

UNITED STATES DISTRICT COURT

for the

Northern District of California

FILED

Jul 13 2021

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

United States of America
v.
JOSEPH ANDREW MOLLIK

Case No.3:21-mj-71157 MAG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 30, 2019 in the county of San Francisco in the Northern District of California, the defendant(s) violated:

Code Section 18 U.S.C. § 2252(a)(4)(B) Offense Description Possession of Child Pornography

This criminal complaint is based on these facts:

See attached Affidavit of Homeland Security Investigations Special Agent Nihad Custo

Continued on the attached sheet.

Approved as to form /s/Kenneth Chambers
AUSA Kenneth Chambers

/s/ Nihad Custo
Complainant's signature

HSI SA Nihad Custo
Printed name and title

Sworn to before me by telephone.

Date: 07/13/2021

Judge's signature

City and state: San Francisco, California

Hon. Alex G. Tse, U.S. Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Nihad Custo, Special Agent of the United States Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Homeland Security Investigations (“HSI”), at the San Francisco International Airport (SFO) in San Francisco, California, being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I make this affidavit in support of a Criminal Complaint and Arrest Warrant charging **Joseph Andrew Mollick (MOLLICK)** with Possession of Child Pornography, in violation of Title 18, United States Code (U.S.C.) § 2252(a)(4)(B).

2. Since approximately May 2020, I have been conducting an investigation of **MOLLICK**. Due to my personal participation in this investigation, I am familiar with the facts and circumstances of this case. My experience as an HSI Special Agent and my participation in this investigation form the basis of the opinions and conclusions set forth below.

3. Because this affidavit is submitted for the limited purpose of this criminal complaint, I have not included each and every fact known to me about this investigation. Rather, I have set forth those facts that I believe are sufficient to establish probable cause that **MOLLICK** committed the aforementioned offenses.

**AGENT BACKGROUND**

4. I am a Special Agent of the United States Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Homeland Security Investigations (“HSI”) assigned to the office of the Resident Agent in Charge, San Francisco International Airport (“SFO”), and have been employed by HSI since 2017. Prior to my employment with

HSI, I was employed as a United States (U.S.) Customs and Border Protection Officer since 2012. I have completed Basic Inspector (Customs and Border Protection academy) training at the Federal Law Enforcement Training Center in Brunswick, Georgia and the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Brunswick, Georgia.

5. I am currently responsible for investigating violations of federal criminal statutes, to include statutes related to child exploitation and child pornography. I have received training in regard to investigating violations of Title 18, United States Code. This includes violations pertaining to the production, distribution, receipt, and possession of child pornography. I have participated in and led operations involving the production, receipt and possession of child pornography. I have received training regarding child exploitation at the Federal Law Enforcement Training Center in Brunswick, Georgia.

6. In the course of the investigation described herein, I have consulted with HSI Special Agents who have investigated child pornography cases. These agents have experience in investigating or inspecting and/or applying for and executing multiple search warrants involving sexual exploitation of minors of the course of their careers.

7. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, witnesses, and law enforcement organizations. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

#### **APPLICABLE STATUTES**

8. Title 18, United States Code, Section 2252(a)(4)(B) prohibits any person from knowingly possessing any visual depiction that has been mailed, or has been shipped or

transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which has been produced using materials which have been mailed or so shipped or transported, by any means including a computer if (i) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (ii) such visual depiction is of such conduct.

### **FACTS ESTABLISHING PROBABLE CAUSE**

9. I have received, and reviewed documents created by Kik. Kik is a smartphone messenger application that lets users connect with their friends and world around them through chat. Users can send text, pictures, videos, and more with the Kik app via mobile messaging. Kik is free to download and uses an existing Wi-Fi connection or data plan to send and receive messages. While Kik is now owned by MediaLab, prior to October 2019, Kik was run by Kik Interactive, Inc., located in Ontario, Canada. Kik documents indicate that on August 30, 2019 at 05:13:17 UTC, Kik user “buckminster1” uploaded an image depicting child pornography as described herein using the IP address 67.174.240.2. These documents also indicate that the “buckminster1” account contained the following subscriber information:

- a. First Name: Joe
- b. Last Name: M
- c. Email: [jmspirit@xxxxxx.com](mailto:jmspirit@xxxxxx.com)<sup>1</sup>

10. I have learned that Kik was alerted to the child pornography through use of Microsoft’s PhotoDNA technology. According to the Kik materials, Kik uses PhotoDNA to

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<sup>1</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

automatically scan user-uploaded files in order to flag images that may depict suspected child pornography and prevent such images from continuing to circulate through their application. When PhotoDNA detects a suspected child pornography file, it creates a report and sends it to the Kik Law Enforcement team. According to information provided by a Kik Law Enforcement Response Team Lead, all suspected child pornography images and videos reported via a PhotoDNA Report, as well as any related user communications, are visually reviewed by a member of the Kik Law Enforcement Response team before a report is forwarded to law enforcement authorities. As of August 2019, Kik trained employees comprising its Law Enforcement Response team on the legal obligation to report apparent child pornography. The team was trained on the Canadian statutory definition of child pornography and how to recognize it on Kik products and services. Kik voluntarily made reports to law enforcement in accordance with that training. After Kik discovered the suspected child pornography, Kik removed the content from its communications system and closed the user's account.

11. Kik provided copies of the suspected child pornography image that they located to the Royal Canadian Mountain Police (RCMP) on or around August 30, 2019. On or around September 05, 2019, RCMP forwarded the Kik materials to HSI. On May 12, 2020, I reviewed the very same image that Kik had provided with the Kik Report sent to the RCMP. That image had previously been located, isolated, searched and viewed by Kik personnel before they were reported to the RCMP. I reviewed only the image previously located, isolated, searched and viewed by Kik personnel and observed that the image is child pornography as defined by United States Federal Law. Specifically, the image uploaded to Kik's servers by "buckminster1" depicts a prepubescent female wearing a red shirt being vaginally penetrated by the penis of an adult

male wearing a grey shirt.

12. On August 13, 2020, I obtained a federal search warrant for the buckminster1 Kik account signed by Hon. Thomas S. Hixson, United States Magistrate Judge for the Northern District of California. Information received from Kik showed that the username buckminster1 had an exchange with username rothfussprime\_5kp on August 30, 2019 at 05:13:17. The IP address for buckminster1 shown in the results was 67.174.240.2. That time and date was the same as the information received initially from Kik when the user “buckminster1” uploaded the image depicting child pornography.

13. A query of the American Registry for Internet Numbers (ARIN) online database revealed that IP address 67.174.240.2, used on August 30, 2019 to upload the image depicting child pornography, was registered to Comcast Cable. On February 5, 2020, an administrative summons was issued to Comcast Cable in regard to the IP address. Comcast Cable provided records on February 7, 2020 that indicated the identified the IP address 67.174.240.2 was assigned to account holder **Joseph MOLLICK**, at a specific address<sup>2</sup> in Menlo Park, CA, at the time that the IP address was used to upload the image through the “buckminster1” Kik account.

14. A Grand Jury Subpoena was served via email to Apple on July 21, 2020. Information received from Apple for the email address jmspirit@xxxxxx.com, which was associated with the buckminster1 Kik account, indicates that jmspirit@xxxxxx.com is a login alias for the Apple ID jmspirit@xxx.com.

15. Additional information received from Apple indicates the following subscriber

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<sup>2</sup> I, the affiant, know the true information of the home address. The home address is not stated in full here, as this is a public document.

information for the jmspirit@xxx.com Apple ID: Joseph Mollick, at the same specific address in Menlo Park, CA, home phone 1-650.XXX.X721.<sup>3</sup> This information matches the subscriber information provided by Comcast Cable and Kik.

16. Additional information received from Apple indicates that iTunes and other Apple account services were repeatedly accessed through IP address 67.174.240.2 around the time of August 30, 2019, when the buckminster1 Kik account used the same IP address to upload the image depicting child pornography. To conclude, based on the foregoing information, I believe both the Kik account “buckminster1” and Apple ID jmspirit@xxx.com are controlled by **MOLLICK**.

17. On February 9, 2021 I obtained a federal search and seizure warrant for information associated with Apple ID jmspirit@xxx.com issued by the United States District Court for the Northern District of California.

18. A federal search warrant for information associated with Apple ID jmspirit@xxx.com was served to Apple via email on February 10, 2021. On or around February 24, 2021, Apple returned the encrypted results from the search warrant via email. On or around February 25, 2021, I turned over the results to an HSI Computer Forensics Agent (CFA) for extraction and the unzipping of the files. The CFA transferred the unzipped files to an external hard drive on or around March 8, 2021 for review. On or around March 9, 2021, I started performing an initial review of the material from the Apple search warrant results.

19. According to the results from Apple, the Apple ID is listed as

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<sup>3</sup> I, the affiant, know the true information of the telephone number. The telephone number is anonymized, as this is a public document.

jmspirit@xxx.com. The Login Alias is jmpspirit@xx.com and jmpspirit@xxxxxxx.com. The name listed for the account is **Joseph MOLLICK**. The Apple ID account was created on November 20, 2010. The address listed for the account is the same specific address in Menlo Park, CA. The day phone number listed is 650.XXX.X721 and the evening phone is listed as 650.XXX.X273.<sup>4</sup> An email of [jmollick@xxxxxxxx.edu](mailto:jmollick@xxxxxxxx.edu) (NOT VERIFIED), [mad4vikings@xxxxxxx.com](mailto:mad4vikings@xxxxxxx.com) (VERIFIED), and [mad4vikings@xx.com](mailto:mad4vikings@xx.com) (VERIFIED) were listed as additional email accounts associated with the Apple ID account “jmspirit@xxx.com”<sup>5</sup>. The account type is Full iCloud.

20. The following information is a sample of what I observed during the initial review of the media from Apple. According to the report, there were approximately 87,000 files under the title “Media”. I reviewed many of the images and videos contained within the account. After the initial review, at least 2000 images and videos of child pornography were discovered and at least 800 files of child erotica were discovered. I observed the following:

- a. A video with the file name **Bad Mom Perromom 01.mov**. According to the information received from Apple, the video was located on the iCloud drive under the folder path of **APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Iclouddrive>167444014>>300508>>jmspirit@xxxxxxx.com-300508>icloudrive>com.apple.CloudDocs> Desktop>Collection>CP Series>Bad**<sup>6</sup>

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<sup>4</sup> I the affiant, know the true information of the telephone numbers. The telephone numbers are anonymized, as this is a public document.

<sup>5</sup> I, the affiant, know the true information of the email addresses. The email addresses are anonymized, as this is a public document.

<sup>6</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.



**Moms.** According to the information received, the length of the video was 23 seconds. I clicked on the file. The video depicts a person, a prepubescent child, and a dog with an erection. In the video, the dog's penis was erect and it was against the prepubescent child's mouth. The prepubescent child can be seen and heard crying.<sup>7</sup>

b. A video with the file name **Ninas (35) Bad Dad Anal Beads and**

**Cum.mp4.** According to the information received from Apple, the video was located on the iCloud under the folder path

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>**

**Iclouddrive>167444014>>300508>>jmspirit@xxxxxx.com-**

**300508>icloudrive>com.apple.CloudDocs> Desktop> Desktop Temp>CP**

**Series>Bad Dads.** According to the information received, the length of the video was 5 minutes 38 seconds. I clicked on the file. The first image is a title with the following: **"A 3 yo girl and her first anal bead experience."** The video depicts a prepubescent girl with her vagina and anus showing. A male adult is seen inserting anal beads into the girl's anus. The male is seen removing the anal beads. The male then is seen having his erect penis over the girl's vagina and he ejaculates onto the girl's vagina.<sup>8</sup>

c. A video with the file name **IMG\_0069.mp4.** According to the information received from Apple, the video was located under the following:

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<sup>7</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

<sup>8</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>**

**Cloudphotolibrary>167444014>300508>jmspirit@xxxxxx-**

**300508>cloudphotolibrary.** According to the information received, the length of the video was 1 minute 59 seconds. I clicked on the file. The video depicts a prepubescent girl naked and lying on a bed with what appears to be a vibrator rubbing it by her vagina. An adult male is then seen rubbing his erect penis near her and the girl is seen rubbing the vibrator against her vagina and mouth.<sup>9</sup>

d. A video with the file name **cp nina desnuda junto a escritorio.mp4**. According to the information received from Apple, the video was located on

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Iclouddrive>167444014>300508>jmspirit@xxxxxxx.com-**

**300508>icloudrive>com.apple.CloudDocs>Desktop>Collection>CP Series>Bad**

**Dads**<sup>10</sup>. According to the information received, the length of the video was 3 minutes 36 seconds. I clicked on the file. The video depicts a prepubescent girl in a bathtub with an adult male and she is touching his penis. She then starts rubbing it. The girl is seen sticking out her tongue and licking the penis. The girl starts placing the penis in her mouth. The video shows both the male and girl outside the tub and the male starts rubbing the penis against the girl's vagina and attempts to insert his penis. The male

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<sup>9</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

<sup>10</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

starts jerking his penis near the girl as her legs are spread. The male then ejaculates on the girl.

e. A video with the file name **IMG\_0178**. According to the information received from Apple, the video was located on

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxxx.com-300508>cloudphotolibrary>**. According to the information received, the length of the video was 51 seconds. I clicked on the file. The video depicts a prepubescent girl naked with her vagina exposed. There is a white cream around her vagina and a person is seen licking her vagina. The girl's mouth is full of white cream. An adult male is then seen placing his penis into her mouth.<sup>11</sup>

f. A video with the file name **IMG\_5914.mp4**. According to the information received from Apple, the video was located on

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxxx.com-300508>cloudphotolibrary**. According to the information received, the length of the video was 1 minute 59 seconds. I clicked on the file. The video depicted a prepubescent girl tied up with rope by her legs and hands. The girl is providing oral sex to an adult male's erect penis and the male is seen with his hand rubbing the girl's vagina.<sup>12</sup>

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<sup>11</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

<sup>12</sup> I, the affiant, know the true information of the email addresses. The email addresses are anonymized, as this is a public document.

g. A video with the file name **IMG\_7266.mp4**. According to the information received from Apple, the video was located

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxx.com-300508>cloudphotolibrary**. According to the information received, the length of the video was 10 seconds I clicked on the file. The video depicts two prepubescent girls performing manual masturbation on an adult male's erect penis. The adult male is smoking a cigarette.<sup>13</sup>

h. A video with the file name **IMG\_0073.mp4**. According to the information received from Apple, the video was located

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxx.com-300508>cloudphotolibrary**. The length of the video was 16 seconds. I clicked on the file. The video depicts a prepubescent girl naked lying on her back. An adult male penis is being rubbed in front of her and the penis ejaculates sperm onto the girl mouth. The girl starts coughing.<sup>14</sup>

i. A video with the file name **IMG\_0055**. According to the information received from Apple, the video was located

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxx.com-300508>cloudphotolibrary**. The length

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<sup>13</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

<sup>14</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

of the video is 20 seconds. I clicked on the file. The video depicts a prepubescent girl near an erect penis. The girl states her name is Brooklyn and she states she is going to be doing a deepthroat. The girl proceeds to give oral sex to a post-pubescent penis.<sup>15</sup>

j. A picture with the file name **IMG\_0176**. According to the information received from Apple, the picture was located

**APLiC000001\_APPLE\_CONFIDENTIAL>167444014\_300508>Cloudphotolibrary>167444014>300508>jmspirit@xxxxxx.com-300508>cloudphotolibrary**. I clicked on the file. The picture depicts a prepubescent girl near an erect penis. There is also an older girl, possibly an adult, next to the prepubescent girl.<sup>16</sup>

21. The videos and images identified by me as containing child sexual exploitation material were submitted to the National Center for Missing & Exploited Children (NCMEC) for review. NCMEC provides services nationwide for families and professionals in the prevention of abducted, endangered and sexually exploited children. Pursuant to its mission and its congressional authorization, NCMEC operates the CyberTipline and the Child Victim Identification Program to assist law enforcement in identifying victims of child pornography and child sexual exploitation and works with law enforcement, internet service providers, electronic payment service providers, and others, to reduce the distribution of child sexual exploitation images over the Internet.

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<sup>15</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

<sup>16</sup> I, the affiant, know the true information of the email address. The email address is anonymized, as this is a public document.

23. The Child Identification Report (ID 140560) from NCMEC was entered on April 20, 2021. The Child Identification Report lists the specific file name(s), the corresponding series name, and the law enforcement point of contact who is providing age verification for the children. The submitted files were compared with NCMEC's Child Recognition & Identification System (CRIS). CRIS is a NCMEC database that collects and maintains forensic copies of images of victimized children that have been verified by law enforcement. The CRIS database is used to assist law enforcement with verification that an image or video depicted is actual child pornography, also referred to as a "known image" or "known video." On the images and videos of **MOLLICK**'s iCloud account submitted to NCMEC for analysis, CRIS discovered files that appear to contain child victims who have been identified by law enforcement. The number of known image files identified totaled 384. The number of known video files identified totaled 530.

### CONCLUSION

24. Based on the above information, I believe that between August 30, 2019 and February 24, 2021, in the Northern District of California and elsewhere, **Joseph Andrew Mollick**, possessed child pornography, in violation of Title 18 U.S.C. § 2252(a)(4)(B).

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WHEREFORE, I request that a no bail arrest warrant be issued for **Joseph Andrew Mollick**.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

/s/ Nihad Custo  
Nihad Custo, Special Agent  
Homeland Security Investigations

SWORN AND SUBSCRIBED TO BEFORE ME TELEPHONICALLY  
THIS 13th DAY OF July, 2021.



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HON. ALEX G. TSE  
United States Magistrate Judge