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02505097

THE STATE OF TEXAS  
VS.

02505097

D.A. LOG NUMBER: 1654218  
CJIS TRACKING NO.:

STEPHEN BURKE  
[REDACTED]  
SPRING, TEXAS 77379

SFN:  
DOB: W/M [REDACTED]  
DATE PREPARED: 07-07-2010

BY: EHD DA NO: 001901698  
AGENCY: HMICAC/PCT4  
O/R NO: HC100011464  
ARREST DATE: TO BK

NCIC CODE: 5500 27

RELATED CASES: ONE OTHER FELONY

FELONY CHARGE: POSSESSION OF CHILD PORNOGRAPHY  
CAUSE NO:  
HARRIS COUNTY DISTRICT COURT NO:  
FIRST SETTING DATE:

BAIL: \$20,000  
PRIOR CAUSE NO:

1269646

263

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, STEPHEN BURKE hereafter styled the Defendant, heretofore on or about JULY 25, 2010, did then and there unlawfully, intentionally and knowingly possess visual material, namely, a digital image, that visually depicts a child younger than eighteen years of age, at the time the image was made, who is engaging in sexual conduct, to-wit: the lewd exhibition of [REDACTED], and the defendant knew that the visual material depicted a child engaging in said sexual conduct.

Probable Cause

Your affiant, Nasser Fofy, who is employed as a peace officer for Harris County Constable's Office Precinct 4 Constables Office has reason to believe and does believe that the suspect Stephen Burke has committed the offense of Possession of Child Pornography at [REDACTED] in Spring, Harris County, Texas 77379 on or about January 25, 2010. Your affiant's belief is based upon the following information:

Your affiant is a member of the Houston Metro Internet Crimes Against Children Taskforce, and has received specialized training in the area of cyber investigation of child exploitation. Your affiant received this case for investigation from Sgt. Gary Spurger, an ICAC supervisor. Your affiant found that on January 25, 2010, members of the St. Anthony The Great Antiochian Orthodox Church, located at 7072 FM 2920 in Spring, Harris County, Texas, contacted police regarding images of child pornography found on a computer owned by the church but assigned to the priest at that facility. The reporters stated that there were technical problems with the laptop and in the process of repair, the images were located on the computer.

Your affiant had the computer forensically examined by the FBI RCFL, which located images of children under the age of 18 at the time the images were made, engaging in sexual conduct, namely the lewd exhibition of [REDACTED] and the lewd exhibition of [REDACTED]. Your affiant observed that the images were searched for by the user of the computer. Your affiant and other members of the Houston Metro ICAC executed a search warrant on the home of the the suspect who was indentified as Stephen Burke, DOB [REDACTED]. The witnesses identified the suspect, whom they know by name and by sight, as the person who was in control of the computer at the time the images of child pornography were searched for and downloaded.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on JUL 07 2010

[Signature]  
AFFIANT

FILED  
Loren Jackson  
District Clerk

[Signature]  
ASSISTANT DISTRICT ATTORNEY  
OF HARRIS COUNTY, TEXAS.

JUL 07 2010  
Time: [Signature]  
By: [Signature]  
Deputy  
COMPLAINT

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging