

087

USAO NUMBER 2006RO1181

**CRIMINAL COMPLAINT**

COURT DOCKET NO. \_\_\_\_\_

DJ FILE NO. \_\_\_\_\_

THE CONTENTS OF THIS FILE ARE SUBJECT TO THE PROVISIONS OF THE PRIVACY ACT (5 U.S.C. 552a).

**United States Attorney**

SOUTHERN

**District of** FLORIDA

**DIVISION** Northern/Crim. 1 **COUNTY** PALM BEACH

**DEFENDANTS:**

ASSIGNED TO \_\_\_\_\_

OPERATION LEAP YEAR

NATURE OF OFFENSE Internet solicitation;  
interstate travel to have sex  
with a minor

CODE SECTIONS 18 USC 2422, 2423

DATE OF OFFENSE \_\_\_\_\_

GOVT. AGENC \_\_\_\_\_

STAT. OF LIMITATIONS \_\_\_\_\_

**DEFENSE COUNSEL:**

BOND (AMOUNT, DATE AND SURETY) \_\_\_\_\_

ARRAIGNMENT \_\_\_\_\_

PLEA \_\_\_\_\_

SEE ALSO FILE NO. \_\_\_\_\_

ARREST \_\_\_\_\_

INDICT BY \_\_\_\_\_

INDICTMENT \_\_\_\_\_

TRIAL \_\_\_\_\_

DATE	CODE	REMARKS	INITIALS
5/23/06		Open File & REQUEST USAO/USNS#	EW

Exhibit 2

CLOSED

DATE

GCO 1

Case Name: U.S. OPERATION LEAP YEAR

Matter #: \_\_\_\_\_

USAO#: \_\_\_\_\_

18 U.S.C. § 208 is a criminal conflict of interest statute that prohibits me from participating personally and substantially in an official capacity in any particular matter in which I have a financial interest or in which certain persons or organizations whose interests are imputed to me have a financial interest if the particular matter will have a direct and predictable effect on that interest. This statute is in addition to any state bar professional conduct rules that may apply.

I understand that *personal and substantial participation* may encompass activities ranging from merely advising on strategy to signing pleadings or trying a case.

I understand that a *particular matter* includes both specific party matters, as well as more general matters that focus on an identifiable group (e.g., a policy determination that more resources will be spent pursuing institutions, individuals committing health care fraud).

I understand that *financial interest* is the potential for gain or loss as a result of governmental action and that such interests typically arise through ownership of stocks or sectored mutual funds, outside activities/employment, and spousal employment.

I understand that those *interests imputed to me* include those of my spouse, minor children, general partners, any organization in which I serve as officer, director, trustee, general partner or employee, and any person or organization with whom I am negotiating for or have any arrangement concerning prospective employment.

I understand that a direct and predictable effect occurs when there is a close causal relationship between the matter and my financial interest or the financial interest held by someone whose interests are imputed to me. The effect may be *positive or negative*. The *magnitude* of the gain or loss is *immaterial*.

[Redacted Signature Area]

If you cannot certify to the above statement, do not take any action on the case and immediately contact your supervisor or your Ethics Advisor.

5 C.F.R. § 2635.502, the impartiality rules, prohibits me from participating in a specific party matter that I know is likely to affect the *financial interests of a member of my household* or in which someone with whom I have a *covered relationship* is or represents a party.

I understand that I have a *covered relationship* with the following:

anyone with whom I have or seek a business, contractual, or financial relationship;

a relative with whom I have a close personal relationship;

anyone for whom my spouse, parent or dependent child serves or seeks to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee;

anyone for whom I worked in the last year as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee; and

an organization in which I am an active member.

I certify that, to the best of my knowledge, this matter is not likely to affect the financial interest of a member of my household, and no one with whom I have a

[Redacted Name]

(Printed Name)

If you cannot certify to the above statement, do not take any action on the case and immediately contact your supervisor or your Ethics Advisor.

I acknowledge my *ongoing responsibility* to be aware of the potential for conflict or the appearance of a conflict and to disclose any financial or personal interest as

[Redacted Signature Area]



PALM BEACH POLICE DEPARTMENT  
CRIMINAL INVESTIGATIONS UNIT

JOE RECAREY  
DETECTIVE  
Cell 308-0347

**U.S. ATTORNEY'S OFFICE  
SOUTHERN DISTRICT OF FLORIDA  
CRIMINAL MATTER/CASE INITIATION FORM**

USAOID \_\_\_\_\_

MAG NO. \_\_\_\_\_

COURT NO. \_\_\_\_\_

RELATED CASE NO. \_\_\_\_\_

**PARTICIPANTS:**

A. OPERATION LEAP YEAR  
B. \_\_\_\_\_  
C. \_\_\_\_\_

D. \_\_\_\_\_  
E. \_\_\_\_\_  
F. \_\_\_\_\_

SUMMARY OF FACTS: Internet Solicitation - Interstate travel to have sex with a minor.

PRIMARY CHARGE: 18 USC 2422(b), 2423(b)

EST FINANCIAL MAGNITUDE: \_\_\_\_\_

OFFENSE DATE FROM \_\_\_\_\_ DATE TO \_\_\_\_\_

**PRIORITY:** (Check one)

- N National Priority Only     B Both National & District Priority  
 D District Priority Only     X Neither National nor District Priority

**AGENCY INFORMATION:**

Who is the investigating agency?

Agency Name: FBI

Agency File Number: \_\_\_\_\_

Agent Name and Telephone Number: \_\_\_\_\_

Second Agency Name: \_\_\_\_\_

Second Agency's File Number: \_\_\_\_\_

Second Agency's Agent Name and Telephone Number: \_\_\_\_\_

**CHECK ALL THAT APPLY:**

- This case involves TRIGGERLOCK Defendant(s)  
 Offense discovered as results of (NICS) Brady     Yes     No  
 This case involves Victim(s)     Non Government Witnesses     or both.  
 Forfeiture of Assets may be involved.  
 OCDETF Case  
    Operation Name: \_\_\_\_\_ OCDETF Number: FC/FLS/  
 Special targets or subjects are involved:  
     Attorneys             Police Officers  
     Public Officials       Members of the Medical Profession  
     Civil Servants  
 Responsibility for the case is shared with DOJ through joint litigation or DOJ required oversight. (Cases within this category, for which DOJ information must be provided, include all Tax, Environmental, FDA and Civil Rights Cases)  
    DOJ Division: \_\_\_\_\_  
    DOJ File or Tax Division Number: \_\_\_\_\_  
    DOJ Attorney and Telephone Number: \_\_\_\_\_

**REVIEWED FOR ACCURACY & COMPLETENESS; ACCEPTED FOR CASE INITIATION**

ASSIGNED TO: AUSA Marie Villafaña

SUPERVISORY AUSA SIGNATURE: \_\_\_\_\_

DATE 5/31/06

Offenses are listed in parentheses

<b>FISCAL CORRUPTION</b>					
Fed. Corruption-Procurement (N=ALL)	(011)	—	Customs-Currency	(063)	
Fed. Corruption-Program (N=ALL)	(012)	—	(N=\$25,000/one or \$50,000/more than one)		
Fed. Corruption-Law Enforcement (N=ALL)	(013)	—	Energy Pricing & Related Fraud (N=\$500,000 or illegal pricing)	(064)	
Fed. Corruption-Other (N=ALL)	(014)	—	Health & Safety-Employees (N=life endangering)	(066)	
State Corruption (N=High Officials)	(015)	—	Copyright Violations (N=\$500,000 + and three or more states)	(069)	
Local Corruption (N=High Officials)	(016)	—	Trafficking in Contraband Cigarettes (N=\$100,000+)	(06A)	
Other Official Corruption	(01Z)	—	Wildlife Protection	(06B)	
		—	Marine Resources	(06C)	
<b>ORGANIZED CRIME</b>		—	Energy Violations	(06D)	
Organized Crime-Traditional	(020)	—	Environmental Crime	(06E)	
Organized Crime-Emerging Organizations	(021)	—	Money Laundering/Structuring (Narcotics)	(06F)	
		—	Money Laundering/Structuring (Other)	(06G)	
		—	Other Government Regulatory Offenses	(06Z)	
<b>WHITE-COLLAR CRIME/FRAUD</b>			<b>INDIAN OFFENSES</b>		
Fed. Procurement Fraud (N=\$25,000 +)	(031)	—	United States had jurisdiction	(065)	
Fed. Program Fraud (N=\$25,000 +)	(032)		<b>INTERNAL SECURITY OFFENSE</b>		
Tax Fraud (N=DOJ Tax Authorized)	(033)	—	Internal Security	(070)	
Financial Institution Fraud	(036)		<b>ANTI-TERRORISM</b>		
Bankruptcy Fraud (N=\$100,000 +)	(037)	—	International Terrorism	(071)	
Advance Fee Schemes (N=\$1000,000 + 10 or more victims)	(038)	—	Domestic Terrorism (N=ALL)	(072)	
Other Fraud Against Business (Credit Card) Fraud	(039)	—	Terrorism Related Hoaxes	(073)	
Consumer Fraud (N=\$100,000 + or 25 or more victims)	(03A)	—	Terrorist Financing	(076)	
Securities Fraud (N=\$100,000 +)	(03B)	—	OCDETF - Anti-Terrorism/Environment	(07A)	
Commodities Fraud (N=\$100,000 +)	(03C)	—	OCDETF - Anti-Terrorism/Identity Theft	(07B)	
Other Investment Fraud (N=\$100,000 +)	(03D)	—	OCDETF - Anti-Terrorism/Immigration	(07C)	
Computer Fraud (N=ALL)	(03F)	—	OCDETF - Anti-Terrorism/OCDETF Drugs	(07D)	
Health Care Fraud (N=\$25,000 + or bribes)	(03G)	—	OCDETF - Anti-Terrorism/Non-OCDETF Drugs	(07E)	
Fraud Against Insurance Providers (N=\$100K +/Arson=\$250K +)	(03H)	—	OCDETF - Anti-Terrorism/Violent Crime	(07F)	
Telemarketing Fraud	(03S)	—	OCDETF - Anti-Terrorism/All Others	(07G)	
Insider Fraud Against Insurance Providers (N=ALL)	(03J)		<b>OFFENSES INVOLVING THE ADMINISTRATION OF JUSTICE</b>		
MEWA/MET (Multiple Employer Welfare Arrangements and Multiple Employer Trust Fraud (N=\$100,000 +)	(03K)	—	Offenses Involving the Administration of Justice	(074)	
Antitrust Violations-Airlines	(03M)		<b>INTERSTATE THEFT</b>		
Antitrust Violations-Banking	(03N)	—	ITSP - 18 U.S.C. 659, 2117, 2314, etc....	(075)	
Antitrust Violations-Defense Procurement	(03P)		<b>LABOR MANAGEMENT OFFENSE</b>		
Antitrust Violations-Extraterritorial Application	(03Q)	—	Union Official Corruption-Pension, Benefit Funds, (N=\$25,000)	(08A)	
Antitrust Violations-Financial Markets other than banking	(03R)	—	Union Official Corruption-Bribery, Kickbacks (N=\$5,000+)	(08B)	
Antitrust Violations-Other (if no specific code applies)	(03E)	—	Labor Racketeering (N=ALL)	(08C)	
Other White-Collar Crime/Fraud	(03Z)	—	Other Labor/Management Offenses	(08Z)	
<b>JGS</b>			<b>FUGITIVE CRIMES</b>		
Drug Dealing (N=CCE; RICO; DEA Class I violator; movement of \$100,000 +; level 38 drug amounts; large criminal drug trafficking organization)	(040)	—	Escape, Failure to Appear, Bond Jump	(081)	
Simple Drug Possession (21 :00844 <u>only</u> )	(045)		<b>POSTAL SERVICE CRIMES</b>		
OCDETF (N=ALL)	(047)	—	18 U.S.C. 1708, 1709, 495, 510, etc.....	(082)	
<b>IL RIGHTS</b>			<b>BANK ROBBERY</b>		
Other (if no specific code applies)	(050)	—	18 U.S.C. 2113	(083)	
Law Enforcement	(05D)		<b>ASSIMILATED CRIMES</b>		
Slavery/Involuntary Servitude	(05E)	—	18 U.S.C. 0007(3), 0013, etc....	(084)	
Racial Violence	(05F)		<b>ELECTION FRAUD</b>		
Access to Clinic Entrances (18 U.S.C §248)	(05G)	—	18 U.S.C. 371, 911, 1341-1343	(085)	
Hate Crimes Sep 11, 2001 Terrorist Attacks on the U.S.	(05H)	—	<b>MOTOR VEHICLE CRIMES</b>		
<b>IRATION TRIGGERLOCK</b>			18 U.S.C. 2312, 2313, etc.....	(086)	
Firearms cases	(053)	—	<b>PORNOGRAPHY/OBSCENITY</b>		
Firearms cases (Brady Violation)	(054)	—	X 18 U.S.C. 2251-2256 (Child Protection Act of 1984)	(087)	
18 U.S.C. 922(a)(6), 924(a)(1)(A), 1001		—	18 U.S.C. 1461-1465 (Obscenity)	(087)	
<b>IGRATION</b>			<b>THEFT OF GOVERNMENT PROPERTY</b>		
Immigration & Nationality Act	(055)	—	U.S.C. 641, etc... Excluding white collar under 031-03Z	(088)	
<b>MES AGAINST GOVERNMENT PROPERTY</b>			<b>OBSCENITY</b>		
<b>DOMESTIC VIOLENCE</b>			18 U.S.C. 1461, 1465 or U.S.C. 223	(089)	
Crimes Against Government Property	(056)	—	<b>OTHER CRIMINAL PROSECUTIONS</b>		
<b>VERNMENT REGULATORY OFFENSES</b>			X All Others Not Covered Above	(090)	
Counterfeiting and forgery of U.S. Government Currency or Securities (N=ALL)	(061)	—	<b>DOMESTIC VIOLENCE</b>		
Customs-Duty (N=\$25,000/one or \$500,000 more than one)	(062)	—	18 U.S.C. 2261-2262; 922(g)(8), 922(g)(9)	(091)	

**REGION/DIVISION/SECTION CODES**

**SOUTHERN REGION**

- ECS ECONOMIC CRIMES SECTION
- ENS ENVIRONMENTAL CRIMES SECTION
- NAH HIDTA
- PCS PUBLIC CORRUPTION SECTION
- SMP MAJOR PROSECUTIONS SECTION
- SNS NARCOTICS SECTION
- CRD CIVIL RIGHTS SECTION
- EXE EXECUTIVE DIVISION

**CENTRAL REGION**

- CC1 CENTRAL CRIMINAL ONE
- CC2 CENTRAL CRIMINAL TWO
- OCS ORGANIZED CRIME

**NORTHERN REGION**

- X NC1 NORTHERN CRIMINAL I
- NC2 NORTHERN CRIMINAL II
- FTP FORT PIERCE OFFICE

\*\*\*\*\*  
\*\*\* TX REPORT \*\*\*  
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TX/RX NO 1699  
CONNECTION TEL 19543566964  
SUBADDRESS  
CONNECTION ID  
ST. TIME 06/01 17:09  
USAGE T 00:49  
PGS. SENT 4  
RESULT OK

United States Attorney's Office  
Southern District of Florida  
500 S. Australian Ave., Suite 400  
West Palm Beach, FL 33401-6235



DATE: June 1, 2006

ORGANIZATION: USAO/Ft. Lauderdale

FAX #: 954-356-6964

SUBJECT: In the Matter of: Operation Leap Year

FROM:

NUMBER OF PAGES, INCLUDING THIS PAGE: 4

COMMENTS: Please see attached case that needs a USAO/LIONS #.  
If you have any questions or concerns, please feel free to contact me.  
Thanks!

United States Attorney's Office  
Southern District of Florida  
500 S. Australian Ave., Suite 400  
West Palm Beach, FL 33401-6235



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[REDACTED]

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