

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

U.S. DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

for the
Western District of Arkansas

DEC 07 2014

CHRIS R. JOHNSON, Clerk
By
Deputy Clerk

United States of America)
v.)
NATHAN KARL THOMAS)

Case No. 4:14MJ4013

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 12/07/2014 in the county of Sevier in the Western District of Arkansas, the defendant violated 18 U. S. C. § 2252A(2)(B), an offense described as follows:
any person who knowingly receives or distributes any material that contains child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.


This criminal complaint is based on these facts:

Continued on the attached sheet.


Complainant's signature
Donna Layman HSI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date December 7, 2014


Judge's signature
Barry A. Bryant, United States Magistrate Judge
Printed name and title


City and state: Texarkana, Arkansas

AFFIDAVIT

1. I, Donna Layman, am a Special Agent with the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). I am presently assigned to the HSI office in Texarkana, Arkansas. I have been employed as a Special Agent with HSI and its predecessor agency, the United States Immigration and Naturalization Service, since 1998. Prior to becoming a Special Agent, I was a Border Patrol Agent for over three years.
2. On November 13, 2014, an interview was conducted with a juvenile female (born in 1999 and identified in chambers to the honorable Magistrate Judge Barry Bryant), a resident of Texarkana, TX 75503, at the Texas Children's Advocacy Center (CAC) by a Licensed Professional Counselor Forensic Interviewer. During the interview, the juvenile female admitted to using a social networking application and participating in chat rooms that include child pornography. The juvenile female also admitting to exchanging images of child pornography online with an unnamed male friend at his request.
3. On December 5, 2014, the juvenile female voluntarily provided an inactive cellular phone to law enforcement officials. The juvenile female indicated that she uses the inactive cellular phone to contact a subject named NATHAN THOMAS by wifi-based applications on the device. She also identified NATHAN THOMAS as the unnamed male that she had previously described during the CAC interviews. The juvenile female and her father provided written consent to search this device. The inactive cellular phone contained a text conversation in a social networking application between the juvenile female and a sender identified as "prOmetheus8" that described an incident where "prOmetheus8" encouraged the juvenile female to perform a sex act that was similar to an event that was previously described by the juvenile female during the first CAC interview. The juvenile female identified NATHAN THOMAS as "prOmetheus8" and described him as a 22 or 23-year old white male who lives near De Queen, in the Western District of Arkansas. The juvenile female also described the residence where THOMAS resides.
4. On December 06, 2014, your affiant along with additional law enforcement members, executed a search warrant at a residence at 151 Provo Road, Lot 23 in Lockesburg, Arkansas. Upon arrival at the residence, a subject identified as NATHAN THOMAS was present and an active cellular telephone belonging to him was recovered. The phone was searched and found to contain on the home screen the name "prOmetheus8" as well as the identity of the juvenile female among the device's stored contacts. A further review of the phone revealed that it contained numerous pornographic images of females. Law enforcement was able to verify that at least 2 of these pornographic images were of the juvenile female. (born in 1999).

5. Based upon this information, I believe that NATHAN KARL THOMAS has violated Title 18 United States Code, Section 2252A(2)(B) by receiving any material that contains child pornography that has been mailed, or using any means or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

Dated at Texarkana, Arkansas, in the Western District of Arkansas, on this 7th day of December, 2014.



Donna J. Layman
Special Agent
Homeland Security Investigations

Sworn to and subscribed before me this 7th day of December, 2014.



Barry A. Bryant
United States Magistrate Judge