

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

JUN 27 2017

U.S. District Court
Eastern District of Tennessee
At Winchester

UNITED STATES OF AMERICA)
)
v.)
)
PHILLIP ANDREW FORRESTER)

4:17-cr- 2
Judge Mattice/Lee

INDICTMENT
COUNT 1

The Grand Jury charges that in or about December 2015, in the Eastern District of Tennessee, the defendant, PHILLIP ANDREW FORRESTER, did unlawfully and knowingly possess any visual depiction of a minor engaging in sexually explicit conduct and that had been transported in and affecting interstate commerce and that was produced using any materials which had been mailed and shipped and transported in interstate and foreign commerce, that is, images depicting prepubescent minors and minors less than 12 years old engaging in sexually explicit conduct including but not limited to the lascivious exhibition of the genitals and pubic area.

In violation of Title 18, United States Code, Section 2252(a)(4)(B).

COUNT 2

The Grand Jury further charges that in or about June 2017, before June 27, 2017, in the Eastern District of Tennessee and elsewhere, the defendant PHILLIP ANDREW FORRESTER, did intentionally harass another person, JB, whose full name is known to the Grand jury, and did thereby hinder, delay, prevent, dissuade, and attempt to hinder, delay, prevent, dissuade, JB from attending and testifying in an official proceeding, the case of United States v. Phillip Andrew Forrester, a criminal case, in the federal courts of the Eastern District of Tennessee.

In violation of Title 18, United States Code, Section 1512(d)(1)& (j).

FORFEITURE ALLEGATIONS

The allegations contained in Count One of this Indictment is hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252, the defendant, PHILLIP ANDEREW FORRESTER, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, sections 2251, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses.

The properties to be forfeited include, but are not limited to, the following:

- a. Acer Model JAL90 Laptop SN LXAU1040038351038F1601;
- b. Acer Laptop SN: NXMHGAA00140912083400;
- c. Motorola Cell Phone and Charger MSN H256LV6MRS;
- d. Verizon LG Cell Phone and Charger IMEI: 353852063205543;
- e. (15) CDR'S and DVDR'S;

- f. (15) Disks;
- g. Cruzer Glide 16 GB Thumb drive SN: BL150124944B;
- h. (31) 3.5 Floppy Disks;
- i. Yellow and Blue Pacifier; and
- j. Green and White Pacifier.

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

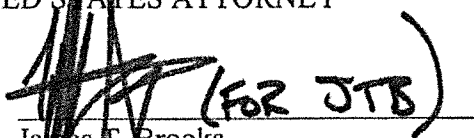
A TRUE BILL:



GRAND JURY FOREPERSON

NANCY STALLARD HARR
UNITED STATES ATTORNEY

By

 (FOR JTB)

James T. Brooks
Assistant United States Attorney

CRIMINAL CASE COVER SHEET

U.S. ATTORNEY'S OFFICE

Place of Offense (City & County): Coffee County

Defendant Information:

Juvenile Yes No Matter to be Sealed: Yes No

Defendant Name: Phillip Andrew Forrester

Interpreter: No Yes Language _____

Total # of Counts: 2 Petty Misdemeanor (Class) Felony

	<u>ORIGINAL</u> U.S.C. Citation(s) and Description of Offense Charged	Count(s)
Set 1	18 U.S.C. § 2252(a)(4)(B) – did unlawfully and knowingly possess any visual depiction of a minor engaging in sexually explicit conduct and that had been transported in and affecting commerce and that was produced using any materials which had been mailed and shipped and transported in interstate and foreign commerce, that is, images depicting prepubescent minors and minors less than 12 years old engaging in sexually explicit conduct including but not limited to the lascivious exhibition of the genitals and pubic area.	1
Set 2	18 U.S.C. § 1512(d)(1)&(j) – did intentionally harass another person, JB, whose full name is known to the Grand Jury, and did thereby hinder, delay, prevent, dissuade, and attempt to hinder, delay, prevent, dissuade, JB from attending and testifying in an official proceeding, the case of United States v. Phillip Andrew Forrester, a criminal case, in the federal courts of the Eastern District of Tennessee.	2

(Use tab key after entering counts to create additional rows)

	<u>SUPERSEDING INDICTMENT</u> U.S.C. Citation(s) and Description of Offense Charged	New count? Y or N	New Count #	Old Count # (if applicable)
Set 1				

(Use tab key after entering counts to create additional rows)

Current Trial Date (if set): _____ before Judge _____

Criminal Complaint Filed: No Yes Case No. _____

Related Case(s):

4-17-cr-2 Lee Davis (Unopposed motion filed to remove from docket-Order entered)
Case Number Lee Davis Defendant's attorney How related

Criminal Informations:

Pending criminal case: No Yes Case No. _____

New Separate Case _____ Supersedes Pending Case _____

Name of defendant's attorney: _____

Retained: _____ Appointed: _____

Date: June 27, 2017 Signature of AUSA: s/James Brooks