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Stephanie A. Finley  
United States Attorney  
(337) 262-6618  
[mona.hardwick@usdoj.gov](mailto:mona.hardwick@usdoj.gov)

## ART DEALER SENTENCED FOR COUNTERFEIT ART SALES

### *Counterfeit Clementine Hunter Paintings*

**Alexandria, La.:** United States Attorney Stephanie A. Finley announced that Robert E. Lucky, Jr, 64, of New Orleans, was sentenced today to 25 months in federal prison and was ordered to pay \$326,893 in restitution for mail fraud in connection with selling fake paintings attributed to Louisiana artist Clementine Hunter. Lucky was also sentenced to three years supervised release following his prison term and 200 hours of community service.

Forensic evidence collected during the investigation was analyzed by the FBI Laboratory in Quantico, Va., the National Center for Preservation Technology and Training in Natchitoches, La., McCrone Associates Inc., in Westmont, Ill., and Orion Analytical LLC, in Williamstown, Mass., and revealed that the paintings sold by Lucky and the Toye's were fakes. Other paintings obtained by the Toye's were then resold by Lucky for a profit.

A significant number of non-authentic Hunter paintings were identified during the course of the investigation, to include five paintings which were seized from the Toye residence by the FBI in September of 2009 in Baton Rouge, La., and were forfeited to the U.S. Government as part of William Toye's guilty plea in federal court.

The three-year investigation involved the efforts of FBI Special Agents in several FBI field offices, to include numerous interviews of victims, witnesses, and other individuals across the nation, from California to New York to Florida. The entire investigation was initiated and coordinated from the FBI Alexandria Resident Agency in Alexandria, La. William Toye was previously arrested in the early 1970's by the New Orleans Police Department on criminal charges related to the sell of several non-authentic Clementine Hunter paintings. At the time, the New Orleans case against Toye was never prosecuted.

William Toye, 80, his wife Beryl Ann Toye, 70, of Baton Rouge, and Robert Lucky were named in a four-count indictment charging all three defendants with mail fraud and conspiracy to commit mail fraud. William and Beryl Toye pleaded guilty to conspiring to defraud collectors of Clementine Hunter paintings by misrepresenting the authenticity and origin of the paintings and were both sentenced to two years probation and ordered to pay \$426,393 in restitution.

The artist, Clementine Hunter, was an African-American folk artist who lived in Natchitoches Parish, La. Ms. Hunter began painting in the late 1930s and continued to paint until a few days before her death on January 1, 1988. The value of Ms. Hunter's paintings vary and are actively sold on the open art market.

U. S. Attorney Stephanie A. Finley stated: "There is no doubt that Ms. Hunter was a gem of the State of Louisiana and our nation. Her artwork was her legacy to all of us. Robert Lucky and the Toye's not only committed fraud as it related to her paintings, but they also diminished her legacy, all for greed. We hope this case serves as a deterrence to those who are involved in similar activities. It is incumbent upon all citizens of Louisiana to protect the wonderful art shared with us by our native artists. With the conclusion of this case, a question that began over 40 years ago has finally been answered. A special thank you goes out to the prosecutors and agents who worked tirelessly to make sure that justice was served in this case. We hope the focus can now be on the great work of Clementine Hunter and trying to make the victims in this case whole."

The case was investigated by the Special Agent Randolph J. Deaton, IV, Federal Bureau of Investigation, Alexandria Resident Agency, and is being prosecuted by First Assistant United States Attorney Alexander C. Van Hook and Assistant United States Attorney Cytheria D. Jernigan.

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