

FILED

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

DANIEL G. BOGDEN  
United States Attorney  
KATHRYN NEWMAN  
Assistant United States Attorney  
333 Las Vegas Blvd., Suite 5000  
Las Vegas, Nevada 89101  
Telephone: (702) 388-6336

2013 AUG -6 AM 8: 19

BY \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

**UNITED STATES OF AMERICA,**

Plaintiff,

vs.

**CHRISTOPHER MARTIN and  
JESSICA STROBLE,**

Defendants.

Case No.: 2:13-mj-588-GWF

**CRIMINAL COMPLAINT**

VIOLATION:

49 U.S.C. § 46506(2) – Application of Certain  
Criminal Laws to Act on Aircraft

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned complainant, being duly sworn, deposes and states:

**COUNT ONE**

(Lewd, Indecent, and Obscene Acts on Airplane)

On or about June 20, 2013, onboard Allegiant Airlines Flight 557, traveling from Medford, Oregon, to Las Vegas, Nevada, an aircraft within the special aircraft jurisdiction of the United States,

**CHRISTOPHER MARTIN and  
JESSICA STROBLE,**

defendants herein, did make an obscene and indecent exposure of Defendant Martin's genitalia, engaged in masturbation, and engaged in a sexual acts, all in violation of Title 49, United States Code, Section 46506(2) and District of Columbia Code Sections 22-1312.

1 Complainant, James J. Mollica, Jr., as a Special Agent with the Federal Bureau of  
2 Investigation (FBI), states the following as and for probable cause:

3 1. Complainant is a Special Agent with the Federal Bureau of Investigation (FBI), and  
4 has been so employed for over nine (9) years. Currently, the Complainant is assigned to the Las  
5 Vegas Field Office and is responsible for investigating violent crimes, to include, but not limited to  
6 criminal violations aboard an aircraft within the special aircraft jurisdiction of the United States, in  
7 violation of Title 49, United States Code, Section 46506(2).

8 2. The information used to support this Complaint was derived from information  
9 obtained from eye witnesses to the offenses described herein as well as an investigation conducted  
10 by law enforcement related to the incident. This Complaint is intended to set forth information  
11 necessary to support probable cause to believe that the criminal offenses described herein were  
12 committed by the defendants, CHRISTOPHER MARTIN and JESSICA STROBLE. It is not  
13 intended to include each and every fact and matter observed by me or known to the Government.  
14 Moreover, to the extent that this Complaint contains statements by witnesses, those statements are  
15 set forth only in part and in substance and are intended to accurately convey the information, but  
16 not to be verbatim recitations.

17 3. Title 49, United States Codes, Section 46506(2), reads “[a]n individual on an aircraft  
18 in the special aircraft jurisdiction of the United States who commits an act that . . . (2) if committed  
19 in the District of Columbia would violate Section 9 of the Act of July 29, 1891 (D.C. Code Section  
20 22-1112), shall be fined under Title 18, imprisoned under Section 9 of the Act, or both.”

21 4. District of Columbia Code Section 22-1312, which had previously been codified at  
22 Section 22-1112, makes it unlawful for “a person, in public, to make an obscene or indecent  
23 exposure of his or her genitalia or anus, to engage in masturbation, or to engage in a sexual act as  
defined in Section 22-3001(8) . . . . A person who violates any provision of this section shall be

1 guilty of a misdemeanor and, upon conviction, shall be fined not more than \$500, imprisoned for  
2 not more than 90 days, or both.”

3 5. District of Columbia Code Section 22-3001(8) defines a sexual act to include oral sex  
4 performed on a male or a female.

5 **FACTS ESTABLISHING PROBABLE CAUSE**

6 6. On June 21, 2013, onboard Allegiant Airlines Flight 557, traveling from Medford,  
7 Oregon, to Las Vegas, Nevada, witness J.S., sitting in 16C, observed a female passenger sitting  
8 across the aisle, in the middle seat, perform oral sex and manually stimulate the genitalia of a male  
9 passenger sitting in the window seat next to her, as the plane was ascending. The male’s penis was  
10 exposed and fully erect. After completing the sex act, the female wiped off her mouth while the  
11 male put his penis back inside his pants. The male then placed his hands down the female’s pants  
12 and appeared to be manually stimulating her genitalia. The female placed her hand over the male’s  
13 hand while he did so. Later in the flight, after the drink and snack service, the female passenger  
14 again performed oral sex on the male passenger. Towards the end of the flight, the male exposed the  
15 female passenger’s breast and began kissing the exposed breast. J.S. notified a Flight Attendant.  
16 The Flight Attendant instructed the male and female to stop, at which time they did.


17 7. On June 21, 2013, onboard Allegiant Airlines Flight 557, traveling from Medford,  
18 Oregon, to Las Vegas, Nevada, witness H.H., sitting in 16A, observed a female passenger sitting on  
19 the other side of the aisle perform oral sex on a male passenger as the plane was ascending. The  
20 male passenger had his hand on the back of the female’s neck and “was in his own world.” H.H.  
21 observed the male’s penis. The male then had his hand in the female’s crotch. The male was  
22 rubbing it up and down and the female assisted him. While the plane was at full attitude, the female  
23 again performed oral sex on the male passenger after the drink service. As the plane was descending,  
the male pulled the female’s shirt down and began kissing the female’s exposed breast. H.H.  
observed the side of the female’s breast. H.H. notified a passing Flight Attendant. The Flight

1 Attendant asked the couple to stop and they did.

2 8. A Flight Attendant, "M.S.," observed the female's head in the male's lap after a  
3 passenger complained about their conduct. M.S. observed another Flight Attendant tell the male and  
4 female passenger to stop. A short time later, another passenger came up to M.S. and said, "this is not  
5 the sex education I wanted to give my teenage sons." M.S. again observed the female's head back  
6 down in the male's lap. Based on the movement, it appeared to M.S. that the female was giving the  
7 male oral sex. M.S. approached the couple and told them to stop.

8 9. Allegiant Air Flight 557, was met by Las Vegas Metropolitan Police Department  
9 (LVMPD) Officers upon arriving at McCarran International (LAS), in Las Vegas, Nevada. The  
10 male, identified as CHRISTOPHER MARTIN, and the female, identified as JESSICA STROBLE,  
11 escorted off the plane and questioned by LVMPD. It was determined that MARTIN was seated in  
12 16F, the window seat, and STROBLE was seated in 16E, the middle seat.

13 10. Based on the foregoing, your Complainant believes that there is probable cause to  
14 charge, CHRISTOPHER MARTIN and JESSICA STROBLE with violation of Title 49, Section  
15 46506(2).

16   
17 Special Agent James J. Mollica, Jr.  
18 Federal Bureau of Investigation

19 SUBSCRIBED and SWORN to before me

20 This 6<sup>th</sup> day of August, 2013

21   
22 UNITED STATES MAGISTRATE JUDGE