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Director of Legal Services Thomas Carr Esq. analyzes the case against Jesse Sawyer Jr. of Troy

**Jesse Sawyer, Jr. to be extradited; will be arraigned in
Albany**

By Molly Eadie

Posted: 04/01/14, 9:49 PM EDT

Jesse Sawyer, Jr., arrested on federal child pornography charges Friday, will be extradited and arraigned in federal court in Albany, officials say. According to the U.S. Attorney's Office in Tampa, Sawyer was to be arraigned in a federal court Monday, but waived his right for a hearing, and will be brought back to New York instead. It wasn't known when he will be extradited. The U.S. Attorney's Office in the Northern New York District did not return a call before deadline. In the affidavit given to a federal court in Albany, FBI Special Agent David C. Fallon wrote the victims, called Jane Doe, Mary Doe, and Nancy Doe, were all under the age of 5 at the time of the events. According to the document, Sawyer's father's girlfriend found the images on a laptop she let Sawyer use while he was living with her and Sawyer's father. She copied the images onto a computer disk and turned it into the Troy Police Department on Jan. 20. The victims' mother identified all victims and Sawyer in the images. The victims' mother also received Facebook messages from Sawyer, according to the affidavit. In a message sent to her at 12 p.m. on January 20, Sawyer wrote, "I know I need help this is not who I am I never wanted to hurt [the children]." In another message on January 20 at 3:28 p.m., Sawyer wrote, "I will make this right [mother's name redacted] I promise you. I've (sic) never been so serious about anything in my life u girls are my heart I am not that monster." The images were taken between March and

June 2013, according to data contained within the images, and were taken on a cell phone made by Kyocera in Malaysia. On March 18, Troy police took custody of a Kyocera cell phone from an ex-girlfriend of Sawyer, who said she found the phone in a car given to her by Sawyer in late January. Attorney Thomas Carr of Tully Rinckey, PLLC, said the case against Sawyer is strong, particularly because of the photographic evidence, in which Sawyer and the victims have both allegedly been identified. "That's pretty compelling evidence," said Carr. "The first thing any [defense] attorney would do would be to suppress evidence against him — in particular the images," said Carr. "Without images, it becomes a more difficult case for the prosecution, but I think that would be an uphill battle for Mr. Sawyer." Carr also said the federal nature of this case was more than just the possibility of the images being shared across state lines. Since the phone allegedly used to make the images was made in Malaysia and crossed state lines, the case is a federal matter. Troy Police Department said last week it intended to bring its own charges against Sawyer, in addition to federal charges. Spokesman John Cooney said Tuesday the department no longer plans to bring charges against Sawyer because the federal statute brings a minimum of 15 years. Cooney said the case is strong and the evidence is good, and there would be no reason to go through a penal law prosecution, as Sawyer would serve more time for federal charges than he would for a penal law conviction.