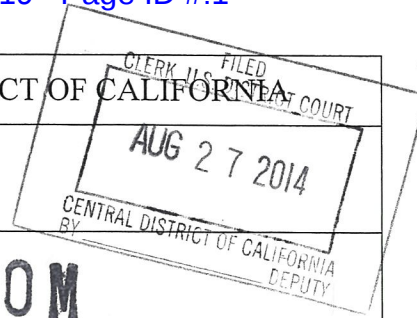


AO 91 (Rev. 11/82)

CRIMINAL COMPLAINT

UNITED STATES DISTRICT COURT	CENTRAL DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA v. KEITH PRESON GARTENLAUB	DOCKET NO. MAGISTRATE'S CASE NO. SA 14-320M



Complaint for violation of Title 18, United States Code, Section 2252A(a)(5)(B)

NAME OF MAGISTRATE JUDGE HONORABLE JAY C. GANDHI	UNITED STATES MAGISTRATE JUDGE	LOCATION Santa Ana, California
DATE OF OFFENSE January 29, 2014	PLACE OF OFFENSE Orange County	ADDRESS OF ACCUSED (IF KNOWN)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

18 U.S.C. § 2252A(a)(5)(B)

On or about January 29, 2014, in Orange County, within the Central District of California, in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), defendant Keith Preston Gartenlaub knowingly possessed child pornography.

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2014 AUG 27 AM 12:30
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA
BY _____

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

(See attached affidavit which is incorporated as part of this Complaint)

MATERIAL WITNESSES IN RELATION TO THIS CHARGE: N/A

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT KENNETH F. COOPER <i>/s/</i>
	OFFICIAL TITLE Special Agent – FEDERAL BUREAU OF INVESTIGATION

Sworn to before me and subscribed in my presence,

SIGNATURE OF MAGISTRATE JUDGE ⁽¹⁾ Jay C. Gandhi	DATE August 27, 2014
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⁽¹⁾ See Federal Rules of Criminal Procedure 3 and 54

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A F F I D A V I T

I, KENNETH F. COOPER, being duly sworn, do hereby depose and state:

I. INTRODUCTION

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), and I have been so employed for approximately eight years. During my career as a Special Agent, I have investigated violations of federal law related to crimes against children, bank robberies, counterterrorism, and counterintelligence. I have also participated in investigations conducted by the Organized Crime Drug Enforcement Task Force ("OCDETF"), and the Safe Streets Task Force ("SSTF"). Currently, I conduct investigations related to computer intrusions, commonly referred to as "hacking." During my time as an F.B.I. Special Agent, I have directed or participated in the execution of child pornography and child prostitution search warrants and arrests.

II. PURPOSE OF AFFIDAVIT

2. This affidavit is made in support of a criminal complaint and arrest warrant charging KEITH GARTENLAUB ("GARTENLAUB") with a violation of Title 18, United States Code, Section 2252A(a)(5)(B) (possession of child pornography).¹

¹ "Child pornography" is defined for § 2252A in § 2256(8) as any visual depiction, including any photograph, film, video, picture, or computer or computer generated image or picture, whether made or produced by electronic, mechanical, or other means of sexually explicit conduct involving the use of a minor engaged in said conduct. "Sexually explicit conduct" is

3. The facts set forth in this affidavit are based on my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show that there is sufficient probable cause for the requested criminal complaint and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all dates noted in this affidavit are on or about the date listed.

III. SUMMARY OF INVESTIGATION

A. Summary of Probable Cause

4. On January 29, 2014, and January 30, 2014, agents conducted a court-authorized search without notice to the residents of 95 Danbury Lane, a house located in Irvine, California (the "Danbury Residence"), where KEITH GARTENLAUB ("GARTENLAUB")² then resided with his wife, Tess Yi (a.k.a. Tess Gartenlaub). During the search, agents obtained forensic images

defined for § 2252A in § 2256(2) and includes sexual intercourse, including oral-genital or anal genital, whether between persons of the same gender or different genders, or the lascivious exhibition of the genitals or pubic area of any person.

² GARTENLAUB works in the information technology group of a large corporation, and has worked there for several years. Specifically, GARTENLAUB works as an application administrator for several computer applications that run in Unix or Microsoft Windows operating system environments. GARTENLAUB thus regularly works with computers running Windows or Unix operating systems and is highly proficient with computers running either of these operating systems.

and copies of multiple hard drives and other digital devices. Subsequent analysis of these forensic images revealed that three of the hard drives contained child pornography. As explained in detail below, the locations of the video files within the overall file structure of the hard drives indicated that they belonged to GARTENLAUB.

B. GARTENLAUB Lived at the Danbury Residence in January 2014

5. Documents obtained pursuant to a search warrant for the e-mail account "Kgartenlaub@yahoo.com" indicated that GARTENLAUB and his wife, Yi, lived at the Danbury Residence until March 2014. Among other documents, agents obtained:

a. A property insurance policy for the Danbury Residence, dated August 21, 2009, and bearing the notarized signatures of Keith and Tess Gartenlaub;

b. A loan application dated April 24, 2013, in the name of "Tess Gartenlaub." The application identifies "Keith Gartenlaub" as Tess Gartenlaub's spouse and indicates that their address was the Danbury Residence. The application contains Tess Gartenlaub's social security number and date of birth, as well as GARTENLAUB's social security number and date of birth;

c. A credit report dated April 24, 2013, prepared for "Keith P. Gartenlaub." The report indicated that Keith Gartenlaub's address was the Danbury Residence, and accurately identified his employer. The report also contains GARTENLAUB's correct year of birth, as well as accurate identification

numbers for several financial accounts in GARTENLAUB's name;
and,

d. A lease agreement dated May 1, 2013, between Keith and Tess Gartenlaub and another person, for a commercial property in Laguna Beach, California, that is the location of a business jointly owned by Tess Gartenlaub and GARTENLAUB.

6. Records provided by Cox Communications indicated that "Keith Gartenlaub" maintained a subscription for Internet service at the Danbury Residence, as of January 8, 2014.

7. Based on physical surveillance conducted by the F.B.I. on and after March 30, 2014, described below, I believe that GARTENLAUB no longer resides at the Danbury Residence. In addition, based on physical surveillance on multiple occasions in July and August 2014, I believe that GARTENLAUB and his wife Tess Yi now reside at 22956 Caminito Rio, Laguna Hills, California.

C. Search Revealed Hard Drives Containing Child Pornography

8. During the January 2014 searches of the Danbury Residence the F.B.I. obtained digital or forensic images³ of the files stored on multiple hard drives and other digital devices, although the digital devices themselves were not seized.

³ A forensic image or digital image is a copy of the files saved on a digital device, like a computer hard drive. By examining the image of a hard drive, a forensic examiner can determine what files were stored on the hard drive at the time the image was made.

9. Two of these forensic images were obtained from hard drives installed in a Dell Optiplex GX270 mini-tower computer. The first hard drive was a Hitachi brand hard drive, model number IC35L090AVV207-0, serial number VNVC02G3GU6EMT (hereinafter "the Hitachi hard drive"). The second hard drive was a Western Digital brand hard drive, model number 1600JB-00GVA0, serial number WCAL91235199 (hereinafter "the Western Digital hard drive"). A third copy that was not a forensic image was obtained from a hard drive installed in a different desktop computer, an Acer Desktop AME600-UR378. The third hard drive was a two-terabyte, Seagate brand hard drive, model number ST200DM001-1CH164, serial number Z1E2DAMG (hereinafter "the Seagate hard drive").⁴

1. Child Pornography on the Hitachi hard drive and the Western Digital hard drive (Dell Optiplex Computer)

10. An examination of the forensic images of the Hitachi and Western Digital hard drives revealed that both hard drives contained a folder labeled "OrigData," which contained nearly-

⁴ Based on my training and experience and discussions with other special agents, I know that personal computer suppliers, like Dell and Acer, often incorporate component parts manufactured by other suppliers of computer parts. For example, Dell, a computer supplier, may use hard drives manufactured by other companies, like Hitachi or Western Digital, in the computers it sells. Similarly, a computer user can also connect additional hard drives to a computer after purchasing it. Because the forensic images made were made of the storage media--i.e., the hard drives--it is the contents of the storage media that are described herein. Based on and my discussions with an agent who was present, the hard drives identified above were connected to the two respective desktop computers--one made by Dell and one made by Acer--described above.

identical collections of child pornography (as discussed in greater detail below, the Seagate hard drive also contained child pornography, specifically copies of nearly the same child pornography collections stored on the Hitachi and Western Digital hard drives). For example, the following video files were saved on both the Hitachi hard drive and the Western Digital hard drive (and, as described below, copies of these files were also found on the Seagate hard drive):

a. "VickycompleteR.mpg," which depicts a prepubescent girl orally copulating an adult male, among other sexually explicit conduct. The girl is approximately 10 to 12 years old. The video is approximately 10 minutes long. It was saved in a folder labeled "vi" on both the Hitachi hard drive and the Western Digital hard drive;

b. "childfuck.mpg," which depicts a prepubescent girl lying on a table, while an adult male penetrates her anus and vagina with his finger. The girl is approximately 10 to 12 years old. The video is approximately 1 minute, 30 seconds long. It was saved in a folder labeled "anp" on both the Hitachi hard drive and Western Digital hard drive;

c. "R@ygold'sSleepingBeauty(1).mpg," which depicts a prepubescent girl whose genitals are exposed, being touched by an adult male's penis. The girl, who is approximately 10 to 12 years old, is completely naked and appears to be unconscious. The video is approximately four minutes long. It was saved in a

folder labeled "yg" on both the Hitachi hard drive and the Western Digital hard drive;

d. "R@ygoldStyle-VickyCompilation(14m58s).asf," which depicts a prepubescent girl orally copulating an adult male, among other sexually explicit conduct. The girl is approximately 10 to 12 years old. During part of the video, the girl's hands and feet bound by rope. A separate piece of rope, tied around the girl's neck, connects to the rope binding her ankles together. The video is approximately 14 minutes long. It was saved in a folder labeled "vi" on both the Hitachi hard drive and the Western Digital hard drive;

e. "R@ygoldstylebabyjgod.mpg," which depicts a prepubescent girl's genitals being penetrated by an adult male's penis, while her ankles are restrained by rope. The video is approximately 1 minute, 30 seconds long. It was saved in a folder labeled "anp" on both the Hitachi hard drive and the Western Digital hard drive;

f. "R@ygoldpeggy.avi," which contains four scenes depicting two prepubescent children, a boy and a girl, engaged in sexually explicit conduct. The girl and the boy are both approximately 10 to 12 years old. The first scene depicts the girl's genitals being penetrated by an adult male. The second scene depicts the girl orally copulating the boy. The third scene depicts the boy orally copulating the girl. The fourth scene depicts the boy and girl orally copulating an adult male. The video is approximately 12 minutes long. It was saved in a

folder labeled "BAD" on both the Hitachi hard drive and the Western Digital hard drive;

g. "BabyJ-su.avi," which depicts a prepubescent girl's genitals being penetrated by an adult male. The girl is approximately six to eight years old. The video is approximately 1 minute long. It was saved in a folder labeled "yg" on both the Hitachi hard drive and the Western Digital hard drive; and

h. "BabyJ-Hole.avi," which depicts a prepubescent girl being fondled and then vaginally penetrated by an adult male. The girl is approximately six to eight years old. The video is approximately 1 minute, 30 seconds long. It was saved in a folder labeled "yg" on both the Hitachi hard drive and the Western Digital hard drive.

11. In addition to being stored in the OrigData folders saved on the Hitachi and Western digital hard drives, each of the videos described above was also stored in the two OrigData folders saved on the Seagate hard drive.

12. On June 3, 2014, I sent a DVD containing videos of suspected child pornography obtained from the Hitachi, Western Digital, and Seagate hard drives to the National Center for Exploited Children ("NCMEC"). NCMEC reported that some of the video files contained images of identified minor victims, including four of the files identified above, specifically: "VickycompleteR.mpg," "R@ygoldStyle-VickyCompilation(14m58s).asf," "R@ygoldpeggy.avi," and "BabyJ-

su.avi." NCMEC also reported that many of the video files depicting an identified victim had been investigated outside of California, indicating that the video files traveled in interstate or foreign commerce because they were found on hard drives located in California.

2. Child Pornography on the Seagate hard drive (Acer Desktop AME600-UR378 Computer)

13. An examination of the copy of the Seagate hard drive, the storage drive for the Acer desktop computer, revealed that it, too, contained child pornography. One of the folders saved on the Seagate hard drive was labeled "edrive." Among other files, the edrive folder contained an identical copy of the OrigData folder saved on the Hitachi hard drive, including each of the video files described above in paragraph 10. Similarly, another one of the folders saved on the Seagate hard drive was labeled "fdrive." The fddrive folder contained an identical copy of the OrigData folder saved on the Western Digital hard drive, including each of the video files described above in paragraph 10.

14. An e-mail obtained pursuant to court-authorized surveillance of the e-mail account: "Kgartenlaub@yahoo.com" indicated that GARTENLAUB bought the computer containing the Seagate hard drive, an Acer Desktop AME600-UR378, on October 10, 2013, from Costco.com. Because identical copies of the OrigData folders saved on the Hitachi hard drive and the Western Digital hard drive were found on the Seagate hard drive, the OrigData

folders must have been copied to the Seagate hard drive after October 10, 2013, when GARTENLAUB ordered the computer that contained the Seagate hard drive. Because the OrigData folders contained files that appear to have been created by GARTENLAUB (described below in Part D), I suspect that GARTENLAUB copied the OrigData folders, including the video files described above in paragraph 10 to the Seagate hard drive.

D. Search Results Indicate That GARTENLAUB Stored the Child Pornography Found During the Search

1. GARTENLAUB's Personal Documents and Communications

15. In addition to child pornography, each of the OrigData folders saved to the hard drives also contained a subfolder labeled "OldSystem" containing more than a dozen documents that appear to have been written by GARTENLAUB, some as early as 1997. For example, each of the "OldSystem" folders contained the following files:

a. A document saved as "American.doc," dated September 16, 1997, which is a letter from GARTENLAUB to American Airlines regarding the airline's customer service;

b. A document saved as "deltabitch.doc," dated September 29, 1997, which is a letter from GARTENLAUB to Delta Airlines regarding the airline's customer service;

c. A document saved as "creditbureau2.doc," dated August 7, 1999, which is a letter from GARTENLAUB to the Trans Union Corporation. The letter includes GARTENLAUB's social security number, and previous phone number, and address.

16. An examination of the forensic images and copies obtained from the hard drives also revealed a saved copy of an e-mail that GARTENLAUB sent to a coworker on July 3, 2002. The e-mail, which was not sent from "Kgartenlaub@yahoo.com," contained three attachments. The recipient, at an e-mail address with a domain associated with GARTENLAUB's employer, replied in part "Thanks Keith." The e-mail that GARENTLAUB sent in response was signed "Keith" and contained GARTENLAUB's previous home telephone number.

17. An examination of the forensic images and copies obtained from the hard drives found no files or documents within the OrigData folders, or among its contents, that appeared to have been created, modified, or accessed by Tess Yi. For example, a separate folder called "Data" on the Hitachi hard drive contained folders for "Keith," "Owner," and "Tess." The folders labeled "Keith" and "Tess" each contained files that appeared to correspond to GARTENLAUB and Tess Yi respectively, such as photographs or other documents. (The "Owner" account contained no files.) The OrigData folder was stored in a different folder that did not appear to contain any files corresponding to Yi. Moreover, as explained below, the files contained in the OrigData folders had been saved in a way that suggests that GARTENLAUB organized them.

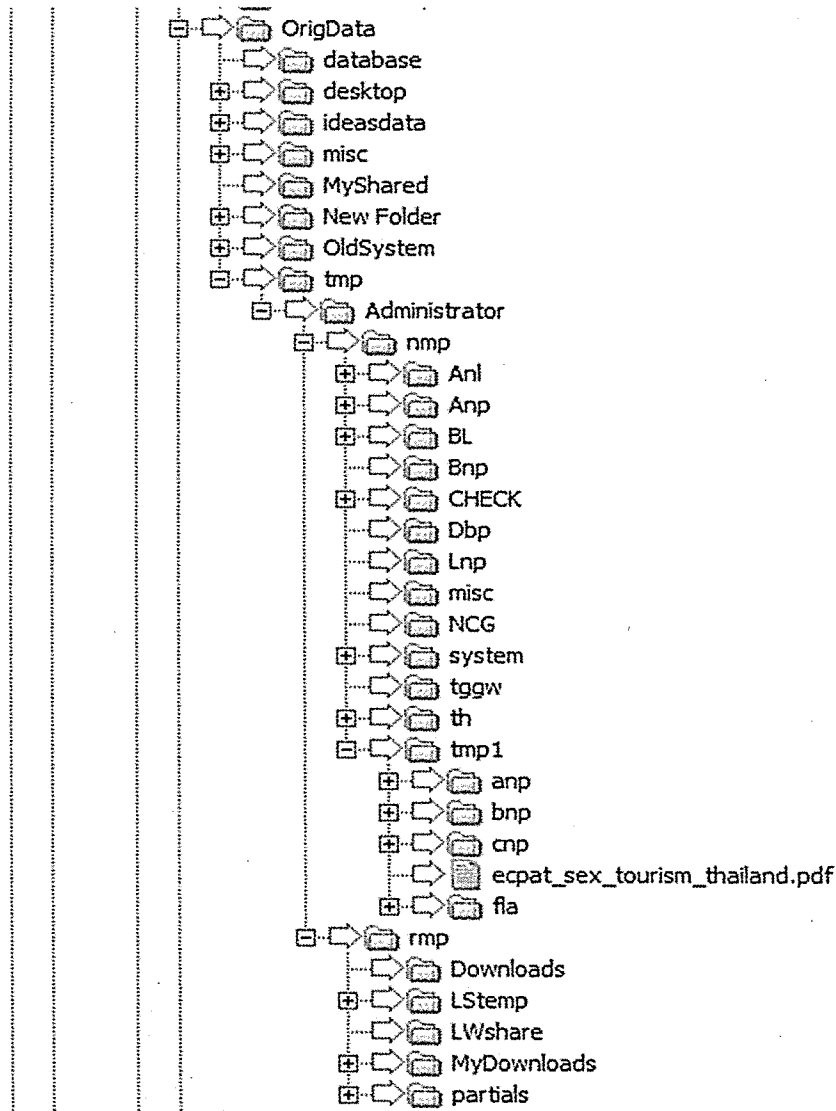
2. GARTENLAUB's Concealment of Child Pornography in Disguised Folder Locations

18. In addition to this evidence showing that GARTENLAUB used the computers that contained each of the hard drives, there is additional evidence showing that GARTENLAUB was the one who stored and organized the child pornography found in the "OrigData" folders stored on the hard drives. Each of the OrigData folders was stored within several other folders, suggesting that the person who saved the child pornography to the hard drives deliberately stored it where it would not be discovered easily or by accident. For the reasons set forth herein, the evidence shows that this person was GARTENLAUB.

19. Each of the child pornography files described in paragraph 10 had been hidden below several additional layers of file folders contained within the OrigData folders, which further shows that GARTENLAUB saved the child pornography in a manner that would help to conceal it. For example, as described above, on the Western Digital hard drive the child-pornography file "R@ygoldstylebabyjgod.mpg," was saved in a folder labeled "anp." This folder was one of several stored in a folder labeled "tmp1," which was one of thirteen folders stored in the folder "nmp." "[N]mp" was stored in a folder labeled "New Folder," which was one of at least six folders stored in the OrigData folder. The placement of child pornography deep within the hard drives' file directories suggests that the files were saved by someone who, like GARTENLAUB, is proficient with computers. Moreover, several documents saved within the

OrigData folder tree suggest that the contents of the folders belonged to GARTENLAUB.

20. An example of a segment of the folder structure is displayed below:



21. The four OrigData folders⁵ contained similar contents and file structures. There were, however, some differences

⁵ The Hitachi hard drive contained one copy of the OrigData folder. The Western Digital hard drive contained a second copy of the OrigData folder. The Seagate hard drive contained two

among the contents. For example, the OrigData folder on one hard drive might not contain a subfolder that did exist in the OrigData folder saved on another hard drive. Similarly, some of the files stored in all four OrigData folders were saved in different subfolders. Based on my training and experience and my conversations with other agents, I believe these differences were likely due to GARTENLAUB having added, deleted, or moved certain files over time, which indicates that GARTENLAUB has continued to modify and access the files--including the child pornography files--within the "OrigData" folder.

22. One of the file folders contained in both the OrigData folders on the Hitachi hard drive and the edrive folder of the Seagate hard drive was labeled "tmp." The tmp folders, in turn, contained several folders, some of which contained suspected child pornography. I know, based on conversations with experienced agents, that the Microsoft Windows operating system -- which was the operating system installed on the Hitachi, Western Digital, and Acer hard drives -- automatically installs a folder called "Temp" that stores temporary files.

23. Unix operating systems, by contrast, automatically install a similarly-named folder for temporary files, but that folder is called "tmp." I learned from other agents who interviewed GARTENLAUB that he works as an application administrator for several applications that run in both Unix and

copies of the OrigData folder, one in a folder labeled edrive and another in a folder labeled fdrive.

Windows environments. This shows that the use of the folder name was designed to be deceptive, because it would lead a casual computer user, or an investigating law enforcement agent, to conclude that the folders contained only innocuous, system-generated files, rather than contraband, like the child pornography found in subfolders in each of the OrigData folders.

24. In light of GARTENLAUB's familiarity with computers running Unix-based operating systems, I believe that GARTENLAUB named the "tmp" file so that a cursory inspection of the hard drives' file structures would suggest that the "tmp" folder contained only innocuous, temporary files, rather than contraband. Only someone like GARTENLAUB, who works professionally with computers running Unix-based operating systems, would likely have labeled the folder "tmp," which is the same name as an automatically-generated folder on Unix systems, rather than "temp," which is the name of an analogous folder on Windows-based systems.

25. Similarly, the OrigData folder stored on the Hitachi hard drive, contains a folder called "system" in the following location: "OrigData/tmp/Administrator/system," which contains multiple pornographic videos and images. Although "system" is also the name of a folder that is automatically installed by the Windows operating systems, this is not the location where it is installed.

26. Other evidence has also shown that GARTENLAUB is familiar with and uses these folder locations. GARTENLAUB's

employer has been monitoring GARTENLAUB's computer use. On January 1, 2014, the screenshots captured by GARTENLAUB's employer show that GARTENLAUB logged into his home computer via a network using his work computer. Once he had logged in, GARTENLAUB navigated to a computer "BOB," which is the computer name for the Acer desktop with the Seagate hard drive. Once accessing that computer, GARTENLAUB navigated to the following folder: BOB\Users\Keith\Downloads\Movies\Keep\New Folder\. Once GARTENLAUB was in that folder called "New Folder," he created a new folder that he named "Recycle." The Windows operating system automatically installs a folder with the same name, but in a different location. This shows that GARTENLAUB uses folders buried multiple layers deep and named as if they do not contain content that a user would ordinarily keep there.

27. While GARTENLAUB was navigating to this folder location, he highlighted a number of files, such as "Deflowered Teenagers," "Deflowered Teenagers 2," and "Deflowered Teenagers 3," and files with "Defloration" in their titles. Although these files did not appear to be child pornography, it shows that GARTENLAUB continued to organize and manage the files on his computer that contained pornographic or other obscene content and that he did so within the reticulate folder structure he had created.

3. GARTENLAUB's Organization of Child and Adult Pornography

28. In my review of the contents of these three hard drives, I saw that while some folders contained child pornography videos that corresponded to the names of the folders where they were stored, some folders contained adult pornography or other obscene content that were also organized according to content and stored in folders with corresponding names. Based on the fact that the child pornography had been organized into folders based on its content, I believe that GARTENLAUB organized the child pornography and knowingly possessed it.

29. For example, some of the child pornography files described above that contained the name "Vicky" in the file name were stored in a folder labeled "vi," the first two letters of the name. Similarly, some of the child pornography files that depicted girls engaged in sexually explicit conduct were saved in a folder labeled "yg," which may be shorthand for "young girls."

30. Likewise, GARTENLAUB also stored adult pornography and other obscene content in folders with names that corresponded to the content. For example, video files depicting anal sex were saved in a folder labeled "anl." Similarly, one video file labeled "Hustler Barely Legal School Gym Orgy.mpg," and another labeled "Lily(barely legal).mpg" were saved in a folder labeled "BL," which may be an abbreviation for "barely legal."

31. This shows that GARTENLAUB likely reviewed the child pornography videos and was familiar with their content such that

he was able to put the files into folders whose names corresponded to their content. GARTENLAUB's computers stored and organized both files that did contain child pornography and files that did not contain child pornography (but which had names suggesting they were child pornography) according to their contents.

IV. CONCLUSION

32. Based on the foregoing, I submit that there is probable cause to believe that GARTENLAUB has violated Title 18, United States Code, Section 2252A(a)(5)(B) by knowingly possessing child pornography.

15/

KENNETH F. COOPER, Special Agent
Federal Bureau of Investigation

Subscribed to and sworn before me
This 21 day of August, 2014.

Jay C. Gandhi

HONORABLE
UNITED STATES MAGISTRATE JUDGE