

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

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CLERK-LAS CRUCES

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HENIO M. HINOJOS,
a/k/a "Gene Hinojos,"

Defendant.

CRIMINAL NO. 10-3167 JH

) Counts 1 and 2: 18 U.S.C. § 2252A
) (a)(3)(B): Soliciting an Obscene Visual
) Depiction of a Minor Engaging in Sexually
) Explicit Conduct; 18 U.S.C. § 2: Aiding
) and Abetting

) Count 3: 18 U.S.C. §§ 2252 (a)(2), (b)(1)
) and 2256: Attempted Receipt of a Visual
) Depiction of a Minor Engaging in Sexually
) Explicit Conduct; 18 U.S.C. § 2: Aiding
) and Abetting

) Counts 4,5,6,7 and 8: 18 U.S.C. §§ 2252
) (a)(2),(b)(1), and 2256: Receiving a
) Visual Depiction of a Minor Engaging in
) Sexually Explicit Conduct; 18 U.S.C. § 2:
) Aiding and Abetting

) Counts 9 and 10: 18 U.S.C. §§ 2252
) (a)(4)(B) and 2256: Knowingly
) Possessing a Visual Depiction of a Minor
) Engaging in Sexually Explicit Conduct; 18
) U.S.C. § 2: Aiding and Abetting

INDICTMENT

The Grand Jury charges:

Count 1

On or about April 27-29, 2010, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS, a/k/a "Gene Hinojos,"** did knowingly solicit through the mails any material that reflects the belief that the material contains a visual depiction of a minor engaging in sexually explicit conduct, to wit: a video entitled, "Wendy's Surprise."

In violation of 18 U.S.C. § 2252A (a)(3)(B); 18 U.S.C. § 2.

Count 2

On or about April 27-29, 2010, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS, a/k/a "Gene Hinojos,"** did knowingly solicit through the mails any material that reflects the belief that the material contains a visual depiction of a minor engaging in sexually explicit conduct, to wit: a video entitled "Karen's Awakening."

In violation of 18 U.S.C. § 2252A (a)(3)(B); 18 U.S.C. § 2.

Count 3

On or about April 27-29, 2010, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS, a/k/a "Gene Hinojos,"** did knowingly attempt to receive a visual depiction, which visual depiction had been mailed and shipped and transported in or affecting interstate and foreign commerce, and which contained materials which had been so mailed and shipped and transported in interstate and foreign commerce by any means, including by computer, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and is of such conduct, to wit: a video entitled "Wendy's Surprise" and a video entitled "Karen's Awakening."

In violation of 18 U.S.C. §§ 2252(a)(2), 2252(b)(1) and 2256; 18 U.S.C. § 2.

Counts 4-8

On or about the dates set forth below, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS, a/k/a "Gene Hinojos,"** did knowingly receive a visual depiction contained in the computer files described below, which visual depiction had been mailed and shipped and transported in or affecting interstate and foreign commerce, and which contained materials which had been so mailed and shipped and transported in interstate and foreign commerce by any means, including by computer, the

production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and is of such conduct:

Count	Description	Date Received	File Name
4	Compilation video of several females, between 5 and 10 years of age, engaged in oral, vaginal, and anal intercourse with adult males	Oct. 7, 2009	Video/1/1/cpfans.wmv (00:00-00:18; 00:50-01:05)
5	Photo of 2-3 year old female being vaginally penetrated by adult finger	July 18, 2009	/Photo/1/Candle_kites_006.jpg
6	Photo of an approximately 9 year old female laying on her back, nude, with her legs spread open	July 18, 2009	/Photo/1/z34.jpg
7	Still shot photos taken from video of an approximately 8 year old female being penetrated in her mouth and anus with phallic-shaped object	Sept. 18, 2009	/Photo/1/julh.jpg
8	27 second video depicting a prepubescent girl approximately 5 years old being penetrated anally with a male penis. The male subject is also vaginally penetrating the child with his finger.	Nov. 21, 2009	Gene Hinojos/mydocuments/4.wmv

In violation of 18 U.S.C. §§ 2252(a)(2), 2252(b)(1), and 2256; 18 U.S.C. § 2.

Count 9

On or about September 22, 2010, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS**, a/k/a "**Gene Hinojos**," did knowingly possess a Sandisk Cruzer 4 gigabyte flash drive, model number SDCZ36-004G, containing visual

depictions that had been shipped and transported in or affecting interstate and foreign commerce and which were produced using materials which had been shipped and transported in interstate and foreign commerce, by any means, including by computer, the production of which visual depictions involved the use of a minor engaging in sexually explicit conduct and is of such conduct.

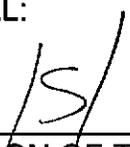
In violation of 18 U.S.C. §§ 2252(a)(4)(B), 2252(b)(2), and 2256; 18 U.S.C. § 2.

Count 10

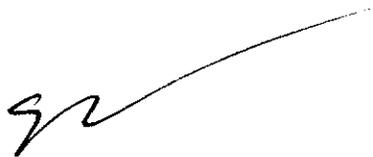
On or about September 22, 2010, in Sierra County, in the District of New Mexico, the defendant, **HENIO M. HINOJOS**, a/k/a "**Gene Hinojos**," did knowingly possess a Hewlett-Packard Model DX2300 AM Microtower computer with serial number 2UA7370Q1V, with an internal Seagate Barracuda 80gb hard drive with serial number 6RW0ZWRR, containing visual depictions that had been shipped and transported in or affecting interstate and foreign commerce and which were produced using materials which had been shipped and transported in interstate and foreign commerce, by any means, including by computer, the production of which visual depictions involved the use of a minor engaging in sexually explicit conduct and is of such conduct.

In violation of 18 U.S.C. §§ 2252(a)(4)(B), 2252(b)(2), and 2256.

A TRUE BILL:



FOREPERSON OF THE GRAND JURY



Assistant United States Attorney

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