

To:

From:

Sent: Mon 1/4/2010 8:36:55 PM (UTC)

Subject: Admissibility of Sex Game

Hello and Happy New Year!

Here's an issue I haven't seen addressed: CP distribution case arising from multiple reports of uploads to Yahoo photo albums. Four computers seized from defendant's house. CP-related activity found on all four. Forensics reveal a large compressed file on the root of the C drive of the computer most actively used for CP activity. The examiner was able to save and install the file and found it to be a virtual reality game call Hizashi no nakano real, in which the player uses the mouse to control a virtual hand that molests an animated Asian girl whose age appears to be about 10. The game was accompanied by a detailed "walk through" document telling the steps for navigating the game. This document, like the game itself, is very graphic and detailed. The only Local User who has the game loaded is our defendant. Forensics show our Local User had gotten to Level 4 of the game, which involves significant and sustained affirmative acts against the virtual girl.

Admissible?

I'd appreciate your thoughts.

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