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FILED

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U.S. MAGISTRATE JUDGE

BY \_\_\_\_\_

5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7  
8 UNITED STATES OF AMERICA,  
9  
PLAINTIFF,  
10 VS.  
11 JAN ROUVEN FUECHTENER,  
12  
DEFENDANT.

Case No. 2:16-mj-0179-PAL

COMPLAINT

VIOLATIONS:

18 U.S.C. § 2252A(a)(2)  
RECEIPT OF CHILD PORNOGRAPHY

13  
14 BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned  
15 Complainant, being first duly sworn, deposes and states:

16 **COUNT ONE**

*Receipt or Distribution of Child Pornography*

17 On or about September 14, 2015, in the State and Federal District of Nevada and elsewhere,

18 **JAN ROUVEN FUECHTENER**

19 defendant herein, did knowingly receive and distribute child pornography and any material that  
20 contains child pornography, as defined in Title 18, United States Code, Section 2256(8), that had  
21 been shipped and transported in and affecting interstate and foreign commerce by any means,  
22 including by computer; and that had been shipped and transported using any means and facility of  
23 Interstate and foreign commerce, in violation of Title 18, United States Code, Section 2252A(a)(2)  
24 and (b).

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**PROBABLE CAUSE AFFIDAVIT**

I, Mari Panovich, Complainant, as and for probable cause, state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI), currently assigned to the Las Vegas Field Office – Violent Crimes Against Children (VCAC) Squad, and have been so employed since January 2009. I am responsible for investigations involving the production, importation, advertising, receipt, and distribution of child pornography which occur in the District of Nevada. Among my duties on the VCAC Squad is to conduct investigations pursuant to the FBI’s Innocent Images National Initiative (IINI), which focuses on crimes where computers and the Internet are used in the sexual exploitation of children. In conducting such investigations, I have gained firsthand knowledge and experience through IINI training, other Special Agents and Child Exploitation Task Force Officers. I have received basic, advanced and on the job training in the investigation of cases involving the sexual exploitation of children.

2. This Affidavit is made in support of a complaint charging JAN ROUVEN FUECHTENER with a violation of Title 18, United States Code, Section 2252A(a)(2), which makes it illegal for a person to receive and distribute child pornography and Title 18 United States Code, Section 2252A(a)(5) which makes it illegal for a person to possess child pornography.

3. The statements contained in this affidavit are based on an ongoing federal task force investigation for which I have been personally involved, and also include information that was obtained from other law enforcement officials involved in the investigation.

4. On August 3, 2015, a Task Force Officer (TFO) from the FBI Buffalo Field Office Child Exploitation Task Force (CETF), operating in an undercover capacity, was accepted into the network of an individual utilizing the user name “Lars45” within a publicly available peer-to-peer (P2P) file sharing program.

1           5.       On August 4, 2015, through a chat message within the P2P file sharing program,  
2 Lars45 initiated contact with the TFO and provided the password to his/her locked shared folders on  
3 the file-sharing program.

4           6.       On September 14, 2015, the TFO signed on to the P2P file sharing program and  
5 observed that Lars45 was logged into the network. Using the password previously supplied by  
6 Lars45, the TFO was able to access and browse Lars45's shared directories and observed file titles  
7 indicative of child pornography.

8           7.       The TFO successfully downloaded numerous files indicative of child pornography  
9 from the password protected folders Lars45 was sharing. The files indicative of child pornography  
10 were from one IP address. An IP address refers to a unique number assigned by an Internet service  
11 provider to their customer. In this case, the IP address that provided the password to the child  
12 pornography files was determined to originate from 7080 Donald Nelson Avenue, Las Vegas,  
13 Nevada. Of the files shared, below are descriptions of three files the undercover received:

14           a.       **Title:** ends in "blindbondage"

15                   **Description:** A video, 3 minutes and 26 seconds in length, of a prepubescent male  
16 child, approximately 7 to 8 years old performing oral sex on an adult male's erect  
17 penis. The child is kneeling in front of the standing adult. The male child is wearing  
18 a black blindfold which covers his nose, eyes and forehead. At the end of the video,  
19 the adult male appears to ejaculate in the child's mouth.

20           b.       **Title:** ends in "(2013) toddler 2012 man fuck little boy in ass (brilliant).flv"

21                   **Description:** A video, 1 minute 49 seconds in length, of a prepubescent male child,  
22 approximately 3 to 4 years of age, lying on a bed while an adult's hand forces an  
23 adult male's erect penis into the child's anus. The child can be heard whimpering in  
24 the video.

          c.       **Title:** end in "8yo anal fuck POV – Sound – New 2014.rmvb"

**Description:** A video, 47 seconds in length, of an adult male's erect penis engaging  
in anal sex with a child, unknown age or sex. The child can be heard yelling and  
crying in pain throughout the video. At the end of the video, the adult male

1 ejaculates on the child's buttocks.

2 8. On January 21, 2016, your Complainant executed a Federal search warrant at 7080  
3 Donald Nelson Ave. in Las Vegas, NV. The search warrant, signed by U.S. Magistrate Judge  
4 Nancy J. Koppe, was issued after a probable cause determination regarding an ongoing distribution  
5 and possession of child pornography investigation.

6 9. Upon execution of the aforementioned search warrant, law enforcement made contact  
7 with JAN ROUVEN FUECHTENER, at the subject residence which is located in the state and  
8 federal jurisdiction of Nevada. It was determined that the residence at 7080 Donald Nelson Avenue,  
9 Las Vegas, Nevada is owned by JAN ROUVEN FUECHTENER and Frank Dietmar Alfter, JAN  
10 ROUVEN FUECHTENER's husband. Evidence seized from 7080 Donald Nelson Avenue, Las  
11 Vegas, Nevada included, but is not limited to, an Apple iMac All in One computer containing a 1TB  
12 hard drive located in the casita/pool house, known as evidence item 1B3, and a My Passport Ultra  
13 external hard drive, located on the ground in the back patio area, known as evidence item 1B7.

14 10. Also on January 21, 2016, your Complainant interviewed the defendant, JAN  
15 ROUVEN FUECHTENER. The defendant was read and signed a written waiver of his Miranda  
16 rights. During the interview, post-Miranda, JAN ROUVEN FUECHTENER stated that he had seen  
17 child pornography before and understood child pornography to be sexually explicit material of a  
18 child under the age of 18 but that he had no need for child pornography. JAN ROUVEN  
19 FUECHTENER has used P2P file sharing programs, was familiar with the specific P2P file sharing  
20 program and had used it in the past to obtain German television shows and magic shows.

21 11. During a forensic examination of evidence item 1B3, approximately 251 videos  
22 depicting child pornography and six images depicting child pornography were identified. Further  
23 investigation of the images and videos depicting child pornography revealed many of the files were  
24 saved under the file path Users/Rouven. Several of the specific P2P file sharing program chat logs

1 between Lars45 and another user were located on evidence item 1B3, under the  
2 [ROOT]/Users/Rouven user path.

3 12. During a forensic examination of evidence item 1B7, approximately 3,235 videos  
4 depicting child pornography and 105 images depicting child pornography were identified. Further  
5 investigation to determine the location of the images and videos depicting child pornography  
6 revealed many of the files were saved under the specific P2P program name/lars45. Furthermore,  
7 two folders were discovered named as the specific P2P file sharing program and at least one folder  
8 was named "lars45".

9 13. On January 31, 2016, your Complainant interviewed Frank Dietmar Alfter. Alfter  
10 was read and signed a written waiver of Miranda rights. During the interview, post-Miranda, Alfter  
11 stated that he, himself, did not download child pornography. Alfter was upset because JAN  
12 ROUVEN FUECHTENER is on the internet looking at porn all of the time, "24/7". Alfter stated  
13 that JAN ROUVEN FUECHTENER is the only person who has access to the computers in the pool  
14 house, as far as Alfter knows, and is the only one who knows the passwords to those computers.  
15 Alfter relies upon JAN ROUVEN FUECHTENER to set up all of the computers and the routers  
16 throughout the house, outside and in the pool house.

