

**FILED**

OCT 22 2008

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ563-08-15

Superior Court

Docket Number 08-10-00246-S

STATE OF NEW JERSEY )

v. )

NELSON E. GAFFNEY )

INDICTMENT

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Endangering the Welfare of a Child)

(Distribution of Child Pornography - Second Degree)

NELSON E. GAFFNEY

on or about August 14, 2007, in the Township of Wall, in the County of Monmouth, elsewhere, and within the jurisdiction of this Court, did knowingly sell, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise, offer or agree to offer, through any means, including the Internet, a photograph, film, videotape, computer program(s) or file(s), or any other reproduction or reconstruction, which depicts a child engaging in a prohibited sexual act or in the simulation of such an act as defined by N.J.S.A. 2C:24-4b(1), that is, the said NELSON E. GAFFNEY provided

an image depicting a child engaging in a prohibited sexual act to a Detective from Gloucester County Prosecutor's Office, New Jersey Internet Crimes Against Children Taskforce in Gloucester County, New Jersey over the Internet, contrary to the provisions of N.J.S.A. 2C:24-4b(5)(a), and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Endangering the Welfare of a Child)

(Distribution of Child Pornography - Second Degree)

NELSON E. GAFFNEY

between on or about August 14, 2007 and on or about October 4, 2007, in the Township of Wall, in the County of Monmouth, elsewhere, and within the jurisdiction of this Court, did knowingly sell, give, provide, lend, trade, mail, deliver, transfer, publish, distribute, circulate, disseminate, present, exhibit, advertise, offer or agree to offer, through any means, including the Internet, a photograph, film, videotape, computer program(s) or file(s), or any other reproduction or reconstruction, which depicts a child engaging in a prohibited sexual act or in the simulation of such an act as defined by N.J.S.A. 2C:24-4b(1), that is, the said NELSON E. GAFFNEY offered or agreed to offer over the Internet a photograph or video depicting a child engaging in a prohibited sexual act, contrary to the provisions of N.J.S.A. 2C:24-4b(5) (a), and against the peace of this State, the government and dignity of the same.

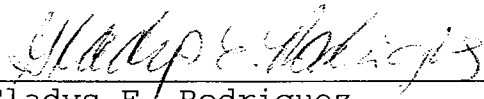
COUNT THREE

(Endangering the Welfare of a Child)

(Possession of Child Pornography - Fourth Degree)

NELSON E. GAFFNEY

between on or about August 14, 2007 and on or about October 4, 2007, in the Township of Wall, in the County of Monmouth, elsewhere, and within the jurisdiction of this Court, did knowingly possess or knowingly view any photograph(s), film, videotape, computer program(s) or file(s) or any other reproduction or reconstruction depicting children engaged in prohibited sexual acts or in the simulation of such acts as defined by N.J.S.A. 2C:24-4b(1), including on the Internet, contrary to the provisions of N.J.S.A. 2C:24-4b(5) (b), and against the peace of this State, the government and dignity of the same.



\_\_\_\_\_  
Gladys E. Rodriguez,  
Deputy Director  
Division of Criminal Justice

A TRUE BILL:



\_\_\_\_\_  
Foreperson

Dated: 10-27-08

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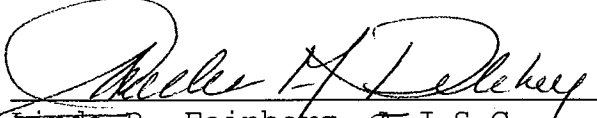
NELSON E. GAFFNEY )

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this <sup>22<sup>ND</sup></sup> day of *October*, 2008, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Monmouth be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Monmouth for filing.

  
Linda R. Feinberg, A.J.S.C. /  
*CHARLES A. DELANEY*