

UNITED STATES OF AMERICA

v.

KOSTAS FEKKAS,
a/k/a "Constantine Fekkas,"
a/k/a "C.J. Justice,"

Defendant.

COMPLAINT

23 Mag. 6395

Violations of 18 U.S.C. §§ 1470,
2252A(a)(2)(B), (a)(5)(B), and (b)(1)-(2).

COUNTY OF OFFENSES:
WESTCHESTER

SOUTHERN DISTRICT OF NEW YORK, ss.:

SARA K. SEELEY, being duly sworn, deposes and says that she is a Special Agent with the U.S. Department of Homeland Security, Homeland Securities Investigations ("HSI"), and charges as follows:

COUNT ONE
(Receipt of Child Pornography)

1. On or about December 31, 2022, in the Southern District of New York and elsewhere, KOSTAS FEKKAS, a/k/a "Constantine Fekkas," a/k/a "C.J. Justice," the defendant, knowingly received material that contains child pornography using a means and facility of interstate and foreign commerce and that has been mailed and has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, FEKKAS, while in Westchester County, New York, received messages containing child pornography via a social media application from Victim-1, a 12-year-old girl.

(Title 18, United States Code Section 2252A(a)(2)(B) and (b)(1))

COUNT TWO
(Possession of Child Pornography)

2. From at least on or about December 31, 2022 through at least on or about March, 2023, in the Southern District of New York and elsewhere, KOSTAS FEKKAS, a/k/a "Constantine Fekkas," a/k/a "C.J. Justice," the defendant, knowingly possessed and accessed with intent to view a book, magazine, periodical, film, videotape, computer disk, and other material that contained an image of child pornography that had been mailed, shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, to wit, in Westchester County, New

York, and elsewhere in the Southern District of New York, FEKKAS possessed a sexually explicit video and images of Victim-1, a 12-year-old girl.

(Title 18, United States Code, Sections 2252A(a)(5)(B) and (b)(2).)

COUNT THREE
(Attempted Transfer of Obscene Material)

3. Between on or about December 20, 2022 and on or about December 25, 2022, in the Southern District of New York, KOSTAS FEKKAS, a/k/a “Constantine Fekkas,” a/k/a “C.J. Justice,” the defendant, using the mail and a facility and means of interstate and foreign commerce, knowingly attempted to transfer obscene matter to another individual who had not attained the age of 16 years, knowing that such other individual had not attained the age of 16 years, to wit, FEKKAS, used the Internet to send several photographs of an erect penis and a video of someone masturbating to an undercover agent posing as a 13-year-old girl.

(Title 18, United States Code, Section 1470.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

4. I have been a Special Agent with HSI since March 2008. I have participated in numerous investigations involving the sexual exploitation of children, in violation of Title 18, United States Code, Sections 2252A and 2422(b), among other offenses. I have gained expertise in the conduct of such investigations through, among other things, training in seminars, classes, and everyday work related to conducting these types of investigations.

5. I have been personally involved in the investigation of this matter, and I am familiar with the information contained in this Complaint based on my own personal participation in the investigation, my review of documents and records, conversations I have had with other law enforcement officers about this matter, my training and experience, and numerous discussions I have had with other law enforcement personnel concerning the creation, distribution, and proliferation of child pornography. Because this Complaint is being submitted for the limited purpose of establishing probable cause to arrest the defendant, I have not included the details of every aspect of the investigation. Where actions, conversations, and statements of others are related herein, they are related in substance and in part, except where otherwise indicated.

Definitions

6. The following terms have the indicated meaning in this Complaint:

a. The terms “minor,” “sexually explicit conduct,” and “visual depiction,” as used herein, are defined as set forth in Title 18, United States Code, Section 2256.

b. The term “child pornography,” as used herein, is a visual depiction of a minor involved in sexually explicit conduct as defined in Title 18, United States Code, Section 2256(8).

c. “Computer” means an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device. *See* 18 U.S.C. § 1030(e)(1).

Technical Background

7. The following terms have the indicated meaning in this Complaint:

a. An Internet Protocol (“IP”) address is a unique numeric address used to identify a particular computer connected to the Internet. An IP address looks like a series of numbers separated by periods. Every computer connected to the Internet must be assigned an IP address so that communications from or directed to that computer are routed properly.

b. The Internet is a global network of computers and other devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when devices communicating with each other are in the same state.

c. Kik is a mobile application that permits users to send messages and content to one another. Kik also permits users to join chat rooms that permit communication with multiple Kik-users at the same time.

d. Snapchat is a mobile application that permits users to send messages and content to one another. One of the principal features of Snapchat is that pictures and messages self-destruct—that is, they are typically only available for a short time before they become inaccessible to their recipients. Additionally, Snapchat users have both a username and a display name. The display name is shown more prominently on the Snapchat application than the username.

e. HideU Calculator Lock (“HideU”) is a mobile application that allows a user to hide programs and files on a cellphone. HideU is disguised as a functioning calculator that doubles as the keypad for entering a passcode to access HideU. Once a user has entered the passcode, a new screen pops up that gives the user the ability to, among other things, save photographs, videos, and notes.

FEKKAS’s Kik Conversations With an Undercover Agent Posing as a 13-Year-Old

8. Between on or about December 20, 2022 through on or about December 25, 2022, an undercover agent (“UC”) posing as a 13-year-old girl named “Riley” had a conversation on Kik with someone using the username “C.J.Justice” (“C.J.”). Based on my review of Kik records, I have learned that C.J.’s Kik account was registered to the email address “kfekkas@mercy.edu.”

9. Based on my review of the Kik conversation between the UC and C.J., I am aware that the chats between the UC and C.J. reveal the following:

a. C.J. introduced himself to “Riley” as a 30-year-old male from New York who teaches high school physics.¹ C.J. also sent multiple photographs of himself to “Riley”:



These photographs of “C.J.” bear a close resemblance to a photograph of FEKKAS that was publicly available on the website of a high school in Manhattan where FEKKAS teaches:



¹ Based on my investigation I know that KOSTAS FEKKAS, a/k/a “Constantine Fekkas,” a/k/a “C.J. Justice,” the defendant, is employed at a public charter high school located in upper Manhattan. I also learned that he previously taught at a school in Westchester County.

b. C.J. told “Riley” that he “prefer[red]” that “Riley was underage:

C.J.: How old are you?

“Riley”: Ru gonna freak out if I tell u I’m underage?

C.J.: No I prefer it.

“Riley”: Ohh ok cool I’m 13 [how about you]?

C.J.: Cool I’m 30. I’m guessing you like older guys?

“Riley”: Lol well the guys my age are immature

...

C.J.: You know, I’m a teacher

“Riley”: No way really??

What grade?

C.J.: Yep yep I teach 11th

“Riley”: Oh sweet lol I’m in 8th

C.J.: Cool. I usually cut off at 9th grade but you’re insanely gorgeous

c. C.J. provided a photograph of his classroom and described to “Riley” what he would do if “Riley” were his student:

C.J.: I teach physics

Really wish I taught you. You’d be right in front so I could see your pretty face real close

“Riley”: Hahaha that sounds smart

C.J.: Physics does? It’s a pretty hard class



...

C.J.: If you went to my school I’d totally have you ask the teacher to use the bathroom for some kissing in my empty class lol

d. C.J. asked “Riley” to send pictures of herself, including of her “body.”

C.J.: You’re beautiful you know that?

“Riley”: Aww thank uuu

C.J.: You're welcome. Show me more 😊

“Riley”: Haha like what

C.J.: I mean I'd love to see your body but more pretty face pics would he [sic] great too

“Riley”: Haha maybe later. I'm in school

...

C.J.: Once you're able to take pics for me, sexy.

...

C.J.: I don't wanna be annoying about it but I really wanna see more of you

“Riley”: I'm sorry

I'm just not comfortable sending pics of myself out just yet

C.J.: Not even just your face?

“Riley”: I can do that

C.J.: Woo show meee

I wouldn't ask for nudes so early

“Riley”: [Photograph of the face of a teen girl]

C.J.: Omg you're soooo gorgeous

“Riley”: Awww thank u lol

C.J.: Like I'd make out with you all day lollll

“Riley”: Hahaha ur crazy

...

C.J.: I've looked at the picture [of “Riley's” face] so much

“Riley”: Really?? Lol

C.J.: Yeah you're a goddess

“Riley”: Thanksss

...

C.J.: Maybe you can make my day better by showing me your gorgeous face again

“Riley”: I sent one yesterday

C.J.: Lol I know but more is always better

But you don't have to

“Riley”: Sorry

C.J.: It's ok babe

I want you to be super comfortable with me before you show me more of your face and before I get to see your body

...

C.J.: Hows my baby?

“Riley”: Good how ru

C.J.: I'm good, I'm adulting lol

What are you up to?

“Riley”: What do mean by adulting lol

C.J.: Doing chores

“Riley”: Oh like [t]hat lolll

C.J.: Yeah lol

Probably gonna jerk off to the picture you sent me too



“Riley”: Hahaha you’re crazyyy

C.J.: Lol you love it

“Riley”: 🐾🐾

C.J.: You ready to show me your body?

“Riley”: Idkk I don’t tgonk

I don’t like sending that stuff out

C.J.: It’s for my eyes only

Nobody else will see it

“Riley”: I know I’m sorry

C.J.: How about not nude?

“Riley”: Eh

C.J.: I just think you’re so gorgeous

I wanna see you and I can’t in person for now

“Riley”: I know but I’m sorry

C.J.: It’s ok

One day right?

“Riley”: Maybe

It’s really just not me

e. Between on or about December 20, 2022 and on or about December 25, 2022, C.J. sent a video and multiple photographs of an erect penis to “Riley,” asked if she would engage in conduct with him, described the sexual acts he would do to her, and expressed his desire to cross the state border between New York and New Jersey in order to engage in sexual acts with “Riley”:

C.J.: There’s another pic I wanna send but that one is gonna wait lol

“Riley”: Hahaha if u say sooo

C.J.: Unless you want it

“Riley”: Lol up to u if u wanna send it loll

C.J.: [Photograph of an uncircumscribed erect penis that appears to have a birthmark about halfway up the penis. The penis is being held by the right hand. In the background there appears to be a greyish-blue tub and a light-colored shower curtain. (“Photo-1)]]

“Riley”: Oh wow is that u??

C.J.: Sure is

Would you let me be your first?

“Riley”: Maybe when I get comfortable

...

“Riley”: What part of New York do u live

C.J.: I’m in Westchester. I’m like 30 mins north of NYC

“Riley”: Oh I never heard of it

C.J.: It’s pretty close to north jersey

What part of jersey are you in?

“Riley”: Gotcha. I’m south like marlton
C.J.: Oh dang you are out there lol
Well I drive so one day when you’re comfortable I’d totally come
down and spend time with you
We would just have to pretend we’re related lmao
“Riley”: Hhaha yeah that sounds good with me!
C.J.: We could go to a park or something and then maybe go somewhere
private so we can actually be affectionate
“Riley”: Ohh yeah? Whatcha meannn
C.J.: Like get a room somewhere so we can cuddle and kiss and stuff
And maybe more if you’re feeling right
“Riley”: Ohhh okkk yeah that sounds good!
C.J.: I’m in a bit of a mood right now so I’m trying not to be inappropriate
with you lol
“Riley”: Lol up to u
C.J.: To be honest I want to fuck the shit out of you lmaooo
[Photograph of an uncircumscribed erect penis that appears to have a
birthmark about halfway up the penis. The feet are visible (one foot
on the rug, one foot on the floor), and the person seems to be wearing
plaid pajama bottoms. In the background there appears to be a toilet
with a blue carpet around the base of the toilet, and the floor appears
to have a square pattern with bluish diamonds at each corner of the
squares. (“Photo-2”)]
“Riley”: Hahaha really?
C.J.: Yeah I wanna be your first
And finish inside you
“Riley”: I just can’t get pregnant
C.J.: Ok so then I’ll finish in your mouth, that’s fine
“Riley”: Okkkkkk lol
C.J.: You can talk dirty to me too if you want
“Riley”: How so. I don’t really know anything
C.J.: Lol aww you’re so innocent lol
Don’t worry I’ll teach you plenty
“Riley”: Okkkk lol
...
C.J.: Hows the most beautiful girl in the world doing?
“Riley”: Gooooood how ru
C.J.: Pretty good. Sleep well?
“Riley”: Lol I guess so
C.J.: Probably would have slept better if I gave you some good dick first
lmaoooo
“Riley”: Haha is that soo
C.J.: Yuppp
...

C.J.: [Photograph of an uncircumscribed erect penis that appears to have a birthmark about halfway up the penis. A right hand is holding the base of the penis. The penis is popping out through the zipper hole of the gray pants. In the background there is a dark-colored wooden desktop. (“Photo-3”)]

This is what you’d see after school if you were my student

“Riley”: Lol are u still at school??

C.J.: No but I took it at school

“Riley”: Did anyone see???

C.J.: No way lol my room was empty

...

C.J.: Come sit on my lap and kiss me



“Riley”: Hahaha so far

C.J.: Yeah but it’s worth it

For what I’ll do to you when we’re done kissing haha

“Riley”: Oh yeah??

C.J.: Yeah you’ll cum so much

“Riley”: Really??

C.J.: Yeah my goal is to get you to cum on my dick

“Riley”: Idk how

C.J.: You don’t do anything lol I fuck you until it feels so good that you just cum

It just happens

“Riley”: Ohhh ookkk loll

C.J.: Yeah it means you’re really enjoying it

“Riley”: Ohhh OK okkk sounds good. I’m learning loll

C.J.: Haha yeah

Have you ever swallowed cum before

“Riley”: Nooooooi

C.J.: So many firsts to give you lol

“Riley”: I guess so lol

C.J.: Do you think you’d like being spanked?

“Riley”: I don’t want to be hurt

C.J.: Ok good to know

...

“Riley”: Whatxha buy?

C.J.: Some wrenches, some leaf bags, and some stuff for Christmas

“Riley”: Ohh whatxha get meeeee lol

C.J.: My dick

Lol jk

[A video of approximately 14 seconds in duration. In the video, there is an uncircumscribed erect penis that appears to have a birthmark about halfway up the penis. For the duration of the video, a right hand is masturbating the penis. The person appears to be wearing white

socks. In the background, the floor is a grayish-color with speckles.
("Video-1")]

"Riley": Hahahaha urrr crazy
C.J.: Did you like thattt

"Riley": 🙄🙄🙄
C.J.: What would you do with it if you were here

"Riley": Lol idkkk
Would u want me to do something????

C.J.: Duhhh you'll suck it of course

"Riley": Lol ok okkk!

C.J.: And then it'll be my turn to lick you down there

"Riley": Ohhhhh ok ok I've never done that

C.J.: It's a lot of fun

"Riley": Lol it sounds good with me!

C.J.: Ugh
You make me so horny

"Riley": Really
C.J.: Yeah thinking about being the lucky guy that gets to fuck you before anyone else really turns me on

"Riley": Haha ohhh yeahhh that's true!

C.J.: And in general your face is so fucking hot that seeing it while I fuck you is gonna be the fastest sex of my life 😂

"Riley": Haha well thanksss ur sweeet
C.J.: You're welcome baby
Can I at see [sic] another picture of your face? I promise that's the last thing I'll ask for today

"Riley": Sure
[Photograph of "Riley's" face]

...

C.J.: I wish I could just teleport to you

"Riley": Would that be a far trip lol
C.J.: You're like a 2 hour drive away

"Riley": Ohh yeahhh that's not bad
C.J.: Yeah I'm sure I can get there
But like what'll you tell your parents

"Riley": Well it's just my mom
And she works some days
C.J.: Like weekends too?

"Riley": Sometimes
She's a nurse so it changes
C.J.: So isn't that going to make it difficult

"Riley": What
C.J.: Me seeing you if we don't know when she's gonna be working

"Riley": Well I usually know he[r] schedule for the week
C.J.: Ohh ok

...

C.J.: You excited for Christmas
“Riley”: Of course lol I love Christmas
C.J.: Haha me too
Some people really don’t
“Riley”: Are you getting gifts
C.J.: I’m sure my family got me stuff
“Riley”: Whatxha ask for lol
C.J.: Lol nothing, I just let it be a surprise
You?
“Riley”: Hopefully clothes, lol
C.J.: Haha maybe some cute new underwear
“Riley”: Haha maybeee
C.J.: And maybe I’d be able to take it off you one day 😏
“Riley”: Hahahaha never [know]

f. C.J. shared with “Riley” that he had recently had sex with a “10th grader,” and had “[been] searching ever since” to have sex with another minor. He also indicated that he had talked to and met up with “high school girls” previously:

“Riley”: . . . Do you talk to 9th graders??
C.J.: I have before. Not at my school. Met up with a 10th grader once
“Riley”: Oh no way really?? What did you guys do?
C.J.: What do you think haha
“Riley”: Lol sex??
C.J.: Yuppp
“Riley”: Hahaha I figured
C.J.: Yeah and I’ve been searching ever since lol
“Riley”: Lol when was that
C.J.: Over the summer
...

C.J.: I want you to be mine
“Riley”: Oh yeahh??
C.J.: Yeah id love to be your boyfriend
“Riley”: Really?? I’m sure u gave a lot of girls u talk to
C.J.: Yeah but you’re the best
“Riley”: Ur just saying that
C.J.: No I mean it
Definitely the best looking and that includes the high school girls I’ve talked to and met up with

The Cellphone Warrant

10. On or about March 16, 2023, the Honorable Paul E. Davison, United States Magistrate Judge for the Southern District of New York, issued a warrant (“Cellphone Warrant”)

authorizing law enforcement agents to search and seize the contents of a forensic image of a cellphone that was in the possession of KOSTAS FEKKAS, a/k/a “Constantine Fekkas,” a/k/a “C.J. Justice,” the defendant (“FEKKAS’s Cellphone” or the “Cellphone”). Based on my participation in this investigation, I know that law enforcement temporarily obtained FEKKAS’s Cellphone as part of a border search at JFK Airport that occurred on or about March 5, 2023. Law enforcement retained the forensic image of FEKKAS’s Cellphone, but returned the Cellphone to FEKKAS on the same day as the border search.

The Snapchat Conversation Between Lysol1834 and Friend-1

11. Based on my review of the data extracted from FEKKAS’s Cellphone, I have learned that Snapchat was installed on FEKKAS’s Cellphone. The Snapchat account on FEKKAS’s Cellphone was registered to the same username and display name: “Lysol1834.”

12. Based on my review of the data extracted from FEKKAS’s Cellphone, I have learned that Lysol1834 had a conversation with someone going by the Snapchat username “[First and Last Name of Friend-1]8101” and the display name “[First Name of Friend-1]” (“Friend-1”).

13. Based on my review of the Snapchat conversation between Friend-1 and Lysol1834, I am aware that the chats between the Friend-1 and Lysol1834, reveal the following:

a. Lysol1834 introduced himself as “CJ” and Friend-1 revealed that she was 13 years old:

Lysol1834: Hey cutie
 Friend-1: Uhh hi???
 Lysol1834: How are you
 I’m CJ
 Lysol1834: . . .
 How old are you
 Friend-1: 13 [how about you]??
 Lysol1834: I’m 25

b. Friend-1 referred to another Snapchat user (“Victim-1”) whom Friend-1 identified by name, and said that Victim-1 was 12 years old, that Victim-1 and Friend-1 both lived in the Bronx, and that Lysol1834 was acting weird towards Victim-1.

Friend-1: Btw stop saying weird shit to my friend [Victim-1’s Nickname]
 Lysol1834: Lol what did I say that’s weird?
 Friend-1: Ion know your ikr 30 bruh and u called her cute that’s a bit weird cuz she’s only in middle school
 Lysol1834: My bad she said she liked older guys
 Friend-1: She got a whole gf
 Lysol1834: Lol she asked me if [I] was taking to anyone so I figured she was interested

Friend-1: [To be honest, I don't care] what y'all talk about
cuz her mom checks her messages sooo if the bitch
get caught that's on y'all♀
Lysol1834: Yeah she set [the] messages to delete automatically
Friend-1: mm she think she slick
Lysol1834: Lmaooo I hope you don't think this is weird but
you're really pretty too
Again not trying to be a creep
Friend-1: thank you lol
Lysol1834: You're welcome. So you live in the [B]ronx too?
Friend-1: Yea
Lysol1834: Cool. I used to live here
Friend-1: Nice
Lysol1834: You guys the same age?
Friend-1: I'm a year older
Lysol1834: Oh ok cool
Hows school been going?
Friend-1: Good
Lysol1834: 9th grade?
Friend-1: 8th

c. Friend-1 demanded that Lysol1834 "stop hitting on kids":

Friend-1: You think I'm pretty?
Lysol1834: Very
Friend-1: Ok well I think [you're] a lonely peace of shit with
no life and have nothing to do but stalk and
harassing little girls you fucking like get a job you
broke bum not my fault you a loser [I] have a
whole bf I [don't] want your crusty dusty musty old
weird head shaped ass
Lysol1834: Jesus lol
Anything else?
Friend-1: I would say more but I'm good
For now
Lysol1834: Ok cool
You're still super pretty
Friend-1: Cool but [you're] still a low life
Like stop hitting on kids [the fuck]
Lysol1834: I'll stop when they stop hitting on me back
You're just one that's resisting for now
Friend-1: And I'll keep resisting you bum
Like get a life

The Snapchat Conversation Between Lysol1834 and Victim-1

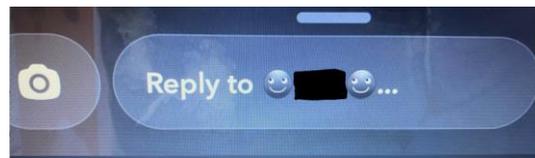
14. Based on my review of the data extracted from FEKKAS’s Cellphone, I have learned that Lysol1834 had a conversation with someone using the Snapchat username “[Victim-1’s Nickname]20228844” and the display name “😊[Victim-1’s Nickname]😊” (“Victim-1”).

15. From my review of the Snapchat messages that were recovered from FEKKAS’s Cellphone, I have learned that Victim-1 called Lysol1834 “Daddy,” and Lysol1834 called her “princess” and “beautiful.”

The Video and Images of Victim-1 Hidden in HideU

16. Based on my review of the data extracted from FEKKAS’s Cellphone, I have learned that HideU was installed on FEKKAS’s Cellphone and that the following files, among other things, were found in HideU:

a. An image (“Image-1”) that appears to be a screenshot of a photograph that Victim-1 sent through Snapchat. In Image-1, a young female is wearing a pair of blue jeans, her pink sweatshirt is raised up, exposing both her breasts, and her hands are holding each breast. The female is wearing a black scrunchie on one wrist and a bead bracelet on the other. The bracelet is clear enough to see that each bead has a letter on it, and the beads combine to spell out an abbreviated version of Victim-1’s first name and the screenname that appears in Victim-1’s display name. The female’s face can be seen clearly. At the bottom of the image is a Snapchat text box with the words “Reply to 😊[Victim-1’s Nickname]😊...”:



b. An image (“Image-2”) that appears to be a screenshot of another photograph that Victim-1 sent through Snapchat. In Image-2, the same female is naked from the top of her head to just above her knees. She is standing with one hand on her hip and the other hand underneath one of her breasts. The wrist of the hand on her hip has the same bead bracelet seen in Image-1. At the bottom of the image is a Snapchat text box with the words “Reply to 😊[Victim-1’s Nickname]😊...”

c. Approximately eight images that are cropped versions of Images-1 and -2.

d. A video (“Video-1”) of approximately 1 minute and 12 seconds in duration. Video-1 shows a young female who appears to be the same female in Images-1 and -2. She is sitting on the bathroom floor in front of a sink and next to a toilet, and her face is clearly visible. She is wearing a pink sweater, a bead bracelet on one wrist, and a black scrunchie on the other. She is naked from the waist down. She uses both hands to rub her vagina and inserts her fingers into her vagina. On the audio from Video-1, there is a TV playing in the background and

the female can be heard saying: “I know I haven’t really shaved but I’m going to”; “So good”; “Fucking God”; “I’m so wet”; “I fucking love you so fucking much.”

e. Approximately five images that appear to be screenshots from different points in Video-1. At least a couple of the screenshots show the young female naked from the waist down. One of the photos shows her hands over her genitalia.

17. Based on my review of the metadata for Images-1 and -2, and Video-1, I understand that all three files were on FEKKAS’s Cellphone on or about December 31, 2022.

18. Based my review of Snapchat records and U.S. State Department records, I have confirmed that the Bronx address from Victim-1’s Snapchat account matches the address of a certain female’s passport information (“Passport Information”). Furthermore, that same Passport Information shows a date of birth of 2010, thus making the female identified in the Passport Information 12 years old at the time Victim-1 was speaking over Snapchat with Lysol1834. Additionally, the Passport Information photograph appears similar to the face of the young female in Video-1 and Images-1 and -2. Finally, “[Victim-1’s Nickname]” is an abbreviated version of the first name in the Passport Information.

19. Based on the fact that “Reply to 😊 [Victim-1’s Nickname] 😊...” appears at the bottom of Images-1 and 2; the young female in Video-1 and Images-1 and -2, all appear to be the same person wearing the same bead bracelet that spells out “[Victim-1’s Nickname]”; that Friend-1 identified Victim-1 as approximately 12 years old; and the confirmatory information from the Passport Information regarding a female who matches the physical appearance, home address, and age of Victim-1, I believe that the female in Video-1 and Images-1 and -2 is the 12-year-old female identified in the Passport Information.

20. Based on my review of records from the Department of Motor Vehicles, I have learned that KOSTAS FEKKAS, a/k/a “Constantine Fekkas,” a/k/a “C.J. Justice,” the defendant, was born in 1989 and was approximately 33 years old at the time of the charged offenses.

21. Based on my interview with a witness who is familiar with FEKKAS’s whereabouts and my review of data extracted from FEKKAS’s Cellphone, I believe that FEKKAS was home in the vicinity of Westchester County, New York between on or about December 20, 2022 and on or about December 31, 2022.

22. Based on my review of the data extracted from FEKKAS’s Cellphone, I have learned that on or about December 19, 2022, someone using FEKKAS’s Cellphone searched Google Maps for two motels in the Bronx, the Friendly Motor Inn and the Paradise Motor Inn. As described above, Victim-1 lives in the Bronx.

23. On or about September 13, 2023, the Honorable Judith C. McCarthy, United States Magistrate Judge for the Southern District of New York, issued a search warrant for the residence of KOSTAS FEKKAS, a/k/a “Constantine Fekkas,” a/k/a “C.J. Justice,” the defendant. Based on my conversation with law enforcement officers who participated in the

execution of the warrant to search FEKKAS's residence on or about September 14, 2023, I have learned that when law enforcement knocked on the front door of FEKKAS's residence and asked FEKKAS to open it, FEKKAS stated, in substance and in part, that the front door did not work and asked that law enforcement officers meet him at the side door. (Law enforcement later entered the front door and found that it worked without any issues.) Law enforcement officers quickly moved to the side door and saw through the window that FEKKAS was putting a cellphone into a microwave oven. Law enforcement shouted for him to open the side door, at which time he did open the side door. The cellphone was later found in the microwave and seized.

WHEREFORE, the deponent respectfully requests that KOSTAS FEKKAS, a/k/a "Constantine Fekkas," a/k/a "C.J. Justice," the defendant, be imprisoned or bailed, as the case may be.


SARA K. SEELEY
Special Agent
Homeland Security Investigations

Sworn to me this 14th day of September, 2023.


THE HONORABLE JUDITH C. McCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK