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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff

v.

RYAN S. HERNANDEZ,  
also known as "RyanRocks,"  
also known as "Ryan West,"  
Defendant.

NCR19-259 JCC

INFORMATION

The United States Attorney charges that:

**COUNT 1**

**(Computer Fraud and Abuse)**

1. The defendant, RYAN S. HERNANDEZ, also known as "RyanRocks" and "Ryan West," a resident of Palmdale, California, committed the successful intrusion of protected computers and servers of a victim company, namely, Nintendo Co., Ltd., and its U.S. subsidiary, Nintendo of America (collectively, "Nintendo"). RYAN S. HERNANDEZ targeted Nintendo and specifically data and files related to its array of video games and consoles.

1 2. RYAN S. HERNANDEZ, through the use of stolen credentials and  
2 certificates, accessed without authorization various protected servers belonging to  
3 Nintendo, including multiple servers located in the Western District of Washington and  
4 elsewhere.

5 3. Through such unauthorized server access, RYAN S. HERNANDEZ  
6 downloaded thousands of files, including proprietary developer tools and non-public  
7 information relating to pre-release or unreleased products and pre-production testing and  
8 development of various retail titles.

9 4. RYAN S. HERNANDEZ both used the stolen data and files for his own  
10 purposes, including to modify Nintendo consoles and to access pirated and unreleased  
11 video games, and further disseminated to others stolen data and information about  
12 Nintendo's internal computer network and its products.

13 5. Beginning in or about June 2018, and continuing until at least on or about  
14 June 19, 2019, at Redmond, within the Western District of Washington, and elsewhere,  
15 the defendant, RYAN S. HERNANDEZ, intentionally accessed a computer without  
16 authorization, to wit, a server containing information belonging to Nintendo, and thereby  
17 obtained information from a protected computer, and the value of the information  
18 obtained exceeded \$5,000.

19 All in violation of Title 18, United States Code, Section 1030(a)(2)(C) and  
20 (c)(2)(B)(iii).

21  
22 **ASSET FORFEITURE ALLEGATION**

23 6. The allegations contained in Count 1 of this Information are hereby  
24 realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to  
25 Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i). Upon conviction of the  
26 offense charged in Count 1, the defendant, RYAN S. HERNANDEZ, shall forfeit to the  
27 United States any property constituting, or derived from, proceeds he obtained, directly  
28 or indirectly, as the result of the offense. The defendant shall also forfeit his interest in

1 any personal property that he used or intended to use to commit or to facilitate the  
2 commission of the offense, including but not limited to:

- 3 a. One Seagate external hard drive, serial no. Z84112WS;
- 4 b. One Apple Macbook, serial no. C02MN8TDFD57;
- 5 c. Nintendo Switch console, serial no. XAW10001300634;
- 6 d. Nintendo Switch console serial no. XAW10021377616;
- 7 e. IS-Nitro-Emulator, serial no. 08050639); and
- 8 f. NDEV wireless device, serial no. NMA20089065).

9 7. **Substitute Assets.** If any of the above-described forfeitable property, as a  
10 result of any act or omission of the defendant,


- 11 a. cannot be located upon the exercise of due diligence;
- 12 b. has been transferred or sold to, or deposited with, a third party;
- 13 c. has been placed beyond the jurisdiction of the Court;
- 14 d. has been substantially diminished in value; or
- 15 e. has been commingled with other property which cannot be divided  
16 without difficulty;


17 ///  
18 ///  
19 ///

1 it is the intent of the United States to seek the forfeiture of any other property of the  
2 defendant up to the value of the above-described forfeitable property pursuant to Title 21,  
3 United States Code, Section 853(p).

4  
5 DATED this 17<sup>th</sup> day of December, 2019.

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8   
9 BRIAN T. MORAN  
United States Attorney

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11   
12 ANDREW C. FRIEDMAN  
13 Assistant United States Attorney

14   
15 STEVEN T. MASADA  
16 Assistant United States Attorney