)

\_\_\_\_\_  
 (Issuing Authority)





**POLICE CRIMINAL COMPLAINT**

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**AFFIDAVIT of PROBABLE CAUSE**

1. The Detective Unit of the Monroe County Office of the District Attorney is an "affiliated agency" of the Pennsylvania Internet Crimes Against Children (ICAC) Task Force. The Pennsylvania ICAC Task Force is a collaborative effort between Federal, State, and Local law enforcement agencies directing their efforts towards preventing, investigating, and prosecuting the exploitation of children on the Internet. The Task Force is responsible for conducting undercover online investigations, responding to complaints regarding children being sexually exploited via the Internet, conducting community education programs, and monitoring of the Internet for the bartering in child pornography.

I, your affiant, Detective Brian Webbe of the Monroe County Office of the District Attorney, have been a police officer for seventeen (17) years and I am currently assigned to perform undercover ICAC investigations. In addition, I am a certified forensic computer examiner, routinely conducting the forensic examination of computers and other digital media devices in a controlled environment.

I have received training in the investigation and prosecution of the online sexual exploitation of children, including the use of the Internet by sexual offenders to seduce, entice, and gain access to children for the purposes of sexual exploitation. In addition, I have been trained to investigate and prosecute the receipt, possession, and distribution of child pornography on the Internet by sexual offenders.

**DETAILS OF INVESTIGATION**

2. On April 22, 2017, I was conducting an online Internet investigation to identify those possessing and sharing child pornography using the BitTorrent network.

On that date, I located a computer on the BitTorrent network as a potential download candidate (or source) for at least one (1) torrent of investigative interest. Torrents can be comprised of a single file or thousands of files. This torrent of investigative interest was identified by its infohash value.

4. The above computer was assigned and using an IP address of 50.29.150.234, and is hereinafter referred to as the "suspect computer".

**I, DETECTIVE BRIAN WEBBE (I-5), BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.**

\_\_\_\_\_  
(Signature of Affiant)

Sworn to me and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_ Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, \_\_\_\_\_





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## AFFIDAVIT of PROBABLE CAUSE CONTINUATION

5. During the above investigation, I requested information from the suspect computer regarding whether it still possessed the torrent of interest, the percentage of that torrent's content possessed by the suspect computer, and the infohash of the torrent possessed by the suspect computer.

6. The suspect computer provided the above information as requested, stating that it possessed 897 pieces of the 3,298 pieces that comprised the files defined by the torrent.

7. To facilitate transmission on the BitTorrent network, the files identified by a torrent are broken into "pieces". A "piece" can define a single file, a portion of a single file, or multiple files, dependent upon the size of the files identified by the torrent.

8. I attempted to download the files possessed by the suspect computer, but was unsuccessful.

9. Using the infohash value of this torrent, as provided by the suspect computer, I was able to locate and download an exact copy of the files identified in the torrent from a different user on the BitTorrent network.

10. A comparison of the infohash hash value provided by the suspect computer with the infohash hash values of this downloaded torrent revealed that they were an exact match, indicating that the files were identical copies of one another.

11. A comparison of the pieces identified by the suspect computer as being fully possessed, and the pieces that comprised the copy of the same torrent I downloaded revealed that the suspect computer fully possessed 1,774 of the files defined by the torrent.

12. I reviewed a sample of the 1,774 files reported by the suspect computer as being fully possessed by itself, and confirmed that such files were child pornography in violation of 18 PA C.S.A. §6312, relating to sexual abuse of children. Such files are described by me below.

a. lsp-004-034.jpg

i. This file is an image depicting a mostly prepubescent female child, approximately eight (8) to ten (10) years of age, wearing knee-high stockings. She is sitting with her legs bent at the knee and her feet behind her. Her breasts are visible in the photograph.

b. lsp-004-41.jpg

i. This file is an image file depicting the same female child as above lying on her stomach and perpendicular to the camera. Her buttocks are exposed and visible to the camera.

c. lsp-004-49.jpg

i. This file is an image file depicting the same female child as above sitting with her legs bent at the knee and crossed in front of her. Her breasts are exposed and visible to the camera.

d. lsp-004-83.jpg

i. This file is an image file depicting the same female child as above kneeling while resting on her toes with her legs spread. Her breasts are exposed and visible to the camera, however her vagina is not visible due to a shadow.

e. lsp-004-95.jpg

i. This file is an image file depicting the same female child as above resting at an angle on the floor and supporting herself with her arm. Her breasts, vagina, and buttocks are all exposed and visible to the camera.

f. lsp-004-99.jpg

i. This file is an image file depicting the same female child as above resting at an angle on the floor and supporting herself with her arm. Her breasts and vagina are exposed and visible to the camera.

g. lsp-004-109.jpg

i. This file is an image file depicting the same female child as above on her elbows and knees, facing the camera, with



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**AFFIDAVIT of PROBABLE CAUSE CONTINUATION**

her buttocks and feet lifted up. Her buttocks are exposed and visible to the camera.

h. lsp-004-110.jpg

i. This file is an image file depicting the same female child as above, facing away from the camera. The photograph is zoomed in and focused on the child's buttocks and exposed vagina.

i. lsp-008-057.jpg

i. This file is an image depicting a mostly prepubescent female child, approximately eight (8) to ten (10) years of age. She is standing and the photograph is zoomed in and focused on the child's exposed vagina.

j. lsp-008-93.jpg

i. This file is an image file depicting the same female child as above lying face down with her legs spread. Her buttocks are exposed and visible to the camera.

13. A check of publicly available records located online determined that the aforementioned IP address was assigned to a company known as PenTeleData, Inc.

14. Pursuant to 18 PA C.S.A. §5743.1, and administrative subpoena was served upon PenTeleData, Inc. directing them to identify the subscriber assigned the aforementioned IP address on the above date and time. PenTeleData, Inc. complied with the request, identifying the following subscriber:

Subscriber Name: Betty Goldberg  
Service Address: 9541 Jasmine Drive, Tobyhanna, PA 18466

This address is located in Coolbaugh Township, Monroe County, Pennsylvania.

**SEARCH WARRANT AND INTERVIEW**

15. On June 28, 2017, a search warrant was served upon the residence at 9541 Jasmine Drive in Coolbaugh Township, Monroe County, Pennsylvania.

16. Upon arrival at the residence, officers discovered the defendant, Christopher GOLDBERG, at home, along with his adult sister and mother.

17. A search of the home revealed numerous computers and related devices, including two (2) cellular telephones, both identified as belonging to the defendant, as well as a Dell laptop computer belonging to the defendant's sister.

18. The Dell laptop, while belonging to the defendant's sister, was available to and used by the defendant in the recent past. Both the defendant, his sister, and his mother confirmed this.

19. A search of one (1) of the defendant's cellular telephones revealed the presence of one (1) video of child pornography and fifty-three (53) images depicting child pornography. All such files were contained within the "Downloads" folder on the defendant's cellular telephone.

20. The video depicted a female child, approximately twelve (12) to fourteen (14) years of age in a bedroom dancing suggestively, wearing only a skirt. She is nude from the waist up. The child crawls towards the camera, mimics licking the camera, then lifts her skirt, revealing that she is not wearing underwear and exposing her vagina. The child removes her skirt, sits on a chair with her legs spread close to the camera, and uses her hands to separate her labia.



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**AFFIDAVIT of PROBABLE CAUSE CONTINUATION**

21. The fifty-three (53) images depict numerous children between the ages of four (4) years and twelve (12) years. The children are nude on a beach and involved in various activities. These fifty-three (53) images are part of a larger set of nudist photography.

22. A search of the Dell laptop computer revealed the presence of the torrent software utilized by the suspect computer described above, as well as several torrent files with names indicative of child pornography (specifically, the LS-Models series).

23. I also located and recovered two (2) .rar archive files with names indicative of child pornography (the LS-Models series) in the "Downloads" folder of this computer. Such files were corrupt and not able to be opened to view their contents.

24. The files described above under item 12 are also a part of the known LS-Models series of child pornography.

25. Post-Miranda, the defendant stated that he had many fetishes and downloaded many different types of pornography, including nude images of children.

26. He related that he did so while under the belief that such images and videos were not unlawful if they didn't depict a sexual act.

27. The defendant further stated that there are "certain things" which he knows he has to keep suppressed, and that he thought it better to download files which he termed "on the line" in order to "entertain those" issues.

**CONCLUSION**

28. Based upon the above facts and findings, the defendant possessed child pornography in violation of 18 PA C.S.A. Section 6312(d), which included one (1) video depicting indecent contact with a child, graded as a felony of the second degree, and sixty-three (63) photographic images which did not depict indecent contact with a child, and are graded as a felony of the third degree.

29. Further, the defendant utilized a communication facility to facilitate the commission of a felony in violation of Title 18 of the Pennsylvania Consolidated Statutes, Section 7512(a), relating to criminal use of a communication facility, a felony of the third degree.

\_\_\_\_\_  
(Signature of Affiant)

**CONFIDENTIAL**



**Confidential Information Form  
Criminal Complaint**

Complete the defendant's SSN information if known. If this form is submitted as part of a Police Criminal Complaint, the NCIC Cautions/Medical Conditions and Scars/Marks/Tatoos sections should also be completed if know.

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NCIC Cautions and Medical Conditions (check up to 9)				
<input type="checkbox"/> 00	<input type="checkbox"/> 20	<input type="checkbox"/> 50	<input type="checkbox"/> 70	<input type="checkbox"/> 01 - Other
<input type="checkbox"/> 05	<input type="checkbox"/> 25	<input type="checkbox"/> 55	<input type="checkbox"/> 80	
<input type="checkbox"/> 10	<input type="checkbox"/> 30	<input type="checkbox"/> 60	<input type="checkbox"/> 85	
<input type="checkbox"/> 15	<input type="checkbox"/> 40	<input type="checkbox"/> 65	<input type="checkbox"/> 90	

<b>Scars, Marks, Tattoos (NCIC Codes)</b>	
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**Confidential Information**

Name <b>CHRISTOPHER JOHN GOLDBERG</b>	Social Security Number <b>120-74-4391</b>
<input checked="" type="checkbox"/> Defendant	Financial Information:
<input type="checkbox"/> Other _____	