

IN THE DISTRICT COURT OF THE TWENTY-SECOND JUDICIAL DISTRICT OF THE STATE OF OKLAHOMA SITTING IN AND FOR PONTOTOC COUNTY

THE STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.)
)
 ZACHARY MACGREGOR MILLIREN)
 SSN: [REDACTED])
 DOB: [REDACTED])
)
 Defendant(s).)

Case No. CF-2022-128

FILED

JAN 11 2023

LACEE FLANARY, Court Clerk
Pontotoc County, Oklahoma
By: [Signature]
Deputy

INFORMATION

FOR:

- COUNT 1: COMPUTER FRAUD / UNLAWFUL USE OF COMPUTER / SYSTEM ~ 21 O.S. § 1953, (A) (1), a FELONY
- COUNT 2: NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES 21 O.S. § 1040.13b (G), a FELONY
- COUNT 3: SHOWING OBSCENE MATERIAL TO MINOR ~ 21 O.S. § 1021(B)(2), a FELONY

STATE OF OKLAHOMA, COUNTY OF PONTOTOC:

I, Erik C. Johnson, the undersigned District Attorney of said County, in the name and by the authority of the State of Oklahoma, give information that in said County of Pontotoc and in the State of Oklahoma, ZACHARY MACGREGOR MILLIREN did then and there unlawfully, willfully, knowingly and wrongfully commit the crime(s) of:

COUNT 1: COMPUTER FRAUD / UNLAWFUL USE OF COMPUTER / SYSTEM ~ a FELONY, on or between the 2nd day of June, 2021 and the 4th day of June, 2022, by using a computer device willfully and without authorization to make use of data belonging to [REDACTED]

This crime is punishable by imprisonment of 10 years and/or \$5000 to \$10,000 fine.

COUNT 2: NONCONSENSUAL DISSEMINATION OF PRIVATE SEXUAL IMAGES ~ a FELONY, on or between the 2nd day of June, 2021 and the 4th day of June, 2022, by disseminating, without consent, private sexual images with the intent to gain anything of value to wit: by disseminating nude images of [REDACTED] with the intent to gain nude photos of other women and children.

This crime is punishable by imprisonment of up to 4 years.

COUNT 3: SHOWING OBSCENE MATERIAL TO MINOR ~ a FELONY, on or between the 2nd day of June, 2021 and the 4th day of June, 2022, by showing a minor child, [REDACTED] obscene material with the intent of getting [REDACTED] to distribute obscene material.

This crime is punishable by imprisonment of 10-30 years.

ERIK C. JOHNSON
DISTRICT ATTORNEY

By: Tara Portillo
Tara Portillo
Assistant District Attorney

WITNESSES ENDORSED FOR THE STATE OF OKLAHOMA

[REDACTED] known to DA
Josh Dean, OSBI
[REDACTED] known to DA
Derek Stewart, Chickasaw Lighthouse Police Department

NOTICE OF OPEN FILE

THE PROSECUTION SHALL ALLOW INSPECTION BY THE DEFENDANT'S ATTORNEY OF THE FILE CONTAINING ALL LAW ENFORCEMENT REPORTS KNOWN TO THE PROSECUTION, PURSUANT TO TITLE 22 O.S. § 269.

IN THE DISTRICT COURT OF PONTOTOC COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,

VS.

Zachary MacGregor Milliren

DOB: [REDACTED]

FILED

JAN 11 2023

LACEE FLANARY, Court Clerk
Pontotoc County, Oklahoma
By [REDACTED] Deputy

AFFIDAVIT

THE UNDERSIGNED UPON OATH DEPOSES AND STATES AS FOLLOWS, TO-WIT:
YOUR AFFIANT IS EMPLOYED BY THE OKLAHOMA STATE BUREAU OF
INVESTIGATION. THE UNDERSIGNED FURTHER STATES AS FOLLOWS:

On June 6, 2022, [REDACTED] was contacted by a parent of a Byrg Public Schools student. The parent told T [REDACTED] she believed someone had hacked [REDACTED] Snapchat account, and screen recorded about one (1) years' worth of images, videos, and conversations between [REDACTED] and [REDACTED] boyfriend. The parent stated the suspect had created a Snapchat account for the purpose of adding current and former students of [REDACTED]. [REDACTED] was not the only victim, but there were other current and former students to include minors that were victims of this and their photos were being shared as well. [REDACTED] was able to locate the accounts the suspect was using, they were, "[REDACTED]" and "[REDACTED]"

On June 7, 2022, [REDACTED], reported the incident to the Pontotoc County Sheriff's Office. Pontotoc County Deputy DEREK STEWART was assigned the case and began the investigation.

[REDACTED] retrieved the login history and account information for her Snapchat account. [REDACTED] discovered that beginning on June 6, 2021, an unknown device was accessing her account. The device model number was SM-N975U. (NOTE: Your affiant knows that model number to be associated with Samsung cellular devices.) Snapchat provided dates, times, device, and IP addresses associated with each login.

On June 14, 2022, STEWART contacted Oklahoma State Bureau of Investigation Lieutenant JOSH DEAN and requested assistance with the investigation. DEAN reviewed the records STEWART had received from [REDACTED] DEAN checked the IP address associated with the logins from the Samsung device. DEAN located IP address [REDACTED] that was used for the logins that was maintained by Cable One Inc. a/k/a Sparklight. A summons was served to Cable One requesting subscriber information related to the IP address.

On June 20, 2022, Cable One responded to the request and noted the subscriber was ZACHARY MILLIREN, address: [REDACTED] Ada, Pontotoc County, Oklahoma, phone number: [REDACTED]; email address: [REDACTED] service created on April 7, 2016; was still an active account, and IP address: [REDACTED]

DEAN learned from STEWART that MILLIREN was currently employed by the Byng Public Schools in their IT department.

On June 21, 2022, DEAN and STEWART interviewed [REDACTED] [REDACTED] stated she used the same passcode or a variation thereof for her Snapchat account as she did for her Byng school's computer login. [REDACTED] knew MILLIREN, but rarely spoke with him, was never friends with him on any social media platform, never gave him access to any of her accounts, and never gave him her passwords.

STEWART counted the number logins to [REDACTED] account by MILLIREN between July 6, 2021, and June 4, 2022, it was over eight-hundred (800) times.

On June 22, 2022, DEAN and STEWART interviewed MILLIREN. MILLIREN had worked for the Byng Public School since November 20, 2015. MILLIREN provided the following personal information: address: [REDACTED] Ada, Pontotoc County, Oklahoma, phone number: [REDACTED]; email address: [REDACTED] [REDACTED] knew MILLIREN and had been in her classroom on a couple occasion to install computer related equipment. MILLIREN was not friends with [REDACTED] on social media and rarely used any social media platforms except for Tiktok. MILLIREN did have a Snapchat account, his username was zacm666. MILLIREN stated he was the only user of his cell phone, he only used his cell phone to access social media, and he did not use any of the school's devices to access any social media. MILLIREN stated he had additional devices at his house to include a computer and Apple iPad.

At the conclusion of the interview, DEAN took possession of MILLIREN'S cellular devices. MILLIREN had two cell phones in his front pocket. Those devices were a black/silver Samsung model SM-N975U cell phone and a black/blue Samsung model SM-N960U cell phone. The SM-N975U was the same type of device listed as accessing [REDACTED] account.

On June 23, 2022, STEWART interviewed a juvenile Byng student, [REDACTED] confirmed he had recently accepted an unknown friend request through Snapchat. The unknown user provided [REDACTED] with a list of individuals of whom he had nude photographs of and sent [REDACTED] nude images of [REDACTED]. The unknown user requested [REDACTED] to send them nude photos of other local students and staff in trade.

On June 24, 2022, Agents executed a search warrant at MILLIREN'S residence located at [REDACTED] Pontotoc County, Oklahoma. Agents verified MILLIREN'S IP address associated with his house was the [REDACTED] Agents also

discovered computer related equipment that could have potentially allowed MILLIREN to intercept network traffic.

ANTICIPATED CHARGES: Violation of the Oklahoma Computer Crimes Act

AFFIANT

J.D.
Lieutenant Josh Dean

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 27 DAY OF June 2022
MY COMMISSION EXPIRES:

Clare Hall NOTARY PUBLIC/JUDGE



STATE OF OKLAHOMA, VS, ZACHARY MILIREN

RECORD OF PROBABLE CAUSE DETERMINATION

I, The undersigned officer _____ read verbatim the above and foregoing Probable Cause Affidavit on the _____ day of _____, 20____, at _____ M Judge _____, Judge of the District Court, and thereafter the said Judge made orally to me the following Finding and Order and requesting that I record the same as hereinafter set forth:

_____ That the above and foregoing Probable Cause Affidavit Contains sufficient facts showing probable cause to detain the above named arrestee. The arrestee above named is ordered detained by the Sheriff unless bond is posted in the manner provided by law.

_____ The Court sets an appearance bond in the amount of \$ _____ pending the Initial Appearance by the arrestee at the next day that the Court is in session at 1:30 p.m.

_____ The setting of bond is denied at this time.

_____ The above and foregoing affidavit contains insufficient facts to show there is probable cause to detain the arrestee named therein. The arrestee is ordered released by the Sheriff forthwith.

Name and Title of Officer

Date: _____ Time: _____ M

CONFIRMATION

I, the undersigned Judge of the District Court, reviewed the above and foregoing affidavit of _____ Affiant and hereby confirm and ratify the same as to the date, time, and nature of my finding regarding Probable Cause in this matter or find probable cause to detain upon reading the above Affidavit.

Judge of the District Court

Date: _____ Time: _____ M