



Department of Justice

U.S. Attorney's Office
Southern District of Texas

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PORT LAVACA MAN CONVICTED OF RECEIPT AND POSSESSION OF CHILD PORNOGRAPHY

(VICTORIA, Texas) – Roselio Garcia, 54, of Port Lavaca, Texas, has been convicted of receiving and possessing child pornography, acting United States Attorney Tim Johnson announced today.

At a hearing late yesterday, May 18, 2009, before United States District Court Judge John R. Rainey, Garcia pleaded guilty and admitted that on April 10, 2008 he possessed 49 pornographic images of known victims of child pornography as identified by the National Center for Missing and Exploited Children (NCMEC), 411 images of unknown victims of child pornography and five videos containing child pornography. Garcia also admitted to receiving an image of child pornography over the Internet using a file sharing program.

The possession of child pornography which had been mailed, shipped and transported in interstate and foreign commerce, carries a maximum sentence of 10 years imprisonment. Receipt of child pornography which had been mailed, shipped and transported in interstate and foreign commerce, carries a sentence of not less than five years nor more than 20 years imprisonment. Each of the counts of conviction also carry a maximum \$250,000 fine and any term of years up to a life term of supervised release during which the court can require the defendant to register as a sex offender, obtain treatment and any number of other conditions designed to protect children and to prevent further receipt/possession or distribution of child pornography via the internet.

Garcia's ownership and possessory interest in the computer system and hard drive which contained the images and videos of child pornography is to be forfeited.

Judge Rainey has set sentencing for Aug. 17, 2009. Garcia, who has been in federal custody without bond since his March 2009 arrest, will remain in federal custody pending sentencing.

The investigation leading to the charges was initiated in mid-2008 by the Corpus Christi Police Department, Computer Crimes Unit, after receiving information from investigators at the Louisiana State Attorney General's Office regarding several provocative photographs which included a truck bearing a Texas license plate. That license plate number lead CCPD and the FBI to identify Garcia as the registered owner of the truck. Further investigation by CCPD and the FBI then lead to a search warrant for Garcia's house, where he lived with his family, including young children. As a result of the search a computer system and hard drive containing the child pornography were immediately seized and information that lead investigating agents to learn that Garcia had a problem with viewing pornography for several years which progressed to his viewing pornography on computer, usually late at night when everyone was asleep. Garcia's child pornography folders were protected with a password, but Garcia was unable to stop "popups" of adult pornography on the computer. On the day of the search, Garcia admitted to being involved in the receipt of child pornography.

This case was brought as part of Project Safe Childhood, a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse launched in May 2006 by the Department of Justice. Led by United States Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section, Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as well as to identify and rescue victims. For more information about Project Safe Childhood, please visit www.projectsafechildhood.gov. For more information about NCMEC, call its toll-free, 24-hour hotline at 1-800-THE-LOST or visit its web site at www.missingkids.com.

The case is being prosecuted by Assistant United States Attorney Carol K. Wheeler.