



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2018 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD GREGORY BAUER,
aka "Steve Smith,"
aka "John Smith,"
aka "Garret,"

Defendant.

CR No

18CR00550 -JFW

I N D I C T M E N T

[18 U.S.C. §§ 2261A(2)(B),
2261(b)(5): Stalking; 18 U.S.C.
§ 1030(a)(2)(C), (c)(2)(B)(ii):
Unauthorized Access to a Protected
Computer to Obtain Information in
Furtherance of a Criminal or
Tortious Act; 18 U.S.C.
§ 1028A(a)(1): Aggravated Identity
Theft]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

1. Beginning on or about February 7, 2015, and continuing to
on or about June 11, 2018, in Los Angeles County, within the Central
District of California, and elsewhere, defendant RICHARD GREGORY
BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka
"Garret" ("BAUER"), with the intent to harass and intimidate Victim
A, used an interactive computer service, electronic communication
service, electronic communication system of interstate commerce, and

1 other facilities of interstate and foreign commerce, namely, e-mail,
2 interstate wires, and the Internet, to engage in a course of conduct,
3 described in paragraph 2 below, that caused, attempted to cause, and
4 would reasonably be expected to cause substantial emotional distress
5 to Victim A.

6 2. Defendant BAUER's course of conduct included, among other
7 things, the following, all conducted in a manner designed to hide
8 defendant BAUER's true identity from Victim A, except where otherwise
9 indicated:

10 a. On or about February 7 and 8, 2015, defendant BAUER,
11 without concealing his identity, sent Victim A a series of Facebook
12 messages asking her a set of questions, purportedly for a project in
13 his "human societies class." The questions, which Victim A answered,
14 included typical questions used to reset online passwords, for
15 example, the name of Victim A's first pet.

16 b. Beginning on or about March 28, 2017, and continuing
17 through on or about June 11, 2018, defendant BAUER possessed, without
18 Victim A's authorization, an electronic database file containing
19 approximately 178,889 text messages between Victim A and various
20 recipients.

21 c. On or about August 24, 2017, defendant BAUER sent
22 Victim A an e-mail message with the subject "Pics of you." The e-
23 mail attached a topless photograph of Victim A and the body of the
24 message included the following: "so a mutual friend gave me some
25 pictures of you, and said you would give more. I liked what I saw. I
26 assume this is you? i have mannnnnny more. So what do you say about
27 giving me some more? I dont want to put these somewhere..."

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1 d. On or about August 24, 2017, defendant BAUER sent
2 Victim A the following Facebook messages:

3 i. "this is the [Victim A] from woodland right?"
4 ii. "i sent you an email you may want to read"
5 iii. "if you dont want your nude pictures on the
6 internet respond back."

7 e. On or about August 26, 2017, defendant BAUER sent
8 Victim A an e-mail message with the subject "your nudes." The e-mail
9 attached the same topless photograph identified in paragraph 2.a
10 above, and the body of the message included the following: "i guess
11 you dont care about having your fiance know about your nude pics on
12 the internet...respond to this email."

13 f. On or about January 5, 2018, defendant BAUER sent
14 Victim A the following two e-mail messages:

15 i. A message with the subject "pics for your
16 fiance!" The e-mail attached three selfie-style photographs of
17 Victim A, two of which depicted her topless. The body of the message
18 included the following: "Hello [Victim A], how would you like these
19 pictures for your fiance? don't worry, i have many," and "this isn't
20 a joke...to keep these and the many others i have from getting out.
21 you will respond to this email."

22 ii. A follow-up message with the same subject, and
23 the following in the body: "man...i guess you really don't care about
24 your fiance's feelings..."

25 g. On or about January 9, 2018, defendant BAUER sent
26 Victim A an e-mail message with the subject "Great Wedding
27 Information." The e-mail attached one of the topless photographs
28 identified in paragraph 2.f.i above, another selfie-style photograph,

1 and a sexually explicit photograph. The body of the message included
2 the following: "Hello [Victim A], Attached you will see some pictures
3 that will be most interesting for your upcoming wedding...," and "now
4 what would your fiance think or your students think if these were
5 made public?"

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COUNT TWO

[18 U.S.C. § 1030(a)(2)(C), (c)(2)(B)(ii)]

Beginning on or about January 6, 2017, and ending no later than January 11, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret," intentionally accessed without authorization and in excess of authorization a computer, namely, a computer used by Victim B, and thereby obtained information, namely, computer account logins and passwords, from a protected computer, as that term is defined in Title 18, United States Code, Section 1030(e)(2)(B), in furtherance of criminal and tortious acts, to wit, Stalking in violation of 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5), and the California State tort of Invasion of Privacy.

1 COUNT THREE

2 [18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

3 1. Beginning on or about February 16, 2015, and continuing to
4 on or about January 5, 2018, in Los Angeles County, within the
5 Central District of California, and elsewhere, defendant RICHARD
6 GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith,"
7 aka "Garret" ("BAUER"), with the intent to harass and intimidate
8 Victim B, used an interactive computer service, electronic
9 communication service, electronic communication system of interstate
10 commerce, and other facilities of interstate and foreign commerce,
11 namely, e-mail, interstate wires, and the Internet, to engage in a
12 course of conduct, described in paragraph 2 below, that caused,
13 attempted to cause, and would reasonably be expected to cause
14 substantial emotional distress to Victim B.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim B, except where otherwise
18 indicated:

19 a. On or about February 16, 2015, defendant BAUER,
20 without concealing his identity, sent Victim B a series of Facebook
21 messages asking her a set of questions, purportedly for a project in
22 his "human societies class." The questions, which Victim B answered,
23 included typical questions used to reset online passwords, for
24 example, the city where Victim B's parents met.

25 b. On or about January 6, 2017, defendant BAUER, without
26 concealing his identity, sent Victim B a series of Facebook messages
27 asking Victim B to help him test some software that he claimed to
28 have written to improve image files. At defendant BAUER's request,

1 Victim B installed the software, which was in reality malware
2 intended by defendant BAUER to give him unauthorized access to Victim
3 B's computer.

4 c. On or about August 24, 2017, defendant BAUER sent
5 Victim B the following Facebook messages:

6 i. "hi is this [Victim B] that lives in woodland?"
7 ii. "you should read the email i sent you"
8 iii. "if you done want nude pictures of you on the
9 internet respond back"

10 d. On or about August 24, 2017, defendant BAUER sent
11 Victim B the following two e-mail messages:

12 i. A message with the subject "pictures of you."
13 The e-mail attached a topless photograph of Victim B, and the body of
14 the message included the following: "a mutual friend gave me some
15 pictures of you assured me you could give me more. I assume the
16 attached pic is you....i would hate for these to get out somewhere...
17 so when can i get a new one? i have mannnnnny more."

18 ii. A message with the subject "if you dont want your
19 nude pictures on the internet respond to this email." The e-mail
20 included the same topless photograph identified in paragraph 2.d.i
21 above with the following message in the body: "i have more."

22 e. On or about January 5, 2018, defendant BAUER sent
23 Victim B the following two e-mail messages:

24 i. A message with the subject "pics just for you!"
25 The e-mail attached the same topless photograph identified in
26 paragraph 2.d.i above and another nude photograph of Victim B The
27 body of the message included the following: "hello [Victim B], please
28 take a look at these pics we gathered just for you," and "i have many

1 more...this is not a joke. if you don't want these and the others
2 made public. respond to this."

3 f. A follow-up message with the following in the body:
4 "wow....i guess you don't care if the whole world knows youre a
5 slut...i was going to offer a proposal to keep your pics off the
6 internet, but i guess you dont care."

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COUNT FOUR

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

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3 1. Beginning on or about August 21, 2016, and continuing to on
4 or about January 5, 2018, within the Central District of California,
5 and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka")
6 "Steve Smith," aka "John Smith," aka "Garret" ("BAUER"), with the
7 intent to harass and intimidate Victim C, used an interactive
8 computer service, electronic communication service, electronic
9 communication system of interstate commerce, and other facilities of
10 interstate and foreign commerce, namely, e-mail, interstate wires,
11 and the Internet, to engage in a course of conduct, described in
12 paragraph 2 below, that caused, attempted to cause, and would
13 reasonably be expected to cause substantial emotional distress to
14 Victim C.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim C, except where otherwise
18 indicated:

19 a. On or about August 21, 2016, defendant BAUER, without
20 concealing his identity, sent Victim C a series of Facebook messages
21 asking her a set of questions, purportedly for a project in his
22 "human studies class." The questions, which Victim C answered,
23 included typical questions used to reset online passwords, for
24 example, the first car that Victim C owned.

25 b. On or about January 5, 2018, defendant BAUER sent
26 Victim C an e-mail with the subject "Pictures for you!" The e-mail
27 attached a topless selfie-style photograph of Victim C The body of
28 the message included the following: "Hello [Victim C], please have a

1 look at a sample for the pictures we have collected just for you!"
2 and "and I have more....if you don't want them public i suggest you
3 respond to this. this is not a joke."

4 c. On or about January 5, 2018, defendant BAUER sent
5 Victim C a follow-up e-mail containing the following:

6 i want four pictures of you daily.
7 1) fully clothed with your face visible
8 2) bra and underwear, your face doesn't have to be
9 visible
10 3) just underwear, your face doesn't have to be
11 visible
12 4) naked, your face doesn't have to be visible
13 if you do this, those pictures will not go public.
14 what is your answer

15 d. On or about January 5, 2018, defendant BAUER sent
16 Victim C a follow-up e-mail containing the following: "this is fair,
17 especially considering you don't know how many pictures I have..."

18 e. On or about January 5, 2018, defendant BAUER sent
19 Victim C a follow-up e-mail containing the following: "I would take
20 the deal, especially considering you don't know how many pictures I
21 have."

22 f. On or about January 5, 2018, defendant BAUER sent
23 Victim C a follow-up e-mail containing the following: "don't think
24 deleting your facebook btw will keep people from seeing them... i
25 take it that means you do not take the deal?"

26 g. On or about January 5, 2018, defendant BAUER sent
27 Victim C a follow-up e-mail containing the following: "very well.....
28 it seems you made your choice, well I didn't want do this but you
leave me no option."

h. On or about January 5, 2018, defendant BAUER sent
Victim C a follow-up e-mail containing the following: "ok then...i
gave you a fair deal. If you change your mind at a later date, than I

1 will stop leaking your pictures on the internet. As of now, you are
2 about to become one of the more popular girls on 4chan."

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COUNT FIVE

[18 U.S.C. § 1030(a)(2)(C), (c)(2)(B)(ii)]

On or about January 5, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret," intentionally accessed without authorization and in excess of authorization a computer, namely, a server of Google, Inc., and thereby obtained information, namely, the contents of a Google e-mail account belonging to Victim C, from a protected computer, as that term is defined in Title 18, United States Code, Section 1030(e)(2)(B), in furtherance of criminal and tortious acts, to wit, Stalking in violation of 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5), and the California State tort of Invasion of Privacy.

COUNT SIX

[18 U.S.C. § 1028A(a)(1)]

On or about January 5, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret" ("BAUER"), knowingly possessed and used, without lawful authority, a means of identification that defendant BAUER knew belonged to another person, that is the, username and password of Victim C, during and in relation to the offense of Unauthorized Access to a Protected Computer in Furtherance of a Criminal or Tortious Act, a felony violation of Title 18, United States Code, Section 1030(a)(2)(C), (c)(2)(B)(ii), as charged in Count Five of this Indictment.

COUNT SEVEN

[18 U.S.C. § 1030(a)(2)(C), (c)(2)(B)(ii)]

Beginning on or about January 8, 2017, and ending no later than January 11, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret," intentionally accessed without authorization and in excess of authorization a computer, namely, a computer used by Victim D, and thereby obtained information, namely, computer account logins and passwords, from a protected computer, as that term is defined in Title 18, United States Code, Section 1030(e)(2)(B), in furtherance of criminal and tortious acts, to wit, Stalking in violation of 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5), and the California State tort of Invasion of Privacy.

COUNT EIGHT

[18 U.S.C. § 1030(a)(2)(C), (c)(2)(B)(ii)]

Beginning on or about February 28, 2017, and ending no later than January 11, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret," intentionally accessed without authorization and in excess of authorization a computer, namely, a server of Facebook, Inc., and thereby obtained information, namely, the contents of a Facebook account belonging to Victim D, from a protected computer, as that term is defined in Title 18, United States Code, Section 1030(e)(2)(B), in furtherance of criminal and tortious acts, to wit, Stalking in violation of 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5), and the California State tort of Invasion of Privacy.

COUNT NINE

[18 U.S.C. § 1028A(a)(1)]

On or about February 28, 2017, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret" ("BAUER"), knowingly possessed and used, without lawful authority, a means of identification that defendant BAUER knew belonged to another person, that is, the username and password of Victim D, during and in relation to the offense of Unauthorized Access to a Protected Computer in Furtherance of a Criminal or Tortious Act, a felony violation of Title 18, United States Code, Section 1030(a)(2)(C), (c)(2)(B)(ii), as charged in Count Eight of this Indictment.

COUNT TEN

[18 U.S.C. § 1030(a)(2)(C), (c)(2)(B)(ii)]

Beginning on or about January 27, 2017, and ending no later than January 11, 2018, in Los Angeles County, within the Central District of California, and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka "Garret," intentionally accessed without authorization and in excess of authorization a computer, namely, a computer used by Victim E, and thereby obtained information, namely, computer account logins and passwords, from a protected computer, as that term is defined in Title 18, United States Code, Section 1030(e)(2)(B), in furtherance of criminal and tortious acts, to wit, Stalking in violation of 18 U.S.C. §§ 2261A(2)(B), 2261(b)(5), and the California State tort of Invasion of Privacy.

COUNT ELEVEN

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

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3 1. Beginning on or about August 21, 2017, and continuing to on
4 or about January 10, 2018, in Los Angeles County, within the Central
5 District of California, and elsewhere, defendant RICHARD GREGORY
6 BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka
7 "Garret" ("BAUER"), with the intent to harass and intimidate Victim
8 F, used an interactive computer service, electronic communication
9 service, electronic communication system of interstate commerce, and
10 other facilities of interstate and foreign commerce, namely, e-mail,
11 social media, interstate wires, and the Internet, to engage in a
12 course of conduct, described in paragraph 2 below, that caused,
13 attempted to cause, and would reasonably be expected to cause
14 substantial emotional distress to Victim F.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim F:

18 a. On or about August 21, 2017, defendant BAUER sent
19 Victim F an e-mail with the subject "You dont want those pics out on
20 the internet." The e-mail included a nude photograph of Victim F,
21 and the body of the message instructed Victim F to "check your fb
22 messenger or more of these will go on the internet."

23 b. On or about August 21, 2017, defendant BAUER sent
24 Victim F the following Facebook messages:

25 i. "hi is this [Victim F] from a woodland ca?"
26 ii. "a mutual friend of ours gave me some pictures of
27 you and assured me you would be nice enough to give me more"
28

1 iii. "i don't want to put them on the internet for
2 everyone else to see if possible."

3 iv. "and i have proof that this is not a joke"

4 c. On or about August 21, 2017, defendant BAUER sent
5 Victim F a Facebook message containing the same nude photograph
6 identified in paragraph 2.a above, and the following Facebook
7 messages:

8 i. "i think you remember thiis picture, i have
9 mannnnny more"

10 ii. "this [Victim F] from woodland?"

11 iii. "so you want your nudes on the internet?"

12 d. On or about August 24, 2017, defendant BAUER sent
13 Victim F an e-mail with the subject "if you dont want your nude
14 pictures on the internet respond to this." The e-mail included the
15 same nude photograph identified in paragraph 2.a above and another
16 topless photograph of Victim F, with the following message in the
17 body: "i have plenty more too."

18 e. On or about August 26, 2017, defendant BAUER sent
19 Victim F an e-mail with the subject "you have 4 hours." The body of
20 the message instructed Victim F: "you have 4 hours to respond to my
21 email or i will post you nude pictures on the internet."

22 f. On or about August 27, 2017, defendant BAUER sent
23 Victim F an e-mail with the subject "look at this." The e-mail
24 included the same nude photograph identified in paragraph 2.a above
25 and the following message in the body: "i will make your pictures
26 public unless you respond to this. i dont want money, or your
27 identity information, just to talk. i dont want to embarass your
28 daughter..."

1 g. On or about August 28, 2017, defendant BAUER sent
2 Victim F an e-mail with the subject "youre wrong," and the following
3 message in the body: "listen bitch, if you think changing your email
4 address will protect you, you're wrong. now all i want to do is
5 simply talk. its up to you to avoid to public knowing youre a slut."

6 h. On or about January 4, 2018, defendant BAUER sent
7 Victim F an e-mail with the subject "you thought wrong," and the
8 following in the message body:

9 hey there [Victim F],
10 you thought you could duck me by changing your email
11 address?
12 I guess you honestly dont care about have your nudes
13 spread on the internet?
14 I would prefer to keep these to myself, but if you
15 continue to ignore me, I have no other option.
16 You know the sheer amount of xxx pictures you took
17 and that i have at my disposal. Do you really want
18 those out?
19 respond to this email with "fuck you mr.smith" so I
20 know you read it.
21 mr.smith

22 i. On or about January 4, 2018, defendant BAUER sent
23 Victim F a follow-up e-mail which included five topless photographs
24 of Victim F and the following message in the body: "and just in case
25 you think im kidding, i have attached some of the photos. see for
26 your self. Don't ignore me again..."

27 j. On or about January 8, 2018, defendant BAUER sent
28 Victim F another follow-up e-mail with the following message in the
body: "do you really think getting rid of your facebook will work
this time?"

COUNT TWELVE

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

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3 1. Beginning on or about August 24, 2017, and continuing to on
4 or about January 11, 2018, in Los Angeles County, within the Central
5 District of California, and elsewhere, defendant RICHARD GREGORY
6 BAUER, also known as ("aka") "Steve Smith," aka "John Smith," aka
7 "Garret" ("BAUER"), with the intent to harass and intimidate Victim
8 G, used an interactive computer service, electronic communication
9 service, electronic communication system of interstate commerce, and
10 other facilities of interstate and foreign commerce, namely, e-mail,
11 social media, Google Chat, interstate wires, and the Internet, to
12 engage in a course of conduct, described in paragraph 2 below, that
13 caused, attempted to cause, and would reasonably be expected to cause
14 substantial emotional distress to Victim G.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim G:

18 a. On or about August 24, 2017, defendant BAUER sent
19 Victim G a topless photograph of Victim G using a Facebook message,
20 followed by the message: "if you dont want your other nude pics on
21 the internet, respond to this."

22 b. On or about August 25, 2017, defendant BAUER sent
23 Victim G an e-mail with the subject "your pictures." The e-mail
24 included the same topless photograph of Victim G identified in
25 paragraph 2.a above, and the body of the message included: "a mutual
26 friend gave me this and many more, if you dont want these getting out
27 on the internet, respond to this email and lets talk."
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1 c. On or about August 26, 2017, defendant BAUER sent
2 Victim G an e-mail with the subject "4 hours," with a body that read:
3 "you have 4 hours to respond to my email before i make those nude
4 pictures public."

5 d. On or about August 26, 2017, defendant BAUER sent
6 Victim G an e-mail with the subject "getting rid of fb isn't the
7 answer," with a body that read: "tell you what....you give me your
8 icloud password and a selfie of you....you're bf will never know
9 about this."

10 e. On or about January 5, 2018, defendant BAUER sent
11 Victim G an e-mail with the subject "Pictures For The New Year." The
12 e-mail attached a topless photograph of Victim G and a photograph of
13 Victim G in lingerie. The body of the message included the
14 following: "Hello [Victim G], To welcome in the new year, we have
15 collected a few photos that we thought you would like to see and
16 share in the fond memories. As you can see these are no ordinary
17 photos. If you dont want these on the internet, you will respond to
18 this email."

19 f. On or about January 5, 2018, defendant BAUER sent
20 Victim G the following Google Chat message: "hello [Victim G], this
21 might be easier to talk on, don't keep me waiting too long."

22 g. On or about January 9, 2018, defendant BAUER sent
23 Victim G an e-mail with the subject "Hello :D," and the following
24 body: "So....would you like to hear my proposition to keeping those
25 private?"

26 h. On or about January 11, 2018, defendant BAUER sent
27 Victim G an e-mail with the subject "Hello [Victim G]," and the
28 following body: "So I see you have tried to ignore my emails.....do

1 you think this is the best strategy to avoid those pictures getting
2 on the internet? I have a proposition for you in order for them to
3 remain private. Would you like to hear it? Make no mistake, I will
4 post them. Let's at least have a little chat about it first."

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COUNT THIRTEEN

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

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3 1. Beginning on or about January 28, 2017, and continuing to
4 on or about January 11, 2018, in Los Angeles County, within the
5 Central District of California, and elsewhere, defendant RICHARD
6 GREGORY BAUER, also known as ("aka") "Steve Smith," aka "John Smith,"
7 aka "Garret" ("BAUER"), with the intent to harass and intimidate
8 Victim H, used an interactive computer service, electronic
9 communication service, electronic communication system of interstate
10 commerce, and other facilities of interstate and foreign commerce,
11 namely, e-mail, interstate wires, and the Internet, to engage in a
12 course of conduct, described in paragraph 2 below, that caused,
13 attempted to cause, and would reasonably be expected to cause
14 substantial emotional distress to Victim H.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim H, except where otherwise
18 indicated:

19 a. Beginning on or about January 10, 2017 and continuing
20 through on or about February 11, 2017, defendant BAUER, without
21 concealing his identity, sent Victim H a series of Facebook messages
22 asking Victim H to help him test some software that he claimed to
23 have written to improve image files. On or about January 27, 2017,
24 Defendant BAUER sent the software to Victim H in a Facebook message.
25 The software was in reality malware intended by defendant BAUER to
26 give him unauthorized access to Victim H's computer.

27 b. On or about January 3, 2018, defendant BAUER sent
28 Victim H an e-mail with the subject "Is this you? I think so." The

1 e-mail attached two selfie-style photographs of Victim H, one of
2 which was topless. The body of the message included the following:

3 Hello [Victim H],
4 If you do not want these posted on the internet for
5 everyone to see, you will respond to this email.
6 I do not want money or any other personal information.
7 Just to talk.
8 I have attached just some of the pictures I have of you,
9 believe me when I say I have many more.
10 This is not a joke

11 c. On or about January 4, 2018, defendant BAUER sent
12 Victim H a follow-up e-mail with the following body: "wow [Victim
13 H]...i didn't think you would want your boyfriend to find those on
14 the internet for everyone to see..."

15 d. On or about January 5, 2018, defendant BAUER sent
16 Victim H a follow-up e-mail with the following body: "I see you
17 deleted your facebook. That will not stop people from seeing your
18 pictures. Now I'm trying to be fair here, all i want to do is talk,
19 but if you keep on ignoring me, I will post them."

20 e. On or about January 5, 2018, defendant BAUER sent
21 Victim H a follow-up e-mail. The body of the message included the
22 following:

23 my proposal is this
24 I want four daily photos of you
25 1) fully clothed with face
26 2)bra and panties with no face
27 3)no bra but panties on with no face
28 4)fully nude with no face
you do this and your nude photos stay private.

29 f. On or about January 5, 2018, defendant BAUER sent
30 Victim H a follow-up e-mail with the following body: "or you could
31 ignore me for a little bit longer and just accept they will be on the
32 internet for everyone to see, and with your cute little face in them
33 too."

COUNT FOURTEEN

[18 U.S.C. §§ 2261A(2)(B), 2261(b)(5)]

1
2
3 1. Beginning on or about January 8, 2018, and continuing to on
4 or about January 10, 2018, within the Central District of California,
5 and elsewhere, defendant RICHARD GREGORY BAUER, also known as ("aka")
6 "Steve Smith," aka "John Smith," aka "Garret" ("BAUER"), with the
7 intent to harass and intimidate Victim I, used an interactive
8 computer service, electronic communication service, electronic
9 communication system of interstate commerce, and other facilities of
10 interstate and foreign commerce, namely, e-mail, interstate wires,
11 and the Internet, to engage in a course of conduct, described in
12 paragraph 2 below, that caused, attempted to cause, and would
13 reasonably be expected to cause substantial emotional distress to
14 Victim I.

15 2. Defendant BAUER's course of conduct included, among other
16 things, the following, all conducted in a manner designed to hide
17 defendant BAUER's true identity from Victim I:

18 a. On or about January 8, 2018, defendant BAUER sent
19 Victim I an e-mail with the subject "Pictures You Have To See!" The
20 e-mail attached two photographs of Victim I, and included the
21 following in the body:

22 Hello [Victim I],
23 Over the years we have collected some pictures for you
24 to look back on and remember...
25 You wouldn't want those tits to be exposed publicly
26 right? With all the work you do?
27 I have the xxx photos, and no this is not a joke.
28 Respond to this email and we can talk about a
proposition I have for you...

27 b. On or about January 8, 2018, defendant BAUER sent
28 Victim I a follow-up e-mail including the following: "Wow [Victim

1 I]....I didn't realize you wanted all your [Entity A] co-workers to
2 know you're a slut?

3 c. On or about January 9, 2018, defendant BAUER sent
4 Victim I a follow-up e-mail including the following: "it's rude to
5 ignore a conversation invite..."

6 d. On or about January 9, 2018, defendant BAUER sent an
7 e-mail to an undercover law enforcement officer posing as Victim I
8 with the subject "proposition." The body of the message included the
9 following:

10 hi there,
11 so here is my proposition, and you can take it or
12 leave it, just be aware of the consequences if you
13 don't...
14 to keep those pictures private I am requesting the
15 following:
16 4 daily pictures.
17 1)selfie of your face
18 2) bra and underwear no face
19 3)no bra only underwear no face
20 4) no clothes no face
21 choice is up to you

22 e. On or about January 9, 2018, defendant BAUER sent
23 Victim I a follow-up e-mail including the following: "so i take it by
24 your silence.....that you are refusing the proposition?"

25 f. On or about January 9, 2018, defendant BAUER sent an
26 e-mail to an undercover law enforcement officer posing as Victim I
27 with the subject "Ultimatum." The body of the message included the
28 following:

[Victim I], for someone so scared for your work image,
you don't act like it. My proposition is a reasonable
one. You clearly are ignoring these so I'm giving you
one final chance, otherwise all of [Entity A] will
know the slutty things you can do and have done with
that body of yours.
I have tried to be fare. Now, what is your work image
worth to you?

1 Me dumping your nude body all over the internet so
2 everyone knows about it, or you sending me a couple
3 explicit ones without a face so no one really knows
4 who it is but me?
5 the choice is yours [Victim I.], for your work's sake I
6 hope you make the right one.

7 A TRUE BILL

8 151
9 Foreperson

10 NICOLA T. HANNA
11 United States Attorney

12 *Pat R. Fitz*
13 PATRICK R. FITZGERALD
14 Assistant United States Attorney
15 Chief, National Security Division

16 RYAN WHITE
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