

Jury Convicts Brothel Owner, Associated Press writer

Wednesday, 16 July 2008

By Matt Joyce

Associated Press writer

Saturday, April 19, 2008

CHEYENNE -- David Burgess, a Nevada brothel owner and Hells Angels member known for his love of photography, was convicted Friday of possessing and transporting child pornography.

Jurors deliberated less than four hours after closing arguments in the weeklong federal trial of Burgess, a charter member of a Nevada chapter of the Hells Angels and owner of the Old Bridge Ranch, a legal brothel near Reno, Nev.

Burgess, 55, had pleaded not guilty to the two charges. When the verdict was read, he looked solemnly back at his friends and family members in the courtroom, many of them weeping. Burgess' bond was revoked, and he was handcuffed and taken into custody by U.S. marshals.

Burgess faces from five to 30 years in prison, up to a \$500,000 fine, and from five years to life of supervision after his release.

Friends and family members testified during the trial that Burgess was a proficient digital photographer, always snapping photos on motorcycle runs or of his neighbor's garden.

But prosecutors said investigators found more sinister images on two hard drives that were seized from Burgess' motor home last July during a traffic stop in western Wyoming. The hard drives contained a vast collection of child pornography images, well-organized and carefully labeled, prosecutors said.

James Barrett, the assistant federal public defender representing Burgess, said the convictions will be appealed.

"I think Mr. Burgess was disappointed, and it's obvious that his family and friends and supporters were disappointed," Barrett said outside the courtroom.

Barrett said the appeal will be at least partly based on U.S. District Judge Alan B. Johnson's ruling last week to allow evidence taken from the computer equipment to be used in the trial. Burgess had attempted to suppress any evidence taken from the hard drives, arguing that the equipment was beyond the scope of a search warrant obtained by Wyoming police.

Johnson ruled that the officers had probable cause to take the equipment and that investigators acted properly in the way they handled the case.

Burgess told police he was on his way to the 2007 Hells Angels USA Run in Eureka Springs, Ark., when he was stopped in western Wyoming in July because of an expired license plate. During the stop, Burgess was arrested on drug charges when officers found substances believed to be marijuana and cocaine in the vehicle, police said. State drug charges stemming from the traffic stop were later dismissed.

Officers have testified that they confiscated the computer equipment from Burgess' Freightliner motor home because they believed it could contain evidence related to drug trafficking.

"We know this item contains not only tens of thousands of images child pornography, it also contains thousands of documents related to the defendant, David Burgess," Assistant U.S. Attorney James Anderson said as he held up the hard drive during closing arguments.

The defense had argued that prosecutors presented no evidence proving that Burgess downloaded the images or was aware of their presence on the hard drives. Barrett said during the trial that Burgess' home, computers and cameras were always open and freely accessible for his friends to use.

"What you have here is a whole bunch of data and images and absolutely no idea what computer they were downloaded from, when they were loaded, or by whom," Barrett told jurors.