UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v. Case No. 17-CR-11-WMC

BRIAN SAVAGE,
Defendant.

REPLY BRIEF IN SUPPORT OF MOTION TO EXCLUDE EVIDENCE AND DISMISS THE INDICTMENT

I. The government fails to meaningfully respond to Savage's argument that the agents violated the Reasonableness Clause of the Fourth Amendment.

In arguing the agents unreasonably executed the NIT warrant, Savage quoted the Court's cautionary statements in *United States v. Sherman*, 268 F.3d 539, 549 (7th Cir. 2001). (Dkt. 12: p. 13). The government, by citing *Sherman* for the proposition that "child pornography can have a direct, 'haunting' harm to the child portrayed," (17:27), implies a belief that no harm occurs when its agents possess, receive and distribute child pornography. That assertion is, at minimum, disingenuous.

The government retorts that Savage's "argument is nothing more than an argument that the government acted outrageously," (17:28), but that conflates his Fourth and Fifth Amendment claims. The test of reasonableness is not capable of precise definition or mechanical application, *Bell v. Wolfish*, 441 U.S. 520, 559 (1979), but officers executing the warrant must employ a methodology that is, in light of the values protected by the Fourth Amendment and the exigencies of the situation, a reasonable

one. *United States v. Jones*, 54 F.3d 1285, 1292 (7th Cir. 1995).

Rather than concede the inescapable fact that the agents' execution of the warrant harmed the victims, the government's brief responds with two paragraphs seeking to justify the FBI's distribution of child pornography. (17:27-28). That discussion could have been condensed into one sentence: "the end justified the means."

II. The government's brief fails to respond to Savage's particularity argument: the NIT warrant granted impermissible discretion by permitting the agents to decide which computers to search and how many times to search them.

The government responds to arguments Savage didn't make: a warrant based on probable cause can constitutionally authorize searches of numerous places, (17:25-26); a warrant need not state the manner of execution, (17:27); Savage lacks standing to contest the agents' searching computers multiple times. (17:26).[1]

But the government's brief skirts a response to the argument Savage actually made, by citing *Marron v. United States*, 275 U.S. 192 (1927), for the proposition, "As to the items to be seized, nothing must be 'left to the discretion of the officer executing the warrant' in deciding what to seize.'" (17:25, 26). This response implies that discretion is forbidden as to objects to be seized, but not for the places to be searched.

That's incorrect. "The particularity requirement of the Fourth Amendment protects against open-ended warrants that leave the scope of the search to the discretion of the officer executing the warrant, or permit seizure of items other than what is described." *United States v. Clark,* 754 F.3d 401, 410 (7th Cir. 2014)(citations omitted). "The Fourth Amendment's particularity requirement demands that the place to be

[1] Savage argued that particularity doesn't permit discretion to conduct multiple searches of the same place. (12:8-9). The government responded that the NIT wasn't deployed multiple times against Savage's computer, (17: 26), but that's neither the point nor known by the defense. Discovery has been requested.

searched and the items to be seized be described with sufficient particularity so as to leave 'nothing . . . to the discretion of the officer executing the warrant.'" *United States v. Allen*, 625 F.3d 830, 834-835 (5th Cir. 2010), quoting *Marron,* 275 U.S. at 195; *see also United States v. Voustianiouk*, 685 F.3d 206, 211 (2d Cir. 2012).

The government asserts that the affidavit's mention of discrete deployment was incorporated by reference through boilerplate language on the warrant form that read, "I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property." (17:25 n. 8). But those aren't "appropriate words of incorporation" as stated in *Groh v. Ramirez*, 540 U.S. 551, 557–58 (2004). The warrant must expressly incorporate the affidavit and the incorporation must be clear. *United States v. Tracey*, 597 F.3d 140, 147 (3d Cir. 2010).

But either way, the government is wrong. If the affidavit was incorporated by reference, the warrant granted impermissible discretion. If not, the warrant didn't authorize the agents' deciding which computers to search and how many times to search them, further illustrating they acted unreasonably in executing the warrant.

III. Savage's consent to search didn't attenuate the taint of the illegal NIT warrant because no break occurred in the causal connection.

A. The voluntariness of Savage's consent may be uncertain but the agents' purposeful use of the NIT search to advance the investigation is clear.

The government's brief simplistically addresses the issue of whether Savage voluntarily confessed and consented to the agents' search of his computer. (17:17-18). However, a sparse factual basis supports its argument. It observes that Savage suffered no educational or intellectual deficit, without providing the source of that information,(17:18), and ignores the fact that he had no criminal history and limited

police contacts.[2]

The agents appeared without warning at Savage's workplace and repeatedly questioned him about child pornography. (17:1-2). The agents showed Savage "a printout, which contained more information related to the child pornography activity." (17-1:1).[3] After the agents threatened Savage with prosecution, presumably for violating 18 U.S.C. § 1001, he confessed and consented to a search of his computer. (17-1:1-2).

Whether Savage gave voluntary consent may be uncertain, but it's clear that the agents purposefully and flagrantly exploited the NIT search to extract that consent. *See United States v. Reed*, 349 F.3d 457, 465 (7th Cir. 2003). The government concedes that information from Savage's computer captured by the NIT search led the agents to question him about his online activities. (17:15). When Savage declined to admit to wrong-doing, the agents produced documentation of information obtained with the NIT warrant. Only then did Savage confess and consent to the search.

B. Savage's consent didn't supply an intervening event to cause attenuation.

The agents' purposeful use of fruits of the NIT warrant weighs against the government's heavy burden of persuasion to show that sufficient attenuation purged the taint of the prior illegality. *See Kaupp v. Texas*, 538 U.S. 626, 633 (2003); *United States v. Jerez*, 108 F.3d 684, 695 (7th Cir.1997). In addition to the purpose and flagrancy of the official misconduct, certain factors determine whether exploitation of a Fourth Amendment violation requires suppression: observance of Miranda, temporal

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[2] A CCAP search reveals Savage had received one traffic citation.

[3] The printout may have been a so-called CYGNUS report, which showed specific activity attributed to a specific website user including information about the deployment of the NIT. (13-8:25-26). The government did not disclose the CYGNUS report for Savage to the defense; discovery has been requested.

proximity of the illegality and consent, and presence of intervening circumstances. *See Kaupp, supra.*

The government concedes that Savage received no Miranda warnings, (17:18), and the agents didn't state that he was free to go. (17-1:1-3). No effective temporal separation occurred; Savage's first clue that the NIT searched his computer came when the agents appeared at his workplace over a year later , explicitly using the illegal fruits to persuade him to consent, giving him no time to reflect on his circumstances. *See United States v. Robeles-Ortega*, 348 F.3d 679, 683 (7th Cir. 2003).

As to the final factor, Savage's consent didn't operate as an intervening event that severed the causal chain between the illegal NIT warrant and the seizure of evidence from his computer. The government's brief relies on *United States v. Liss*, 103 F.3d 617 (7th Cir. 1997), but that decision "doesn't hold that a consent is an independent intervening event that breaks the causal chain stemming from the illegal search." *Robeles-Ortega,* 348 F.3d at 684. The critical question is whether the causal connection was broken between the illegality and the consent. *Id.* at 683.[4]

In *Liss*, the Court found that the search of an unrelated location had no role in the discovery of the evidence obtained through consent. *Robeles,* 348 F.3d at 684. In other words, attenuation was unnecessary because no causal connection existed. In Savage's case, the causal connection is evident, as the government concedes. (17:15).

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[4] The government cites, for a different proposition, Judge Tinder's dissent in *Carter,* in which he wrote that consent and Miranda waivers "cannot amount to independent intervening circumstances." *Carter,* 573 F.3d at 739. What's required for attenuation is a break in the causal connection *between* the illegality and the consent. *Id.* at 738-39. *See also United States v. Fox*, 600 F.3d 1253, 1259 (10th Cir. 2010); *United States v. Chanthasouxat,* 342 F.3d 1271, 1280 (11th Cir. 2003); *United States v. Hernandez*, 279 F.3d 302, 308 (5th Cir. 2002); *United States v. Lopez-Arias*, 344 F.3d 623, 630 (6th Cir. 2003); *United States v. Jerez*, 108 F.3d 684, 694 n. 10 (7th Cir. 1997), citing *United States v. Melendez-Garcia,* 28 F.3d 1046 (10th Cir. 1994).

The government's brief places primary reliance on *United States v. Carter*, 573 F.3d 418 (7th Cir. 2009), in which police seized evidence during a warrantless search of an apartment where Carter had stayed. *Carter,* 573 F.3d at 420-21. Another officer arrested Carter at another location after an occupant ("Individual B") granted entry. *Id.* at 421. Carter signed a Miranda waiver and confessed. *Id.* The district court found the initial search illegal and ordered suppression. *Id.* at 422. The Seventh Circuit found that Individual B's consent to search was a sufficient intervening event to break the causal chain between the first, illegal search and the second one. *Id.* at 427.[5]

The *Carter* Court cautioned that "*Liss* is not a per se rule validating every consent search following a Fourth Amendment violation, and in *Robeles–Ortega* we held that it did not apply when the consent was given at the site of the illegal entry. In the present case, however, consent was given by a person unaware of the earlier warrantless entry, at a different location, and with different police personnel involved. The holding of *Liss* would squarely govern these facts." *Id.* at 427 n. 3 (citation omitted).

The government contends that Savage's case presents the "exact same scenario" as in *Carter,* (17:21), but that's wrong in several ways, one particularly critical. The NIT search took place inside Savage's computer, the precise location where the agents sought consent to search. On these facts, *Robeles,* not *Liss,* controls.

An analogous scenario would be presented if the agents performed a covert illegal search of Savage's home, copied documentary evidence of criminal activity, then confronted him some time later with that evidence to extract his consent. On those facts,

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[5] A leading commentator questioned the *Carter* opinion as erroneously following the holding in *United States v. Carson,* 793 F.2d 1141 (10th Cir. 1986), that "exploitation can never occur in the sense of the illegal search strongly influencing the police in thereafter seeking a particular consent, but only in the sense of bringing added pressure to bear upon the person from whom consent is sought." LaFave, *Search and Seizure,* §8.2(d), p. 104-05 n. 133. The Tenth Circuit overruled *Carson* in *United States v. Melendez-Garcia,* 28 F.3d 1046 (10th Cir. 1994). *Id.*

and those of Savage's case, no break in the causal connection occurred between illegality and the consent.

C. The agents' role in the initial illegality should be deterred by exclusion.

The government states that exclusion of this evidence would be improper because nothing about the agents' behavior should be deterred: "The investigators only acted upon the issuance of a warrant, and they presented the judge with all relevant information when applying for the warrant." (17:23).

Not true: the NIT warrant affidavit, drafted by agents and reviewed by senior DOJ lawyers, didn't reveal that Playpen had been accessible on the regular internet or that the primary case agent didn't know if the website could be found using a regular internet browser. The warrant and affidavit misstated the place where the NIT would deploy, when the affiant knew that deployment would take place world-wide. The plan for "discrete deployment" didn't appear in the warrant, wasn't placed prominently in the affidavit, and didn't accurately describe how the agents discretely deployed the NIT.

In short, the agents and DOJ lawyers concealed, omitted or mischaracterized information presented to the judge in the NIT warrant application. This conduct should be deterred, not endorsed, by this Court.

IV. The government's invocation of Rule 41(b)(4) fails because the NIT isn't a tracking device and the NIT warrant wasn't a tracking device warrant.

The government seeks to show compliance with Rule 41 by characterizing the NIT warrant as authorizing installation of a "tracking device." (17:29-33). In support, the government cites five cases, none in this Circuit; three of those cases were venued in the Eastern District of Virginia where the magistrate judge's authority would seem

unquestioned. (17:29).[6] But, as noted in Savage's initial brief, thirty-five courts outside that district have found Rule 41(b)(4) inapplicable to the NIT warrant. (12:17 n. 63).[7]

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[6] The government's brief describes the Eastern District of Virginia as "the district with the strongest known connection to the criminal activity under investigation." (17:39). That assertion seems inexplicable. Steven Chase, Playpen's administrator, was based in Florida (and at times, Maine), and the Centrilogic server was located in the Western District of North Carolina.

[7] A report and recommendation filed with this court concurs. *United States v. Mitchell Johnson*, 16-CR-76-WMC, R. 28 at 24-25. *See United States v. Dorosheff*, 2017 U.S. Dist. LEXIS 63647 * (C.D. Ill. Apr. 26, 2017); *United States v. Taylor*, 2017 U.S. Dist. LEXIS 61417 * (N.D. Ala. Apr. 24, 2017); *United States v. Gaver*, 2017 U.S. Dist. LEXIS 44757 * (S.D. Ohio Mar. 27, 2017); *United States v. Carlson*, 2017 U.S. Dist. LEXIS 67991 * (D. Minn. Mar. 23, 2017); *United States v. Hachey*, 2017 U.S. Dist. LEXIS 34192 * (E.D. Pa. Mar. 7, 2017); *United States v. Pawlak*, 2017 U.S. Dist. LEXIS 23100, *12 * (N.D. Tex. Feb. 17, 2017); *United States v. Perdue*, 2017 U.S. Dist. LEXIS 23098 * (N.D. Tex. Feb. 17, 2017); *United States v. Kahler*, 2017 U.S. Dist. LEXIS 20276 * (E.D. Mich. Feb. 14, 2017); *United States v. Deichert*, 2017 U.S. Dist. LEXIS 11902, *22 * (E.D.N.C. Jan. 28, 2017); *United States v. Kneitel*, 2017 U.S. Dist. LEXIS 22669, *2 (M.D. Fla. Jan. 3, 2017); *United States v. Dzwonczyk*, 2016 U.S. Dist. LEXIS 178020 * (D. Neb. Dec. 23, 2016); *United States v. Vortman*, 2016 U.S. Dist. LEXIS 175235 * (N.D. Cal. Dec. 16, 2016); *United States v. Hammond*, 2016 U.S. Dist. LEXIS 170297 * (N.D. Cal. Dec. 8, 2016); *United States v. Duncan*, 2016 U.S. Dist. LEXIS 168365 * (D. Or. Dec. 6, 2016); *United States v. Owens*, 2016 U.S. Dist. LEXIS 167559 * (E.D. Wis. Dec. 5, 2016); *United States v. Tippens*, 2016 U.S. Dist. LEXIS 184174 * (W.D. Wash. Nov. 30, 2016); *United States v. Stepus*, 2016 U.S. Dist. LEXIS 154503 * (D. Mass. Oct. 28, 2016); *United States v. Libbey-Tipton*, 2016 U.S. Dist. LEXIS 182367, *11 (N.D. Ohio Oct. 19, 2016); *United States v. Broy*, 209 F. Supp. 3d 1045, 1056 (C.D. Ill. Sept. 21, 2016); *United States v. Scarbrough*, 2016 U.S. Dist. LEXIS 141373 * (E.D. Tenn. Aug. 26, 2016); *United States v. Allain*, 2016 U.S. Dist. LEXIS 134605, *32 (D. Mass. Sept. 29, 2016); *United States v. Anzalone*, 2016 U.S. Dist. LEXIS 129735, *29 (D. Mass. Sept. 22, 2016); *United States v. Croghan*, 209 F. Supp. 3d 1080, 1088 (S.D. Iowa Sept. 19, 2016); *United States v. Knowles*, 2016 U.S. Dist. LEXIS 171854, *29 (D.S.C. Sept. 14, 2016); *United States v. Ammons*, 2016 U.S. Dist. LEXIS 124503, *15 (W.D. Ky. Sept. 14, 2016); *United States v. Torres*, 2016 U.S. Dist. LEXIS 122086, *14 (W.D. Tex. Sept. 9, 2016); *United States v. Workman*, 205 F. Supp. 3d 1256, 1262 (D. Colo. Sept. 6, 2016); *United States v. Henderson*, 2016 U.S. Dist. LEXIS 118608, *12 (N.D. Cal. Sept. 1, 2016); *United States v. Adams*, 2016 U.S. Dist. LEXIS 105471, *19 (M.D. Fla. Aug. 10, 2016); *United States v. Rivera*, 2016 U.S. Dist. LEXIS 182483, *16 (E.D. La. July 19, 2016). *United States v. Werdene*, 188 F. Supp. 3d 431, 442 (E.D. Pa. May 18, 2016); *United States v. Arterbury*, 2016 U.S. Dist. LEXIS 67091, *21 (N.D. Okla. Apr. 25, 2016); *United States v. Levin*, 186 F. Supp. 3d 26, 34 (D. Mass. Apr. 20, 2016); *United States v. Michaud*, 2016 U.S. Dist. LEXIS 11033, *18 (W.D. Wash. Jan. 28, 2016)

Further, the NIT warrant wasn't a tracking device warrant. The NIT warrant didn't resemble the official court form for a tracking device warrant, the term "tracking device" appears nowhere in its text, and the affidavit's definitions don't define it.[8] The NIT warrant didn't particularly identify the person or property to be tracked, as Fed. R. Crim. P. 41(e)(2)(C) requires, and omits specification of the exact date and time the NIT malware was installed. Fed. R. Crim. P. 41(f)(2)(A). The warrant's return didn't supply that information, either. Alfin's inventory reads in its entirety as "Data from computers that accessed the TARGET WEBSITE between 2/20/15 and 3/4/15." (12-1: 39).

Savage earlier asserted (12:15-18) that the DOJ misled Judge Buchanan by characterizing the NIT as a tracking device. The government's continued attempts to justify the NIT warrant under Rule 41(b)(4) emphasize the accuracy of Savage's argument, as well as the DOJ's disdain of the constitutional requirements for searching a home computer. (12:18).[9]

V. When information about the ability to access Playpen on the regular internet is added, the NIT warrant affidavit lacks probable cause.

A. Savage retained privacy expectation in the data obtained from his computer.

The government needlessly argues that no warrant was required because Savage possessed no realistic privacy expectation in his IP address, (17:42-43), a contention

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[8] *See* NIT warrant at ¶5; U.S. Courts Form AO-104, "Tracking Warrant," at http://www.uscourts.gov/forms/law-enforcement-grand-jury-and-prosecution-forms/tracking-warrant; 18 U.S.C. § 3117 ("the term "tracking device" means an electronic or mechanical device which permits the tracking of the movement of a person or object.").

[9] The first appellate court to discuss the issue rejected the government's tracking device argument. *United States v. Horton,* No. 16-3976 (8th Cir. July 24, 2017). The Court also found the NIT warrant void ab initio, as Savage argued in his initial brief. (12:15-18). The government's supplemental response (dkt.18) concurs with both points and confirms that the first two appellate cases produced a circuit split on whether the NIT warrant was void ab initio.

based on the third party doctrine. *See United States v. Caira,* 833 F.3d 803, 806 (7th Cir. 2016), quoting *Smith v. Maryland*, 442 U.S. 735, 743 (1979). But the third party doctrine doesn't apply to Savage's case because the government obtained the information at issue from his home computer, not from a third party. *See United States v. Croghan,* 209 F. Supp. 3d 1080, 1092 (S.D. Iowa 2016), citing *Riley v. California,* 134 S. Ct. 2473, 2492-93 (2014)(distinguishing *Smith,* and differentiating between evidence about phone usage obtained from the phone company and directly from the phone).

At any rate, the government's argument is pointless. The NIT search of Savage's computer seized additional information from his home computer, for which the government can't contest his privacy expectation. *See United States v. Lifshitz*, 369 F.3d 173, 190 (2d Cir. 2004); *United States v. Broy*, 209 F. Supp. 3d 1045, 1054 (C.D. Ill. 2016).

B. The affidavit omitted critical information about access on the regular internet.

The government emphasizes, as did the NIT warrant affidavit, the steps to be taken to access the Playpen website: installing and using the Tor browser, then locating and registering to log into the website. (17: 7, 47-48). Savage pointed out that the affidavit omitted the facts that Playpen could be accessed on the regular internet, eliminating need for the first two steps. (12:20-21).

The government flatly states, "The information was part of the NIT warrant and was presented to the magistrate judge. R. 13-1, pgs. 26-27, n. 7) ('Due to a misconfiguration of the TARGET WEBSITE that existed for an unknown period of time, the true IP Addresses of a small number of users of the TARGET WEBSITE (that amounted to less than 1% of registered users of the TARGET WEBSITE) were captured in the log files stored on the Centrilogic server.')." (17:48).

That passage clearly does not communicate the omitted information, but raises

an interesting point.[10] Before applying for the NIT warrant, the agents possessed an unknown number (less than 1,580) IP addresses.[11] But rather than investigate the information at hand, the DOJ crafted a misleading warrant application, illegally deployed the NIT on computers located worldwide, and revictimized the victims of child pornography by enabling one million hits on the Playpen website.[12]

C. The Playpen homepage didn't clearly communicate the website's purpose.

The government's brief rejects Savage's point that the Playpen homepage was less suggestive than other sites' as "a skewed self-serving interpretation of the affidavit." (17:46-47). But that point is based, not on the affidavit, but on the copy of the actual homepages appended to Savage's brief. (13-16; 13-17).

The government and the affiant made much of formatting suggestions on the home page ("No cross-board reposts, .7z preferred, encrypt filenames, include preview"), but Alfin testified that none are used exclusively for purposes of disseminating child pornography and that he frequently used 7z (7-zip).[13] Those guidelines and the odd registration instructions didn't alert the unwary to the website's

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[10] Compare Dkt. 14-1 ("wiretap warrant") at ¶38; ""Due to a misconfiguration of the server hosting the TARGET WEBSITE, the TARGET WEBSITE was available for access on the regular internet . . . . "). Interestingly, this precise information was masked in the discovery provided to counsel. See dkt. 13-2 at ¶38.

[11] Although the NIT warrant stated Playpen had 158,094 members, (13-1:17), the government elsewhere stated their number as over 200,000 and "at least 184,000." (13-10: 2,4).

[12] Handling this amount of internet traffic must require sophisticated hardware. Alfin testified that the FBI made no improvements to the website, but the relative capabilities of the FBI and Centrilogic servers remains unknown. Discovery has been requested. Obviously, increasing the distribution capability of the Playpen website by utilizing a more powerful server impacts the issue of reasonableness of the agents' execution of the NIT warrant.

[13] Dkt. 13-5: 50-53.

purpose, which might be discerned from the home page but certainly not ascertained, unlike the unabashed announcement described in *Wilder*, 526 F.3d at 9-10.

But the agents' actions express doubt that merely logging in supplied probable cause: for non-administrators, the agents configured the NIT to deploy when a logged-in user navigated to a sub-forum and opened a post. Nothing appears to explain why that process wasn't submitted in the warrant, as the existence of probable cause would be practically guaranteed.[14]

At any rate, the warrant affidavit overstated the difficulty of accessing the Playpen website, the purpose communicated by the site's home page, and understated the likelihood of an inadvertent visitor. With the addition of that content, probable cause would have been lacking.

VI. The government's misconduct expressed systemic disregard of constitutional requirements, warranting deterrence by exclusion on due process grounds.

Savage argued that dismissal is warranted by the government's conduct in this case: "incredible hypocrisy and callous cruelty to the victims displayed by the conduct of the FBI agents and DOJ lawyers." The government's brief characterizes their misconduct as "reasonable reactions to the difficulties of investigating child pornography" that "falls far short of what could possibly be required" for dismissal on due process grounds. (17:52).

Savage disagrees. Participants in Operation Pacifier ranged from agents in the field to top-level DOJ lawyers. Senior DOJ attorneys reviewed the NIT warrant affidavit, which misstated, omitted and concealed information relevant to a finding of probable cause. When Agent Macfarlane, who otherwise was uninvolved with the

[14] Nonetheless, the NIT deployed at least one time after a website user opened a post that contained no child pornography. (13-7:61).

Playpen takeover, swore out the affidavit, a CEOS lawyer accompanied him.

After the DOJ lawyers convinced Magistrate Judge Buchanan, as they had Macfarlane, that the NIT operated as a tracking device, she approved the warrant on that faulty rationale, permitting the Department's operation of the world's largest child pornography website. In executing the warrant, the agents committed countless federal felonies by possessing, receiving and distributing child pornography while hacking into computers located outside the jurisdiction of the magistrate judge and the DOJ.

The outrageous conduct in Operation Pacifier wasn't committed by a rogue agent, but by personnel at all levels of the Department of Justice. The concept of good faith is irreconcilable with this governmental misconduct. The government's deception and criminality weren't isolated or negligent, but systemic disregard of constitutional requirements.

In the DOJ's own words: "Once an image is on the Internet, it is irretrievable and can continue to circulate forever. The permanent record of a child's sexual abuse can alter his or her live [sic] forever. Many victims of child pornography suffer from feelings of helplessness, fear, humiliation and lack of control given that their images are available for others to view in perpetuity."[15]

In Operation Pacifier, the Department sent an entirely different message : "Do what we say, not what we do."

[15] U.S. Department of Justice, "Child Pornography," Child Exploitation and Obscenity Section (CEOS), available at http//www.justice.gov/criminal-ceos/child-pornography (visited July 22, 2017).

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Respectfully submitted this 27th day of July, 2017.

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CERTIFICATION OF SERVICE

I certify that I have served the above document on the office of the United States Attorney by CM/ECF.

/s/ Stephen J. Meyer
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