IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

REPORT AND RECOMMENDATION

DAVID DANIEL ANDERSON,

00-CR-61-C

Defendant.

REPORT

Before the court for report and recommendation are defendant David Anderson's motion to dismiss the indictment, motion to suppress statements and motion to try this case in Minneapolis-St. Paul. For the reasons stated below, I am recommending that this court deny all three motions, although I am recommending that the court consider trying this case in Eau Claire.

I. Motion to Dismiss

The grand jury has charged defendant David Anderson with possessing a computer hard drive that contained one or more images of child pornography in violation of 18 U.S.C. § 2252A(a)(5)(B). The grand jury also seeks forfeiture of Anderson's computer and peripheral equipment pursuant to 18 U.S.C. § 2253.

Anderson has moved to dismiss the criminal and forfeiture charges against him on the grounds that the federal child pornography statute violates his First Amendment rights. The government responds by distinguishing the types of images on Anderson's computer from those to which other courts have granted First Amendment protection. The government is correct, and Anderson is not entitled to dismissal.

As the government notes, child pornography is not protected by the First Amendment. *New York v. Ferber*, 458 U.S. 747, 763-64 (1982). Child pornography includes works that visually depict sexual conduct —such as actual or stimulated sexual intercourse, deviate sexual intercourse, masturbation, sado-masochistic abuse, and lewd exhibition of the genitals—by children below a certain age. *Id.* at 764-65. The test for what constitutes "child pornography" is less demanding than the First Amendment test for obscenity: the government need not prove that the visual depictions appeal to the prurient interest of the average person, or that the depicted sexual conduct be portrayed in a patently offensive manner, and the material at issue need not be considered as a whole. *Id*. at 764; *See also United States v. Moore*, 215 F.3d 681, 685-86 (the application of child pornography standards involves a more limited inquiry than that required for obscene materials under *Miller v. California*, 413 U.S. 15 (1973)).

In the instant case, "child pornography" is defined as any visual depiction of a minor engaged in sexually explicit conduct. *See* 18 U.S.C. Sec. 2256(8)(A). "Sexually explicit conduct" is limited to the types of depictions specifically vetted by the Supreme Court in *Ferber*:

"Sexually explicit conduct" means actual or simulated—

> (A) sexual intercourse, including genital-genital intercourse or oral-genital intercourse, whether between persons of the same or opposite sex;
>
> (B) Masturbation; or
>
> (C) Lascivious exhibition of the genitals or pubic area of any person.

18 U.S.C. Sec. 2256(2).

Therefore, the question is whether the images found on Anderson's hard drive are visual images of children engaged in sexually explicit conduct. If so, then no further First Amendment analysis is needed. *Cf. United States v. Moore*, 215 F.3d at 685 (since the application of child pornography standards is more limited than an obscenity review, there is no need for judicial review for a prior restraint under the First Amendment).

Neither side has argued what standard of review this court should employ. A probable cause threshold may suffice since this standard also governs the pretrial review of challenged warrants, warrantless arrests and searches, and is the standard by which the grand jury determines whether to issue a true bill. But even if a more demanding standard of review were used, the government would meet it here.

At the evidentiary hearing the government provided for review its grand jury booklet (GJ Exh. 1) in which it had reproduced a representative sample of the images taken from Anderson's computer (labeled Gov. Exh. 2 at the evidentiary hearing, then retrieved by the

government). I have described these images in Appendix A, below. The government will provide its booklet to Judge Crabb to review and return at her request.

Although there is room to argue whether some of the images in the booklet constitute child pornography, the pornographic nature of others is patent. Solely for the purposes of addressing Anderson's motion to dismiss, I find that the following images constitute child pornography and are not entitled to First Amendment protection: 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 24.

I have not listed images 3,4, 22, 23, and 25-30 because it is not as clear whether they constitute child pornography. This, however, is not a recommendation that the court partially grant Anderson's motion to dismiss by redacting these images from the government's case. It will be up to the jury to make a decision on each of the thirty images (and sets of images), using all of the court's instructions. For the sake of fairness and efficiency, I am recommending that the court use a special verdict form so that the jury can list which specific images, if any, constitute child pornography.

II. Motion To Suppress Evidence

Anderson has moved to suppress a statement he made to a U.S. Customs agent while agents executed a search warrant on his computer back in 1998. Anderson contends that he was in custody during the interview and therefore should have received advisals pursuant to

Miranda v. Arizona, 384 U.S. 436 (1966). On September 27, 2000 I held an evidentiary hearing on this motion. During the hearing, Anderson added a claim that his statement was involuntary. Having heard and seen the witnesses testify and having judged their credibility, I find the following facts:

Facts

David Anderson lives with his parents in their single-family home at 241 Madison Street in St. Croix Falls, Wisconsin. Anderson is a 36 year-old man who suffers from severe juvenile rheumatoid arthritis and other ailments for which he routinely takes about ten different medications. Anderson's arthritis causes joint pain.

Several years ago the U.S. Customs Service developed probable cause to believe that Anderson was collecting and disseminating child pornography over the Internet. In early November, 1998 Customs sought and obtained a search warrant from this court aimed at Anderson's computer and associated devices. On November 10, 1998, Customs Special Agents William Docken, Elizabeth Hanson and Daniel Schwarz, accompanied by the local police chief, executed this warrant at Anderson's residence. The agents were in plain clothes (although Agent Schwarz was wearing a "raid" jacket) and their weapons were holstered. They arrived at Anderson's home around 7:00 a.m. and knocked on the door. Anderson's mother responded and let the agents in after they displayed their credentials and explained why they were there. Mrs. Anderson took Agents Docken and Hanson to the second story bedroom in

which Anderson was ensconced. Agent Docken opened the door and saw Anderson, still in his sleep attire, sitting at his computer on the far side of the room.

As Agent Docken approached Anderson, he saw two "windows" open on the computer monitor screen: the standard "My Computer" window and a window for the "Best Crypt" computer file encryption program. Agent Docken, a computer specialist with Customs, knew that Best Crypt was capable of instantly encrypting all of Anderson's computer files so as to make them permanently indecipherable to Docken and his colleagues. Since a computer user only opens a program if he intends to use it, Agent Docken assumed Anderson was using Best Crypt.

Docken walked behind the chair in which Anderson was seated, reached around Anderson's right side and asked Anderson to remove his hand from his computer's trackball. As he made his request, Agent Docken gently lifted Anderson's hand off of the mouse ball and told him to stop using the computer. Anderson did not resist; all Agent Docken had to do was guide Anderson's hand away from the keyboard. Agent Docken did not yet know to what extent Anderson had encrypted his data with the Best Crypt program. Since the window was still open, Agent Docken asked Anderson to disclose his pass phrase for Best Crypt. Anderson responded that he would rather not say.

Agent Docken directed Anderson away from the computer and told him to come downstairs. Agent Docken did not touch Anderson while shepherding him from the bedroom

to the downstairs living area. Agent Docken advised Anderson that he was not under arrest and that he did not have to talk to the agents. Agent Docken did not, however, provide Anderson with full *Miranda* warnings. Agent Docken introduced Anderson to Agent Schwarz then hastened upstairs to attempt to preserve Anderson's data and copy it to his own program.

After introductions, Agent Schwarz advised Anderson that he was not under arrest and that he was free to leave the house, but that he could not wander about inside while the agents conducted their search. Agent Schwarz told Anderson that he would like to ask him some questions. Agent Schwarz did not advise Anderson of his rights under *Miranda*. Anderson agreed to answer Agent Schwarz's questions and a lengthy interview followed.

Deep into the interview, Anderson said that he was cold and asked for a sweater. Agent Schwarz allowed Anderson to get a sweater. At some other point, Anderson announced that he was long overdue to take his medication. Agent Schwarz allowed Anderson to take his medication. Although no one testified to this fact, I infer that when the agents departed, they took Anderson's computer but left Anderson at home.

Analysis

A. *Miranda* Warnings

Anderson contends that his statements to Agent Schwarz must be suppressed because Agent Schwarz subjected him to a custodial interview without first advising him of his rights

under *Miranda v. Arizona*, 384 U.S. 436. A person can be in custody for *Miranda* purposes absent formal arrest if he is subject to a restraint on freedom of movement of the degree associated with formal arrest. *United States v. Wyatt*, 179 F.3d 532, 535 (7th Cir. 1999). In determining whether an "informal" arrest has taken place, the test is not whether the defendant was under a subjective belief that his movements were restricted, but whether a reasonable person in the defendant's position would believe that he was free to leave. *Id.* at 536. Factors to consider include: whether there was a threatening presence of several officers and a display of weapons or physical force; whether the encounter occurred in a public place; the degree of law enforcement control over the environment in which the interrogation took place; whether the suspect was moved to another area; whether the agents informed the suspect that he was not under arrest and was free to leave; whether the agents' tone of voice was such that their requests would likely be obeyed; whether the suspect could reasonably believe that he had the right to interrupt prolonged questioning by leaving the scene; and whether the suspect consented to speak with the agents. *Id.* at 535; *see also Sprosty v. Buchler*, 79 F.3d 635, 641 (7th Cir. 1996).

In this case, there were four agents and officers on the scene, but it does not appear that Anderson was ever in the presence of more than two at a time. These were not SWAT team members, but a low-key, mixed-gender, varying-aged trio of computer specialists from Customs, accompanied by the local police chief who apparently dropped out of the picture once they

entered the house. No weapons or physical force were used to gain entry. Anderson first learned of the agents' presence when Agent Docken walked into his bedroom, approached Anderson and gently removed his hand from the computer trackball. Although this was physical contact that Anderson claimed to find painful (due to his arthritis), it was not an act that any objective person could reasonably view as placing Anderson in custody. No one touched Anderson after this.

Agent Docken did move Anderson out of his bedroom, but only to another area of his own home so that Docken could work on the computer uninterrupted. While moving Anderson, Agent Docken told him that he was not under arrest and that he did not have to answer any questions. Anderson then sat with Agent Schwarz for a one-on-one session in the living room of his own house. Agent Schwarz began by telling Anderson that he was free to leave although he could not roam about the house while the agents searched. This limitation constrained Anderson's movement insofar as he was in his sleepwear and probably had not previously planned to step out for a walk or a drive that November morning, but this hardly approaches the degree of restraint associated with actual arrest. Throughout Anderson's encounters with the agents, they were cordial and low-key, and Anderson agreed to answer Agent Schwarz's questions.

Perhaps Anderson found the entire encounter constraining, but his subjective view is irrelevant to the determination. No objective person would have felt subjected to pressures

that would have compelled him to incriminate himself. *See Sprosty*, 79 F.3d at 640-41. I conclude from all of these circumstances that Anderson was not in actual or constructive custody for the purposes of *Miranda*. He is not entitled to suppression of his statements to Agent Schwarz.

B. Voluntariness

The only issue raised by Anderson in his pretrial suppression motion was the alleged *Miranda* violation, discussed above. At the pretrial conference, however, Anderson asserted that his statements to the agents had also been involuntary. Although the issue was waived under F.R. Crim. Pro. 16(f), the most prudent course was to allow Anderson to pursue it to the next level at our hearing. I gave Anderson the option of testifying without cross-examination on his claim to attempt to establish involuntariness to the degree that would require the government to respond with additional testimony from its agents. *See United States v.* Rodriguez, 69 F.3d 136, 141 (7th Cir. 1995)(defendant seeking an evidentiary hearing on a suppression motion has the burden of establishing its necessity).

After hearing from Anderson, and taking into account the testimony I had already heard, I determined that Anderson had not made a prima facie showing of involuntariness because there had been no agent coercion or mistreatment of Anderson that would have

interfered with his ability to exercise his free will in determining whether to answer Agent Schwarz's questions.

Although Anderson testified as to his physical impairments, they only came into play twice that day. First, Anderson claimed that he felt pain when Agent Docken gently removed Anderson's hand from the mouse ball of his computer. Even if this is true, there is no indication that Anderson made this known to Docken, and it is crystal clear that Agent Docken did not apply anything approaching force, let alone excessive force, to Anderson's wrist. Second, Anderson claimed that Agent Schwarz interviewed him for so long that he missed taking his medications. But that was Anderson's fault because he didn't say anything. As soon as he told Agent Schwarz that he needed his medicine, Agent Schwarz accommodated him. So too with Anderson's request for warmer clothing: although Anderson complained at the evidentiary hearing that he was cold during his interview, he did not immediately say anything to Agent Schwarz; as soon as Anderson complained, the agents got him a sweater.

Coercive police activity is a necessary predicate to finding that a confession is not voluntary; absent a showing of some type of official coercion, a defendant's personal characteristics alone are insufficient to render a confession involuntary. *See United States v. Lawal*, ___ F.3d ___, 2000 WL 1511665 at *5 (7th Cir. 2000). Because Anderson was unable to show any coercive acts by any of the agents, he was not entitled to an evidentiary hearing on his claim. *Id.* at *6, n.5 (court is not required to hold evidentiary hearing on claim that

confession was involuntary where there is no showing of official misconduct). For the same reason, Anderson is not entitled to suppression on the ground of involuntariness: there was no official coercion that overbore Anderson's will to remain silent.

III. Motion to Move the Trial

Anderson has asked this court to transfer trial of this case to Minneapolis-St. Paul. In support of this request, Anderson points to the physical and financial constraints he faces if he must travel to Madison for a two day trial.

On December 7, 1999, Anderson's rheumatologist, Ronald P. Messner, M.D., wrote to the court to advise that he has been treating Anderson since 1992 for juvenile rheumatoid arthritis, pericardial effusion, cardiac arrhythmia, significant osteoporosis, and significant thrombocytopenia and low body weight. *See* attachment to dkt. 5. Dr. Messner has Anderson taking a regimen of 9 medications per day plus multivitamins. Dr. Messner concluded:

> On the above treatment arthritis has remained stable over the last several years. The cardiac arrhythmia appeared this last year and is currently controlled with Atenolol. His malabsorption has been a problem over the past five to six years and is now reduced, but not eliminated, with treatments with oral antibiotics and occasional courses of Flagyl. His thrombocytopenia has resolved with the current treatment. His condition is, however, unstable in that he requires close medical follow-up to maintain his somewhat precarious state. It is important that he has access to specialized medical care to maintain optimum treatment for his multiple medical conditions. His arthritis and malabsorption makes it difficult for him to travel long distances or engage in any but the most mild physical exertion.

Id.

At the September 27, 2000 evidentiary hearing, Anderson testified regarding his physical and financial condition. He confirmed that he takes ten different medications on a daily basis. Because of his disabilities, Anderson rarely travels far from home. He estimates that, prior to having been indicted, he has made no more than four lengthy trips away from his residence. Anderson testified that driving from St. Croix to Madison by himself—which takes him five hours—causes him great pain from which it takes days to recover. Anderson testified that the stress associated with these proceedings, including driving to Madison for court, has caused Anderson to lose weight: he is down to about 111 pounds from 118 pounds. Anderson opined that he would be better able to defend himself and better able to remember what had transpired if he did not have to drive such an "extraordinary distance on so little sleep." Hearing transcript, dkt.17, at 61.

Anderson's only income is social security disability benefit payments of about $600 per month. He pays approximately $450 per month to his parents to help pay for room and board. Anderson has no automobile, but may borrow his parents' cars if one is available and if his parents grant permission.

When asked by the government at the hearing whether one of his parents could chauffeur him down to Madison and whether they could come early to stay in a motel prior to and during trial, Anderson demurred. Apparently, Anderson has not asked his parents whether

they would do this because in Anderson's opinion, staying in Madison for trial is unacceptable. He believes that the longer he is away from his home and his own bed, the more stressed and exhausted he will become. Anderson strongly prefers the comfort of his own bed and he strongly prefers home-cooked meals to those you can get in a restaurant or those that you buy frozen and prepare in a motel microwave.

Additionally, Anderson does not want to spend his disability checks paying for a motel or meals in Madison because he feels committed to paying his parents his share of the rent and grocery bills. Anderson's father still works full-time and his mother works part-time. Anderson testified that it would be more convenient for him to drive himself back and forth to the federal court house in the Twin Cities during trial instead of driving to Madison, staying here, and driving home at the end. It takes a bit over an hour to drive from St. Croix Falls into Minneapolis/St. Paul.

Analysis

F.R. Crim. Pro. 21(b) allows this court to transfer a criminal case to another district on the motion of the defendant "for the convenience of parties and witnesses, and in the interest of justice." In reviewing motions to transfer, courts normally apply the factors listed in *Platt v. Minnesota Mining and Manufacturing Co.*, 376 U.S. 240, 243-244 (1964): 1) the location of the defendant; 2) the location of possible witnesses; 3) the location of events likely to be in

issue; 4) the location of documents and records; 5) any disruption of a defendant's business which might occur absent a transfer; 6) expense to the parties; 7) the location of counsel; 8) the relative accessibility of the place of trial; 9) any docket considerations of the district courts involved; and 10) any other special factors which might affect transfer. The point is to determine, after considering all relevant matters, whether the case would be better off transferred to another district. *In Re Balsimo*, 68 F.3d 185 187 (7th Cir. 1995), citations omitted.

In this case, factors 2-5 and 7 are irrelevant or neutral, and factors 1, 8 and 10 blend, given Anderson's medical needs and his location relative to the various federal court houses. Having carefully considered all of the material factors, I do not see the balance tipping toward transferring Anderson's trial to Minneapolis. The bottom line is that Anderson is not near enough any federal court house to ensure that he would be spared the discomfort he predicts he will experience traveling to his trial. Additionally, I am not convinced that Anderson's assessment of his physical and financial costs is entirely accurate, or that they outweigh this court's interest in bringing this case to trial in the near future.

First, Anderson's assessment of the comparative advantages to him of a trial in Minneapolis versus Madison is unrealistic. According to MAPQUEST, an Internet mapping program, it would take Anderson about 84 minutes to drive the 50 miles from his home in St. Croix Falls to the federal courthouse in Minneapolis. It is not clear whether this time estimate

takes into account rush hour traffic to and from a major metropolitan area like the Twin Cities, which could substantially increase Anderson's time on the road. But even if I aim low and assume only an 80 minute commute each way, Anderson would still spend over 2½ hours in his car each trial day.

Perhaps this would be worth it to Anderson, who testified that he derives great comfort from sleeping in his own bed and eating familiar meals at home. But I am less sanguine than Anderson that he would have time to drive home from Minneapolis each night after a full day of trial followed by any witness preparation, the jury instruction conference, or both, all of which would take place after the jury went home following full trial days. Anderson then would have to rise early in order to return to court on time the next morning. Therefore, it is unrealistic for Anderson to conclude that he can avoid staying in a motel and eating restaurant food by having his trial transferred to Minneapolis.

Even so, Anderson might still prefer to transfer the trial because he would be spared what he views as a grueling five hour drive from St. Croix Falls to Madison. This is where the true balancing comes in, because this court has a legitimate interest in resolving this case efficiently. No one has proffered any facts regarding what would happen to this case if it were transferred to the United States District Court for the District of Minnesota. Even assuming that that court is current with its caseload, it would be virtually impossible to try this case in Minnesota before January or February, given the intervening holidays.

Anderson might argue that there's no rush here; after all, the government waited 20 months to indict him after seizing his computer. But that's not the whole picture: the government sent Anderson a target letter soon after it executed the search warrant, and in January 1999 this court appointed attorney Morin to represent Anderson in pre-indictment negotiations to resolve this case. For reasons unknown to the court, these negotiations dragged on fruitlessly until the government pulled the plug and sought an indictment in July 2000. This court arraigned Anderson on August 24, 2000 and, adhering to F.R. Crim. Pro. 1 and 18 U.S.C. § 3161, set a quick schedule for motions, hearings and trial. Whatever the cause of the pre-indictment delay, it does not form a basis to allow another several months to pass before trying Anderson on the charges against him.

Efficiency also militates against transfer. The judges, prosecutors and probation officers in this district are all familiar with this case and can resolve it with minimal additional work, while their Minnesota counterparts would be starting from scratch. This isn't a complex case with a tall learning curve, but increasing the workload for other judicial employees does weigh against sending this case across the border.

Balanced against this are Anderson's claims regarding the physical and financial hardships he would experience if this case is tried in Madison. While I don't doubt the sincerity of Anderson's views, I find that they are not entirely accurate. First, there will be no genuine financial hardship to Anderson or his family if this case is tried in Madison as opposed

to Minnesota. As mentioned above, I predict that Anderson would have to book a room and eat restaurant food in Minnesota just as he would in Madison, perhaps at greater expense. Apart from this, there is no showing that Anderson cannot afford two or three days' room and board. Anderson has enough disposable income to cover such expenses. Although he voluntarily pays $450 of his monthly Social Security check to his parents, there is no proof that they depend on this or cannot make ends meet without it. Additionally, Anderson has about $150 left over each month after paying his parents. This money could be committed to the costs of encampment during trial.

As for Anderson's recital of the physical toll this trial will take on him, I find that this is an insufficient basis to transfer the trial. First, Anderson will suffer stress and discomfort during this trial regardless where it is held, and he will not have a realistic opportunity to alleviate this stress and discomfort by returning home each night regardless where he is tried. Second, with all respect to the severity of Anderson's disabilities, I do not entirely credit his testimony on this issue. Having seen and heard Anderson testify, I find that he views *any* time away from his own home, bed, and dinner table as an imposition which he should not be made to suffer. This opinion, however firmly held, is not a basis to move the trial. Neither Anderson nor Dr. Messner, in his letter, offered any specific dietary requirements that prevent Anderson from eating food not from his own kitchen, or any medical reason for him to be spared two or three nights in a motel bed. Despite Anderson's claims of his suffering from his first trip to

Madison for arraignment, he made no protest, asked no accommodation, and did not make alternate arrangements (such as obtaining a driver) before returning to Madison for the preliminary pretrial conference. In short, Anderson has not provided persuasive evidence in favor of his motion to transfer this case to Minneapolis.

In sum, having carefully considered all the relevant factors, I am recommending that this court deny Anderson's motion to transfer this case.

That being said, I will suggest an alternative to which both sides should respond during the time allowed for objections to this report and recommendation: this court could try Anderson at the federal courthouse in Eau Claire. According to MAPQUEST, that facility is 94 miles from Anderson's home and would take him 2 hours and 25 minutes to reach. Obviously, Anderson could not return to St. Croix Falls each night during trial in Eau Claire, but as noted, this would be equally true if trial were held in Minneapolis, which is an hour closer to Anderson's home. An Eau Claire trial would save Anderson about 2½ hours of driving at the front end and 2½ more hours at the back end. This would lower his total drive time to less than 5 hours while keeping the trial in this district. If long drives are really a major factor for Anderson, then this is a fair balance between the interests discussed above. The government might respond tepidly to this proposal because it has prepared its evidence for presentation on this court's ELMO system in Madison and because the courthouse in Eau Claire is about 180 miles farther away. Perhaps Anderson will be equally unenthusiastic, preferring two or three

days in Madison over two or three days in Eau Claire if those are his only choices. But it is important for this court to ride circuit in the upper half of the district, and this is as compelling a situation for traveling north as the court is likely to see this year. I note that if this case were to be tried in Eau Claire, jury selection and trial would begin on Tuesday, November 14, 2000.

RECOMMENDATION

Pursuant to 28 U.S.C. § 636(b)(1)(B) and for the reasons stated above, I recommend that this court deny defendant David Anderson's motion to suppress evidence, motion to dismiss the indictment, and motion to transfer trial. I further recommend that this court consider trying this case in Eau Claire.

Entered this 25th day of October, 2000.

BY THE COURT:

STEPHEN L. CROCKER
Magistrate Judge

APPENDIX A

Grand Jury Exhibit 1 (Exhibit 2 for the evidentiary hearing) contains the following photographic images:

1) A pubescent female is reclined with her legs spread; some other person is inserting a finger into her vagina.

2) An adult male is guiding an erect penis into a naked pubescent girl's vagina.

3) A female child is standing naked in a bathroom showering with a hand shower.

4) A female child is dressing herself; her buttocks are displayed.

5) A pubescent female is displaying her vagina.

6) Many small images are displayed of "kindergarten" aged girls who are in various stages of undress, most showing their vaginas, some manipulating their vaginas with their fingers.

7) One image from the "kindergarten" page showing a young girl manipulating her vagina with her finger.

8) A female child is displaying her vagina and breasts.

9) A female child is spreading her legs and displaying her vagina.

10) A partially-clad pre-pubescent girl is displaying her vagina while an adult male guides his penis toward her mouth.

11) A pubescent girl is shown with a penis entering her vagina.

12) A pubescent girl is shown with an adult male inserting his finger into her vagina.

13) Many smaller images of naked young children in explicit poses displaying their breasts, vaginas and buttocks.

14) A naked pubescent girl is displayed in a sexually explicit pose.

15) A naked pubescent girl is displayed in a sexually explicit pose.

16) A naked pubescent girl is displayed in a sexually explicit pose.

17) An adult female is performing oral sex on a pubescent girl.

18) An adult male is inserting his penis into the vagina of a pubescent girl.

19) A pubescent girl is inserting a dildo into her vagina.

20) An adult male is performing oral sex on a pubescent girl.

21) A pubescent girl is posing naked in a sexually suggestive pose.

22) Two pubescent girls are sitting naked on a bed.

23) An adult male is apparently putting something in the mouth of a naked pubescent girl and resting his hand on her upper thigh.

24) Many images of naked pubescent girls.

25) Many images of young children in their underwear.

26) Two fully-clothed girls are walking in a public place, presumably a shopping mall.

27) Some person's buttocks, clothed in underwear, are shown in a close-up.

28) Some person is shown in close-up, apparently performing a cartwheel; the predominant image is of the underwear and split legs of the person.

29) A pubescent boy and girl are posing outside among other naked adults and perhaps children.

30) A naked child is playing in the surf with an adult male and female.