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UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DWAYNE YUEN,)
)
Defendant.)
_____)

CR. NO. 23-00016-JMS

FIRST SUPERSEDING
INDICTMENT

[18 U.S.C. §§ 1591, 2422(b), 2251(a),
2252(a)(2), 2252(a)(4)(B) and
47 U.S.C. § 223(a)(1)(C)]

FIRST SUPERSEDING INDICTMENT

COUNT 1

Sex Trafficking of a Minor
(18 U.S.C. § 1591(a)(1), (b)(2))

From at least in or around December 2005 through at least in or around Spring 2006, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, knowingly, in and affecting interstate and foreign commerce, recruited, enticed, harbored, obtained, and transported MINOR VICTIM 1, knowing that MINOR VICTIM 1 had not attained the age of 18 and would be caused to engage in a commercial sex act.

All in violation of Title 18, United States Code, Section 1591(a)(1), (b)(2).

COUNT 2

Coercion and Enticement
(18 U.S.C. § 2422(b))

From at least in or around March through June 2006, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, using a facility and means of interstate and foreign commerce, attempted to and did knowingly persuade, induce, entice, and coerce MINOR VICTIM 2, who had not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, to wit: sexual assault in the first degree, Haw. Rev. Stat. § 707-730(1)(a) (2006), sexual assault in the second degree, Haw. Rev. Stat. § 707-731(1)(a) (2006), sexual assault in the third degree, Haw. Rev. Stat. § 707-732(1)(a), (f) (2006), and sexual assault in the fourth degree, Haw. Rev. Stat. § 707-733(1)(a) (2006).

All in violation of Title 18, United States Code, Section 2422(b).

COUNT 3

Production of Child Pornography
(18 U.S.C. § 2251(a), (e))

In or around September 2020, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, did attempt to and did employ, use, persuade, induce, entice, and coerce MINOR VICTIM 3 to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce, and in and affecting such commerce, and where said visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and where such visual depiction was actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting such commerce.

All in violation of Title 18, United States Code, Section 2251(a), (e).

COUNT 4

Receipt of Child Pornography
(18 U.S.C. § 2252(a)(2), (b)(1))

In or around September 2020, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, knowingly received a visual depiction, using a

means and facility of interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means, including by computer, and the production of such visual depiction involved the use of MINOR VICTIM 3 engaging in sexually explicit conduct, and such depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(2), (b)(1).

COUNT 5

Possession of Child Pornography
(18 U.S.C. § 2252(a)(4)(B), (b)(2))

From in or around September 2020 through in or around February 2023, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, did knowingly possess one or more matters which contained a visual depiction that had been mailed, shipped, and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and was produced using materials which had been mailed, shipped, and transported using a means and facility of interstate and foreign commerce, including by computer, and the production of such visual depiction involved the use of a minor engaged in sexually explicit conduct, and such depiction was of such conduct.

All in violation of Title 18, United States Code, Section 2252(a)(4)(B),
(b)(2).


COUNT 6
Harassing Telephone Calls
(47 U.S.C. § 223(a)(1)(C))

From in or around January through February 2023, within the District of Hawaii and elsewhere, DWAYNE YUEN, the defendant, used a telecommunications device without disclosing his identity and with intent to abuse, threaten, and harass VICTIM 4.


All in violation of Title 47, United States Code, Section 223(a)(1)(C).

DATED: September 28, 2023, at Honolulu, Hawaii.

1st Foreperson
GRAND JURY FOREPERSON



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First Superseding Indictment, Cr. No. 23-00016-JMS