

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA

v.

JAMES BENJAMIN GOSNELL, JR.
[REDACTED]

CRIMINAL NO.: 2:25-cr-1174

18 U.S.C. § 2252A(a)(2)
18 U.S.C. § 2252A(a)(5)(B)
18 U.S.C. § 2252A(b)(1)
18 U.S.C. § 2252A(b)(2)
18 U.S.C. § 2253
28 U.S.C. § 2461(c)

INDICTMENT
(Under Seal)

BACKGROUND

1. The Defendant, **JAMES BENJAMIN GOSNELL, JR.**, at all times pertinent to this Indictment, resided in Charleston, South Carolina and worked as a Charleston County Magistrate.

2. The Defendant, [REDACTED] at times pertinent to this Indictment, resided in and around [REDACTED]

COUNT 1

(Possession of Child Pornography Involving a Prepubescent Minor)

THE GRAND JURY CHARGES:

3. The factual allegations contained in paragraph 1 of this Indictment are re-alleged as though fully set forth herein.

4. That beginning on a date unknown to the Grand Jury, and continuing up to and including on or about September 16, 2025, in the District of South Carolina and elsewhere, the Defendant, **JAMES BENJAMIN GOSNELL, JR.**, did knowingly possess any material that contained an image of child pornography, as defined in Title 18, United States Code, Sections

2256(8)(A) and (C), including but not limited to an image of child pornography that involved a prepubescent minor and a minor who had not attained 12 years of age, and that had been mailed, shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT 2

(Attempted Receipt of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

5. The factual allegations of paragraph 1 of this Indictment is re-alleged as though fully set forth herein.

6. That beginning at a time unknown to the Grand Jury, but beginning in at least November 2024 and continuing until at least December 2024, in the District of South Carolina and elsewhere, the Defendant, **JAMES BENJAMIN GOSNELL, JR.**, knowingly did receive or attempt to receive child pornography and materials that contained child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that had been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

COUNT 3

(Conspiracy to Receive and Distribute Child Pornography)

THE GRAND JURY FURTHER CHARGES:

7. The factual allegations of paragraphs 1 and 2 of this Indictment are re-alleged as though fully set forth herein.

8. That beginning at least in or around December 2023 and continuing through at least in or around September 16, 2025, in the District of South Carolina and elsewhere, the Defendants, **JAMES BENJAMIN GOSNELL, JR.** and [REDACTED] did knowingly and willfully combine, conspire, confederate, and agree together and with others known and unknown to the Grand Jury, to knowingly receive and distribute child pornography and material that contained child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that had been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer.

Object of the Conspiracy

9. The object of the conspiracy was for the Defendants **JAMES BENJAMIN GOSNELL, JR.** and [REDACTED] and others known and unknown to the Grand Jury, to receive, distribute, and exchange visual depictions of sexually explicit conduct with minors, including sexually explicit depictions of infants and toddlers, including sexually explicit depictions of rape and torture.

Manner and Means of the Conspiracy

10. Beginning in at least December 2023, the Defendants **JAMES BENJAMIN GOSNELL, JR.** and [REDACTED]
[REDACTED] The Defendants **JAMES BENJAMIN GOSNELL,**

JR. and [REDACTED], discussed their respective sexual preferences for minors, including age and content.

11. The Defendants JAMES BENJAMIN GOSNELL, JR. and [REDACTED] further discussed the sexual abuse of minors, including the sexual abuse of infants and toddlers.

12. The Defendants JAMES BENJAMIN GOSNELL, JR. and [REDACTED] exchanged child pornography [REDACTED]. On at least two occasions, the Defendant [REDACTED] sent the Defendant JAMES BENJAMIN GOSNELL, JR. sexually explicit images of a prepubescent minor.

13. To accomplish their goals, the Defendants JAMES BENJAMIN GOSNELL, JR. and [REDACTED] discussed the use of USB drives as a safe and convenient method to store, distribute, and receive child pornography. In furtherance of the conspiracy, the Defendant JAMES BENJAMIN GOSNELL, JR. travelled to [REDACTED] to distribute child pornography to the Defendant [REDACTED]. The Defendant JAMES BENJAMIN GOSNELL, JR. transported child pornography to [REDACTED] on a USB drive. While in [REDACTED] the Defendants JAMES BENJAMIN GOSNELL, JR. and [REDACTED] viewed the child pornography together, including depictions of infants and toddlers being raped and tortured.

14. The Defendant JAMES BENJAMIN GOSNELL, JR. left the USB drive containing the child pornography with the Defendant [REDACTED]. Thereafter, the Defendant [REDACTED] returned the USB drive to the Defendant JAMES BENJAMIN GOSNELL, JR. via FedEx.

15. The Defendants **JAMES BENJAMIN GOSNELL, JR.** and [REDACTED] [REDACTED] also discussed future plans to meet with other pedophiles to rape and torture a prepubescent minor.

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b).

COUNT 4

(Receipt of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

16. The factual allegations of paragraphs 1, 2, and 8 through 15 of this Indictment are re-alleged as though fully set forth herein.

17. That on or about August 30, 2025, in the District of South Carolina and elsewhere, the defendant, **JAMES BENJAMIN GOSNELL, JR.**, knowingly did receive child pornography and materials that contained child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that had been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

COUNT 5

(Receipt of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

18. The factual allegations of paragraphs 1, 2, and 8 through 15 of this Indictment are re-alleged as though fully set forth herein.

19. That on or about September 6, 2025, in the District of South Carolina and elsewhere, the defendant, **JAMES BENJAMIN GOSNELL, JR.**, knowingly did receive child pornography and materials that contained child pornography, as defined in Title 18, United States

Code, Sections 2256(8)(A) and (C), that had been mailed, shipped, and transported in or affecting interstate and foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and 2252A(b)(1).

COUNT 6

(Distribution of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

20. The factual allegations of paragraphs 1, 2, and 8 through 15 of this Indictment are re-alleged as though fully set forth herein.

21. That on or about June 15, 2024, in the District of South Carolina and elsewhere, the Defendant, **JAMES BENJAMIN GOSNELL, JR.**, knowingly distributed any child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b).

COUNT 7

(Distribution of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

22. The factual allegations of paragraphs 1, 2, and 8 through 15 of this Indictment are re-alleged as though fully set forth herein.

23. That on or about June 25, 2024, in the District of South Carolina and elsewhere, the Defendant, [REDACTED] knowingly distributed any child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b).

COUNT 8

(Distribution of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

24. The factual allegations of paragraphs 1 through 2 of this Indictment are re-alleged as though fully set forth herein.

25. That on or about August 30, 2025, in the District of South Carolina and elsewhere, the Defendant, [REDACTED] knowingly distributed any child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b).

COUNT 9

(Distribution of Child Pornography)

THE GRAND JURY FURTHER CHARGES:

26. The factual allegations of paragraphs 1 through 2 of this Indictment are re-alleged as though fully set forth herein.

27. That on or about September 6, 2025, in the District of South Carolina and elsewhere, the Defendant, [REDACTED] knowingly distributed any child pornography, as defined in Title 18, United States Code, Sections 2256(8)(A) and (C), that has been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer;

In violation of Title 18, United States Code, Sections 2252A(a)(2) and (b).

FORFEITURE**SEXUAL EXPLOITATION OF CHILDREN:**

Upon conviction for violation of Title 18, United States Code, Section 2252A, as charged in this Indictment, the Defendants, **JAMES BENJAMIN GOSNELL, JR.** and [REDACTED]

[REDACTED] shall forfeit to the United States their interest in:

- i. any visual depiction described in section 2251, 2251A, 2252 or 2252A of chapter 110 of the United States Code, 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 chapter 110 of the United States Code;
- ii. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and
- iii. any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses.

PROPERTY:

Pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendant for the offenses charged in this Indictment includes, but is not limited to, the following

A. **Forfeiture Judgment:**

A sum of money equal to all proceeds the Defendants obtained, directly or indirectly, from the offenses charged in this Indictment, and all interest and proceeds traceable thereto, and/or such sum that equals all property involved in or traceable to their violation of 18 U.S.C. § 2252A.

B. **Real Property:**

[REDACTED]

C. Electronic Equipment:

1. HP Laptop
Serial Number: 5CD9487L8M
Seized from: The residence of James Benjamin Gosnell, Jr.
2. iPhone
IMEI: 356226678799595
Seized from: The residence of James Benjamin Gosnell, Jr.
3. Two (2) USB Drives
Seized from: The residence of James Benjamin Gosnell, Jr.

SUBSTITUTE ASSETS:

If any of the property described above, as a result of any act or omission of a Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1) to seek forfeiture of any other property of Defendant up to an amount equivalent to the value of the above-described forfeitable property;

All pursuant to Title 18, United States Code, Section 2253 and Title 28, United States Code, Section 2461(c).

A true BILL



FOREPERSON

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