



U.S. Department of Justice

**Terrence Berg
United States Attorney
Eastern District of Michigan**

***Suite 2001
211 West Fort Street
Detroit, Michigan 48226-3277***

**For Immediate Release:
Contact: Gina Balaya (313) 226-9758**

June 12, 2009

Event: Guilty Plea

Defendant: Kevin Rucinski

Roscommon Man Sentenced for Illegal Importation of Endangered Species

Kevin Rucinski, 49, was sentenced to six months home confinement with a tether as part of an 18 month term of probation as a resulting from his guilty plea to a violation of the Endangered Species Act, United States Attorney Terrence Berg announced.

Rucinski was sentenced yesterday by United States District Judge Thomas Ludington in Bay City, Michigan. Judge Ludington also ordered Rucinski to pay restitution in the amount of \$5,000, and a fine of \$15,000 to be credited to the Lacey Act Reward Account.

Information presented to the court at the time of the plea established that in January of 2006, a package sent from Hong Kong and addressed to Kevin Rucinski at his dental office in Roscommon, Michigan, was intercepted at a United Parcel Service hub facility in the United States. The label on the package indicated that the package contained stationery. Inspection of the package by the U.S. Fish and Wildlife Service (USFWS) revealed that the package contained dried butterflies. An agent of the USFWS personally contacted the defendant, explained that importation of the butterflies was a violation of the Endangered Species Act,

issued a violation notice to Rucinski, and directed the defendant to a website where he could learn about the laws and regulations governing the importation and exportation of fish and wildlife. Rucinski paid the fine for the violation notice and forfeited the contents of the intercepted package.

Nevertheless, Rucinski continued to buy and import dried insects, including butterflies listed in the Convention on International Trade in Endangered Species of Wild Fauna or Flora, and also spiders, beetles, and mollusks shells. Between October of 2005 and November of 2006, he made over a 1,000 successful bids for such items at auction on eBay, mostly by sellers from outside of the United States. At times Rucinski purchased lots of 600 specimens of a few butterfly species; at other times he paid \$150 for a single, dried butterfly. He received imported shipments of those items on a weekly basis, if not more frequently, at his office without filing a Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177) with the USFWS, nor obtaining an Import/Export License from the Service. Though Rucinski paid over \$15,000 for the wildlife in those shipments, he evaded the \$55 per package importation fee, as well as the then \$100 license fee, at a cost to the United States of over \$5,000.

The United States Fish and Wildlife Service is the primary federal agency charged with enforcing the provisions of the Endangered Species Act (ESA). That Act protects endangered and threatened animals and plants, and their habitats.

Additionally, in an effort to monitor the global trade in wildlife, the ESA requires that all wildlife and wildlife products are declared when imported to, or exported from the United States.

U.S. Attorney Berg said, "The Endangered Species Act is not limited to the importation of endangered and threatened wildlife and plants, but rather applies to all wildlife and plants imported into the United States. The declaration requirement serves multiple purposes, among which are detecting illicit trafficking in endangered and threatened species, and protecting the United States from the introduction of harmful species. I commend the agents of the Fish and Wildlife Service for their work on this case."

This case was investigated by agent of the Fish and Wildlife Service and prosecuted by Assistant United States Attorney Janet Parker.

For more information visit the U.S. Fish and Wildlife Service website: www.fws.gov .