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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ORIGINAL

United States of America,

Plaintiff,

v.

Philip Frame,

Defendant.

Case: 5:17-cr-20208

Judge: O'Meara, John Corbett

MJ: Stafford, Elizabeth A.

Filed: 04-04-2017 At 04:09 PM

INFO USA V PHILIP FRAME (LG)

18 U.S.C. § 2252A(a)(2)

18 U.S.C. § 2252A(a)(5)(B)

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

18 U.S.C. § 2252A(a)(2) — *Receipt of Child Pornography*

From on or about January 8, 2013 through September 15, 2016, both dates being approximate and inclusive, in the Southern Division of the Eastern District of Michigan, the defendant, PHILIP FRAME, did knowingly receive child pornography, that is, visual depictions of sexually explicit conduct, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in Title 18, United States Code, Section 2256(8)(A); and the images received by the defendant had been mailed, shipped and transported using the Internet, a means and facility of interstate and foreign commerce, and were mailed, shipped, and transported in or affecting interstate or foreign commerce by any means, including by computer, in violation of 18 U.S.C. § 2252A(a)(2).

COUNT TWO18 U.S.C. § 2252A(a)(5)(B) — *Possession of Child Pornography*

On or about September 15, 2015, in the Eastern District of Michigan, and elsewhere, the defendant, PHILIP FRAME, did knowingly possess material containing child pornography, that is, visual depictions of sexually explicit conduct that involved prepubescent minors and minors who had not attained 12 years of age, including, but not limited to, the lascivious exhibition of the genitals or pubic area as defined in Title 18, United States Code, Section 2256(8)(A); where the production of such child pornography involved the use of a real minor engaged in sexually explicit conduct, that had been produced using materials that had been mailed, shipped and transported in and affecting interstate or foreign commerce by any means, including by computer, all in violation of 18 U.S.C. § 2252A(a)(5)(B).

FORFEITURE ALLEGATION

Upon conviction of the offenses charged in the Information, the defendant, PHILIP FRAME, shall, pursuant to 18 U.S.C. § 2253 forfeit to the United States the following:

- i. Any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B or 2260, 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 these subsections;

- ii. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- iii. Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property, including but not limited to the following items seized on September 15, 2015:

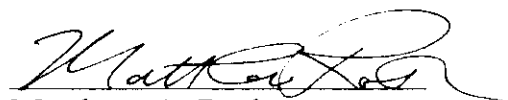
- A Staples-brand DVD bearing the handwritten labels “68,” “DCB,” “SB,” and “DVD;”
- A blue and white Dane-Elec 16 gigabyte flash drive labeled “VI;”
- An orange and white Lexar 16 gigabyte flash drive labeled “V2;”
- An orange and white Lexar 16 gigabyte flash drive labeled “P.”

If any of the property described in the paragraphs above as being forfeitable pursuant to 18 U.S.C. § 2253, as a result of any act or omission of the defendant --

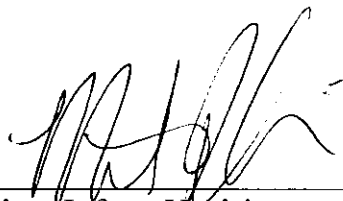
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot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

the United States of America, pursuant to 21 U.S.C. § 853(p), intends to seek forfeiture of all other property of the defendant up to the value of the above described forfeitable property.

DANIEL L. LEMISCH
Acting U.S. Attorney



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Dated: April 4, 2017

Case: 5:17-cr-20208
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United States District Court
 Eastern District of Michigan

Criminal Case Cover Sheet

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete the following information.

| | |
|--|-------------------------------|
| Companion Case Information | Companion Case Number: |
| This may be a companion case based upon LCrR 57.10 (b)(4) ¹ : | Judge Assigned: |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | AUSA's Initials: MJH |

Case Title: USA v. Philip Frame

County where offense occurred : Macomb

Check One: ☒ **Felony** ☐ **Misdemeanor** ☐ **Petty**

___ Indictment/ ___ Information --- no prior complaint.
 ___ Indictment/ ☒ Information --- based upon prior complaint [Case number: 17-MJ-30026]
 ___ Indictment/ ___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

April 4, 2017
 Date


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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.