

United States Courts
Southern District of Texas
FILED

AUG 6 2025

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

v.

MATTHEW LIAM JOHNSTONE

§
§
§
§
§

CRIMINAL NUMBER

C - 25 - 390

INDICTMENT

THE GRAND JURY CHARGES THAT:

INTRODUCTION

At all times material to this Indictment:

1. The term "minor" is defined, pursuant to Title 18, United States Code, Section 2256(1), as "any person under the age of eighteen years."

2. The term "child pornography", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(8)(A), and limited to:

"any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

(A) the production of such visual depiction involves the use of a minor engaged in sexually explicit conduct."

3. The term "sexually explicit conduct" is defined, pursuant to Title 18, United States Code, Section 2256(2), as any:

"actual or simulated -

(A) sexual intercourse, including genital [to] genital, oral [to] genital, anal [to] genital, or oral [to] anal, whether between persons of the same or opposite sex; [or]

(B) bestiality; [or]

(C) masturbation; [or]

(D) sadistic or masochistic abuse; or

(E) [the] lascivious exhibition of the genitals or pubic area of any person."

4. The term "computer" is defined, pursuant to Title 18, United States Code, Sections 2256(6) and 1030(e)(1), as any:

"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, but such term does not include an automated typewriter or typesetter, a portable hand held calculator or other similar device."

5. The term "producing," for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(3) and case law, as:

"producing, directing, manufacturing, issuing, publishing or advertising" and includes downloading or copying visual depictions from another source.

6. The term "visual depiction" is defined, pursuant to Title 18, United States Code, Section 2256(5), as including, but is not limited to, any:

"undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

COUNT ONE
Sexual Exploitation of a Child

On or about September 8, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did employ, use, persuade, induce, entice and coerce a minor, to wit: Minor Victim One, who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and knowing and having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate and foreign commerce, and the visual depiction was transported and transmitted using any means

and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT TWO
Sexual Exploitation of a Child

On or about September 9, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did employ, use, persuade, induce, entice and coerce a minor, to wit: Minor Victim One, who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and knowing and having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate and foreign commerce, and the visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT THREE
Sexual Exploitation of a Child

On or about September 15, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did employ, use, persuade, induce, entice and coerce a minor, to wit: Minor Victim One, who had

not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and knowing and having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate and foreign commerce, and the visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT FOUR
Sexual Exploitation of a Child

On or about September 17, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did employ, use, persuade, induce, entice and coerce a minor, to wit: Minor Victim One, who had not attained the age of 18 years, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and knowing and having reason to know that such visual depiction would be transported or transmitted using any means or facility of interstate and foreign commerce, and the visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 2251(a) and 2251(e).

COUNT FIVE
Enticement of a Minor

On or about September 8, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce Minor Victim One, who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, namely, Sexual Performance by a Child, which was a criminal offense under Texas Penal Code § 43.25(b)

In violation of Title 18, United States Code, Section 2422(b).

COUNT SIX
Enticement of a Minor

On or about September 9, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce Minor Victim One, who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, namely, Sexual Performance by a Child, which was a criminal offense under Texas Penal Code § 43.25(b)

In violation of Title 18, United States Code, Section 2422(b).

COUNT SEVEN
Enticement of a Minor

On or about September 15, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce Minor Victim One, who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, namely, Bestiality, which was a criminal offense under Texas Penal Code § 21.09(a)(1)(B).

In violation of Title 18, United States Code, Section 2422(b).

COUNT EIGHT
Enticement of a Minor

On or about September 17, 2022, in the Southern District of Texas and elsewhere, the defendant,

MATTHEW LIAM JOHNSTONE,

did use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce Minor Victim One, who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, namely, Sexual Performance by a Child, which was a criminal offense under Texas Penal Code § 43.25(b).

In violation of Title 18, United States Code, Section 2422(b).

NOTICE OF CRIMINAL FORFEITURE
[18 U.S.C. § 2253]

Pursuant to Title 18, United States Code, Section 2253, as a result of the commission of a violation of Title 18, United States Code, Section 2251(a) and (e), as alleged in Counts One through Four of this Indictment, notice is given to the defendant:

MATTHEW LIAM JOHNSTONE,

that the following is subject to forfeiture to the United States:

- (a) Any visual depiction described in 18 U.S.C. §§ 2251 or 2252A, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction which was produced, transported, mailed, shipped or received in violation of law;
- (b) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- (c) Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense(s) or any property traceable to such property.

NOTICE OF CRIMINAL FORFEITURE
[18 U.S.C. § 2428]

Pursuant to Title 18, United States Code, Section 2428, as a result of the commission of a violation of Title 18, United States Code, Section 2422(b), as alleged in Counts Five through Eight of this Indictment, notice is given to the defendant:

MATTHEW LIAM JOHNSTONE,

that the following is subject to forfeiture to the United States:

- (a) Any property, real or personal, used or intended to be used to commit or to facilitate the commission of the offense; and

(b) Any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of the offense.

A TRUE BILL:
ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

NICHOLAS J. GANJEI
UNITED STATES ATTORNEY

By:



PATRICK OVERMAN
Assistant United States Attorney

ADAM BRASKICH
TRIAL ATTORNEY
U.S. Department of Justice, Criminal Division
Child Exploitation and Obscenity Section