

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 13-MJ-449

DECRYPTION OF A SEIZED
DATA STORAGE SYSTEM,

Defendant.

MOTION TO DISMISS APPLICATION

The plaintiff, United States of America, by its attorneys James L. Santelle, United States Attorney for the Eastern District of Wisconsin, and Erica N. O'Neil, Assistant United States Attorney for said district, hereby moves to dismiss its application to compel decryption made pursuant to the All Writs Act, 28 U.S.C. § 1651.

As grounds therefor, the government incorporates by reference the information contained in its August 13, 2013 motion to stay and the August 13, 2013 complaint filed against interested party Jeffrey Feldman (Case No. 13-M-892, E.D. Wis). This information includes that the government has now successfully decrypted two of Feldman's hard drives; that law enforcement review of those two drives has revealed more than 22,700 images and videos containing child pornography; and that law enforcement must still review more than 475,000 more images to determine whether they are, in fact, child pornography or simply child erotica.

The government's decryption efforts to date have already revealed a substantial child pornography collection. As a result, no basis currently exists to seek to compel Mr. Feldman to

assist in the execution of the search warrant. Therefore, the government moves to dismiss its application to compel decryption.

Dated at Milwaukee, Wisconsin, this 16th day of August, 2013.

JAMES M. SANTELLE
United States Attorney

By:

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