

5-16-09

AO (Rev. 5/85) Criminal Complaint

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

CASE NUMBER:

RHONDA BAYS

09-1156

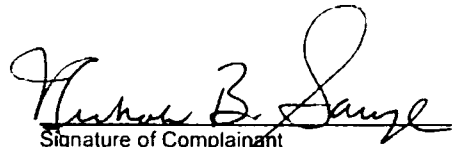
I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. Beginning on an unknown date and continuing through and including on or about May 15, 2009, in Orange and Lake Counties, in the Middle District of Florida, defendant did,

conspire with another to travel in interstate commerce for the purpose of engaging in illicit sexual conduct

in violation of Title 18, United States Code, Sections 2423(b) and (e). I further state that I am a special agent with the Federal Bureau of Investigation, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof:  Yes  No

  
Signature of Complainant  
Nicholas Savage

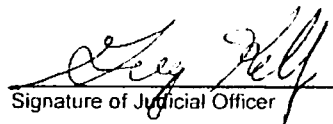
Sworn to before me and subscribed in my presence,

May 16, 2009

at

Orlando, Florida

Gregory J. Kelly  
United States Magistrate Judge  
Name & Title of Judicial Officer

  
Signature of Judicial Officer

REDACTED

State of Florida  
County of Orange

Case No. 6:09-mj-  
[REDACTED]

1156

AFFIDAVIT IN SUPPORT OF ARREST WARRANT

I, Nickolas Savage, having been duly sworn, depose and state as follows:

1. I am currently in my tenth year of employment as a special agent (SA) with the Federal Bureau of Investigation (FBI). For over eight years, I have been the Tampa Division Crimes Against Children Coordinator and responsible for the Innocent Images Task Force in the Orlando Resident Agency. Prior to my employment with the FBI, I was employed with the Pittsburgh Bureau of Police for six and a half years with part of that time as a Detective in the Sex Assault/Family Crisis Unit.

2. Your affiant respectfully submits this affidavit in support of a criminal complaint for RHONDA BAYS (hereinafter BAYS). BAYS is described as a white female, date of birth 12/30/69, residing at 611 S. Grove Street, Eustis, Florida. For the reasons set forth in this affidavit, there is probable cause to believe that BAYS committed violations of Title 18, United States Code, Sections 2423, subsections (b) and (e).

3. The statements in this affidavit are based on my personal investigation, as well as on information provided by other law enforcement officers of the FBI. Since this affidavit is being submitted for the limited purpose of securing criminal complaint, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish probable cause to believe that BAYS has committed violations of Title 18, United States Code, Sections 2423, subsections (b) and (c).

4. On May 7, 2009, an undercover officer (hereinafter "UC") with the Federal FBI's Washington Field Office Child Exploitation Task Force was logged onto Yahoo! Instant Messenger monitoring for individuals distributing child pornography. Your affiant was utilizing a computer located in the District of Columbia. At approximately 8:52 p.m., the UC made contact via Yahoo! Instant Messenger with an individual hereinafter referred to as the Confidential Source (hereinafter "CS"). During that online conversation, the CS opened up the "photo share" feature of Yahoo! instant messenger and sent to your affiant approximately 130 digital images, nearly all of which depicted prepubescent minor children, male and female, engaging in sexual activity with adults. Those images were captured and saved by FBI agents.

5. The CS was subsequently identified, and was arrested on May 13, 2009, pursuant to a warrant issued by the United States District Court for the District of Columbia for violation of 18 U.S.C. Section 2252(a)(2). The CS is currently charged by Complaint with a violation of 18 U.S.C. Section 2252(a)(2), and is held without bond pending a future court date. Subsequent to the CS's May 13, 2009, arrest, the CS waived his Miranda rights and agreed to speak with law enforcement. During that interview, the CS advised law enforcement that a friend named Tanner Stickney (hereinafter "Stickney") had informed the CS, during online chat conversations between the two of them, that Stickney intended to travel to Florida on Friday, May 15, 2009, in order to have sexual contact with a year-old child.

6. The CS further advised law enforcement that on approximately three occasions, and as recently as approximately one to two months prior to the CS's arrest, Stickney had visited the CS's apartment, during which visits Stickney had brought with him Stickney's laptop computer and electronic storage devices, on which were stored child pornography. The CS described the child pornography stored on Stickney's laptop and electronic storage devices as

depicting prepubescent children, from infants up to the approximate age of twelve years old, engaged in sex acts with adults, similar in nature to the above-described pictures the CS distributed on May 7, 2009. During those visits, the CS stated that he and Stickney traded child pornography with each other, viewed child pornography that had been stored on Stickney's laptop computer and electronic storage devices, and masturbated together. The CS also stated that he had traded similar child pornography with Stickney online.

7. An electronic search of the internet revealed that Stickney maintains an account on [www.facebook.com](http://www.facebook.com), a social networking website which allows users, *inter alia*, to post on their site personal information to include photographs and other identifying information. In the presence of law enforcement, the CS viewed a photograph on the Facebook account of Stickney and identified that photograph as that of Stickney. The Facebook profile of Stickney lists his date of birth as 4/12/1980.

8. Also during the interview of the CS, the CS allowed law enforcement agents to log onto the CS's Yahoo! Instant Messenger account, in order to send an instant message to Stickney. At 4:30 p.m. on May 13, 2009, an individual with the Yahoo! display name "Tanner Stickney" engaged in an online conversation with the UC, who was posing as the CS under the CS's Yahoo! Instant Messenger screen name. The Yahoo! profile of the user with the display name "Tanner Stickney" describes user "Tanner Stickney" as 29 years old, male, in Washington, D.C. During that online conversation, the undersigned and the individual with the display name "Tanner Stickney" engaged in the following online conversation, during which the individual with the display name "Tanner Stickney" confirmed that he was traveling to Florida on Friday for purposes of having sexual contact with a year-old child, and that he had previously had sexual contact with that child. Also during this online conversation, the individual with the

display name "Tanner Stickney" attempted to solicit your affiant to share with him any "new vids." a reference to videos of child pornography:

The CS: maybe we can perv out later this week if your around  
Tanner Stickney: I leave Friday morning  
The CS: damn you lucky fuck did you hook it up for sure  
The CS: im jealous  
Tanner Stickney: Well she's now sayin she double booked the weekend and is supposed to go to miami with her sis, but im trying my best to guilt her into stayin with me  
Tanner Stickney: so we'll see  
The CS: ahh ok hopefully she will stay  
Tanner Stickney: ya she better  
The CS: hide me in your luggage  
The CS: lol  
The CS: what all will he do  
Tanner Stickney: everything but fuck pretty much  
The CS: mmm  
The CS: damn you gotta take me one day  
Tanner Stickney: ya never know  
The CS: does he get your whole cock down his throat  
The CS: lol  
The CS: tease  
Tanner Stickney: god now im horny and need to stroke  
The CS: me too  
The CS: how old is is lil ass  
Tanner Stickney:  
The CS: mmmm  
The CS: fucking hot  
Tanner Stickney: any new vids to share?  
The CS: same old shit im back in town tomorrow thats why i was seeing if you had anything  
Tanner Stickney: ahh sux  
The CS: i know  
The CS: you had him before right or was that another one cant remember  
Tanner Stickney: ya i have

9. A check of driver's license database information revealed that Stickney, date of birth 4/12/1980, maintains a Florida driver's license, with a current address of 53 Seaton Pl., NW, Washington, DC. The photograph associated with that driver's license matches the Facebook photograph of Stickney identified by the CS as Stickney. The United States Postal Service has confirmed that Stickney currently receives mail at 53 Seaton Pl., NW, Washington, DC.

10. Information received from AirTran Airways confirmed that Stickney was scheduled to travel to Orlando, FL on Friday, May 15, 2009, returning on Monday, May 18, 2009. In particular, Stickney was booked on AirTran Airways flight number 471, which departed from Thurgood Marshall Baltimore Washington International Airport (BWI) on Friday, May 15, 2009, at 8:40 a.m., connecting through Charlotte, NC. Stickney was then booked on AirTran Airways flight number 1109 to Orlando, FL, departing Charlotte, NC at 11:37 a.m. and arriving in Orlando, FL at 1:12 p.m. Stickney is scheduled to return from Orlando, FL on Monday, May 18, 2009, on AirTran Airways flight number 837, leaving Orlando, FL at 4:56 p.m. and connecting through Charlotte, NC. Stickney is then booked on AirTran Airways flight number 506, scheduled to arrive at BWI at 9:29 p.m. Further investigation revealed that Stickney has hotel reservations at the Knights Inn on West Irlo Bronson Mem. Hwy, Kissimmee, FL, from May 15 through May 17.

11. On May 15, 2009, in the early morning hours, Stickney was observed by FBI agents leaving his home at 53 Seaton Pl., NW, Washington, DC and traveling to BWI, where he boarded AirTrain flight 471. Stickney was observed to be carrying luggage to include a bag inside of which a laptop computer may be stored. At approximately 11:00 a.m., Stickney was observed by FBI agents in the Charlotte, NC airport, using a cellular telephone. At approximately 11:37 a.m., Stickney boarded AirTran flight 1109 from Charlotte, NC to Orlando, FL. Stickney was accompanied on that flight by FBI agents. Upon his arrival in Orlando, FL, Stickney was arrested pursuant to a warrant issued by the United States District Court for the District of Columbia. A search incident to his arrest found him in possession of a laptop computer and a small, digital storage device. Stored on that digital storage device were videos

depicting minor children engaging in sexually explicit activity. Inside his luggage, Stickney was also found in possession a half-full 8 fl. oz bottle of "Jo H2O" "anal personal lubricant."

12. On May 15, 2009, members of the Federal Bureau of Investigation (FBI) executed a United States District Court for the District of Columbia search warrant at 53 Seaton Place, NW, Washington, DC, on account of probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 United States Code Section 2252(a)(2) and (a)(4), that is, materials relating to the distribution and possession of visual depictions of minors engaging in sexually explicit conduct, were located within that premises, the residence of Stickney.

13. During the course of the search, FBI agents located a bedroom on the second floor of the residence, inside of which were the U.S. Passport, checkbook, and other personal papers in the name of Stickney. Driver's license database information reveals that Stickney, date of birth 4/12/1980, maintains a Florida driver's license, with a current address of 53 Seaton Place, NW, Washington, DC. The United States Postal Service has confirmed that Stickney currently receives mail at 53 Seaton Place, NW, Washington, DC.

14. On a bookshelf in that bedroom, agents located a CVS brand disposable video camera. Markings on the camera indicate that it was made in China and distributed through Woonsocket, RI. Stored on that video camera, and viewed by agents through the camera viewfinder, was an approximately four minute long video. That video depicts a prepubescent male child, approximately        years old, naked from the waist down. An adult male is seen to masturbate and perform oral sex on the boy's penis. The adult male also is seen to rub his erect penis on the boy's penis. The adult male appears to be manipulating the camera himself, and is

briefly visible during the video. The adult male visible in the video is consistent in appearance with the Florida driver's license photograph of Stickney.

15. In a closet in that same bedroom was found a compact disc, the contents of which were viewed by agents. On that compact disc were stored five separate videos, each depicting prepubescent boys engaged in masturbation, oral and anal sex.

16. On May 15, 2009, FBI agents from Washington, D.C. and the Orlando, Florida arrested Stickney at the Orlando International Airport. A court-authorized search of Stickney's cell phone, laptop computer and external storage device uncovered in excess of 100 movie files depicting prepubescent children engaged in sexual activities. After reviewing these images, an FBI agent, based on his training and experience, informed your affiant that the images constitute child pornography. The search of Stickney's cell phone also revealed chats with an individual labeled "Rhoni." The telephone number associated with Rhoni is 352-217-4656. Several of these incoming text messages from Rhoni read as follows:

May 13, 3:40 PM: "With my sis and to go see . That's daddy. She is gonna in ahead and marry him. Not this weekend but soon."  
May 13, 10:14 PM: "Heres the thing.... wont change her plans for Miami. So she is oing with . I can have her apartment while she is gone. But that means no pp."  
May 13, 10:20 PM: ":-)that's awesome. Im still looking for a pp replacement..."  
May 13, 10:21 PM: "There is ' ' but he is only "  
May 14, 10:47 PM: "Excited?"

17. Believing that exigent circumstances existed, your affiant, along with Special Agent Chadwick M. Elgersma initiated a chat with Rhoni using Stickney's cell phone. These texts are as follows:

FBI: "Hey fuckn bad day im finally here ready for some fun"  
FBI: "Hey u there"  
Roni: "Ya. I am here. Enjoying yourself yet?:-)"  
FBI: "I will as soon as I can see u what u got for me"  
FBI: "I have some fun stuff if is still coming"  
Roni: "Ya. It will be after 4 tomorrow tho"  
Roni: "Can I call u real quick?"

FBI: "No cant call now"  
Roni: "Okay. Text me when its good"  
FBI: "Where u at now"  
Roni: "Home. With EVERYONE."  
FBI: "Oh sorry tell me about tomorrow I need a little help tonight"  
Roni: "Did you come alone?"  
Roni: "Well"  
FBI: "Please dont tease me"  
Roni: "You can pretty much do as you wish. Nothing harmful tho"  
FBI: "Never any suggestions"  
Roni: "You could try and let him suck on you..."  
Roni: "Or he can lay on the bed while we fuck"  
FBI: "Youre helping now"  
Roni: "Lol.Mmmm.Just thing...tiny...hairless...Mmm."

18. An emergency subpoena to T-Mobile revealed that the account associated with cell number 352-217-4656 has cell user name of RHONDA BAYS (hereinafter "BAYS"). The billing name for this account is Kissimmee, Florida.

19. Believing that exigent circumstances existed, FBI agents at WFO contacted T-Mobile and explained that the user of the cell phone with the cell number of 352-217-4656 may be preparing to harm at least one child. In response, T-Mobile initiated an emergency e-911 tracking system for the cell phone with the number of 352-217-4656. By initiating this e-911 tracking system, T-Mobile provided the Global Positioning System (GPS) coordinates of said cell phone to FBI agents. A review of these GPS coordinates placed the cell phone in the vicinity of S. Grove Street and Woodward Avenue in Eustis, Florida.

20. During the early morning hours May 16, 2009, agents spoke with Eustis Police Officer Adam Donaldson (hereinafter "Officer Donaldson"). Officer Donaldson confirmed that BAYS resided at 611 S. Grove Street, Eustis, Florida. A drive-by of the residence by FBI agents confirmed 611 S. Grove Street, Eustis, Florida is physically located on the corner of S. Grove Street and Woodward Avenue in Eustis, Florida

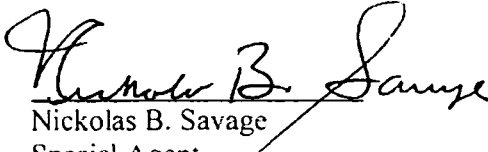
21. On May 16, 2009, FBI agents conducted a probable cause arrest of BAYS outside of her residence. At approximately 12:28 A.M., agents verbally advised BAYS of her Miranda rights. Agents also provide BAYS with an opportunity to read her Miranda rights. At 12:30 A.M., BAYS voluntarily waived her Miranda rights and spoke with agents. During this interview, BAYS admitted that she and Stickney met through Facebook and were engaged in a sexual relationship. According to BAYS, however, they had broken up around February 14, 2009. In the past, when Stickney visited BAYS, Stickney often dropped "a lot of cash." When asked to elaborate, BAYS said that Stickney would spend a lot at restaurants and amusement parks. BAYS also admitted her cell phone number is 352-217-4656.

22. During the same interview, BAYS admitted to chatting with Stickney and that some of these chats were of a sexual nature. According to BAYS, Stickney fanaticizes about engaging in sexual acts with "little boys," as well as "molestation." BAYS stated that she engages in these sexual molestation chats with Stickney as part of his fantasy.

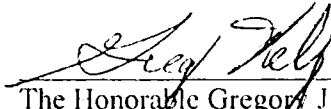
23. FBI agents read BAYS several of the sexual chats she had with Stickney. One of these chats was the one on May 13 at 10:14 PM. Specifically, agents asked BAYS what she meant when she wrote that there would be no "pp." BAYS replied that pp was a nickname Stickney gave to . According to BAYS, is BAYS's , and the year old son of BAYS' . FBI agents were subsequently able to verify the existence of .

24. Based on the above information, I believe probable cause exists establishing evidence of a violation of Title 18, United States Code. Sections 2423(b) and (e) by RHONDA BAYS and respectfully request the issuance of a warrant.

This concludes my affidavit.

  
Nickolas B. Savage  
Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed  
Before me this 16 day  
of May 2009

  
The Honorable Gregory J. Kelly  
United States Magistrate Judge