

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal Action No. 07-98-SLR
)	
CARL W. WILSON, JR.,)	
)	
Defendant.)	

GOVERNMENT'S SENTENCING MEMORANDUM

The United States opposes the request of the defendant, Carl W. Wilson, Jr. (Wilson), for a downward variance from the applicable Guidelines range.

In ten online chats with Paul Thielemann, spread over a nine month period, Wilson condoned and encouraged the sexual molestation of young children. When Thielemann variously spoke of having sexual access to young children, Wilson responded "kool"¹ and "awesome."² Wilson agreed that he "would luv to rape"³ a young girl. When Thielemann said that he was babysitting a two year old girl in his bedroom with his penis exposed, Wilson responded "turn on ur cam and let me watch."⁴ On a different occasion when Thielemann said he was babysitting an eight year old girl, Wilson asked that she be brought to him, writing "u going ot help me rape her too[?]" and "I wanna make u force her to [perform fellatio on you.]"

¹ Online chat, May 14, 2006, at 00:45:39 hours.

² Online chat, December 9, 2006, at 15:35:02 hours and 15:55:12 hours.

³ Online chat, February 1, 2007, at 20:10:31 hours.

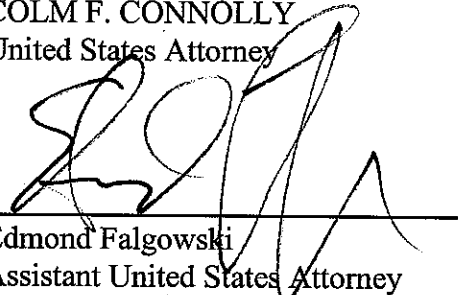
⁴ Online chat, February 16, 2007, at 14:38:16 hours.

Wilson asserts that his receipt of the child pornography video and the nature of his online chats are the result of motives other than a sexual interest in children. The Government submits that any such distinction does not warrant a variance from the Guidelines. The prepubescent girl in the video is victimized, regardless of the motives of the people who possess her image. Being a pedophile is neither an element of the relevant offense nor a specific offense characteristic of the applicable Guidelines section.

In conclusion, Wilson is not deserving of a variance because he not only possessed a video of a prepubescent girl engaged in multiple sex acts with an adult male, Wilson condoned and encouraged such conduct in numerous online chats with Thielemann over a prolonged period.

COLM F. CONNOLLY
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By:


Edmond Falgowski
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Dated: 4-4-08