



Bulletin

Environmental Crimes Section

July 2022

Inside this Issue:

<u>Indictments</u>	5-6
<u>Guilty Pleas</u>	7-13
<u>Sentencings</u>	14-29
<u>ECS Contacts</u>	30

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“The defendants in this case recklessly violated regulations designed to protect the environment and then tried to hide their actions,” said Kimberly Bahney, Special Agent in Charge, of EPA’s Criminal Enforcement Program in Louisiana. “This sentencing demonstrates that we will hold violators responsible for breaking our environmental laws.” From [press release](#) following the sentencing of the nation’s largest dredging company. Aerial photo, above, shows oil slick resulting from pipeline rupture. See [U.S. v. Great Lakes Dredge & Dock Company](#), below, for more details on this case.



District/Circuit	Case Name	Statutes
Middle District of Alabama	<u>United States v. William C. Easterling, et al.</u>	Game Bird Fighting/Animal Welfare, Conspiracy, Gambling, MBTA
Southern District of Alabama	<u>United States v. Cuong Duc Bui</u>	Fish Trafficking/Lacey Act
Central District of California	<u>United States v. Starlite Reclamation Environmental Services, Inc., et al.</u>	Wastewater Disposal/CWA
Southern District of California	<u>United States v. Jaime Gomez Gonzalez</u> <u>United States v. Paulo Cesar Silva</u> <u>United States v. Sofia Mancera Morales, et al.</u>	Pesticide Smuggling/Conspiracy, Smuggling
District of Colorado	<u>United States v. Pro Diesel Inc., et al.</u>	Emissions Tampering/CAA
Middle District of Florida	<u>United States v. Jimmy W. Hammonds</u>	Monkey Sale/Conspiracy, ESA
Middle District of Georgia	<u>United States v. Shelly Johnson, et al.</u>	Dog Fighting/Animal Welfare, Conspiracy
Northern District of Georgia	<u>United States v. Amin Ali</u>	Hazardous Waste Disposal/RCRA
District of Idaho	<u>United States v. Colten R. Ferdinand, et al.</u>	Eagle Killing/BGEPA
Northern District of Indiana	<u>United States v. Michelle M. Rousseff-Kemp</u>	Hazardous Waste Shipments/False Statement, RCRA
District of Kansas	<u>United States v. Terri Settle, et al.</u>	Chemical Manufacturer/CAA



District/Circuit	Case Name	Statutes
Eastern District of Louisiana	<u>United States v. David Guidry III</u> <u>United States v. Brandon Wall</u> <u>United States v. Great Lakes Dredge & Dock Company, LLC, et al.</u>	Dog Fighting/Animal Welfare Act Oil Spill/OCSLA Pipeline Rupture/CWA
Middle District of Louisiana	<u>United States v. Dangelo Dontae Cornish</u>	Dog Fighting/Animal Welfare Act
Eastern District of Michigan	<u>United States v. FCA IIS LLC</u>	Emissions Tampering/Conspiracy
District of Montana	<u>United States v. Signal Peak Energy, LLC, et al.</u>	Mine Operations/Conspiracy, MSHA, Wire Fraud
District of New Jersey	<u>United States v. Paul Andrecola</u>	Pesticide Sales/FIFRA
Western District of New York	<u>United States v. Vanessa Rondeau</u> <u>United States v. Paul R. Heil</u>	Wildlife Product Sales/Lacey Act Lead Paint Disclosure/TSCA
Western District of North Carolina	<u>United States v. Laddie D. McMillian, et al.</u> <u>United States v. Matthew S. Geouge, et al.</u>	Dog Fighting/Animal Welfare, Conspiracy Emissions Tampering/Conspiracy, CAA, Tax
Northern District of Ohio	<u>United States v. David B. Huff</u> <u>United States v. Wayne Robert Banks, Jr.</u>	Eagle Killing/BGEPA Boat Scuttling/RHA, Refuse Act
Southern District of Ohio	<u>United States v. Brian Liming</u>	Wildlife Officer Shooting/Firearms



District/Circuit	Case Name	Statutes
District of Oregon	<u>United States v. Darren D. Drake</u>	Scorpion Mailing/Conspiracy, Lacey Act
Middle District of Pennsylvania	<u>United States v. First Capital Insulation, Inc., et al.</u>	Demolition Project/CAA
District of South Carolina	<u>United States v. Doc Antle, et al.</u> <u>United States v. Brian T. Rogers</u>	Wildlife Trafficking/Conspiracy, Lacey Act, Money Laundering Asbestos Abatement/CAA
District of Utah	<u>United States v. Samuel J. Webster</u> <u>United States v. Michael E. Yellow</u>	Animal Torture/Animal Crush Eagle Killing/BGEPA
District of Vermont	<u>United States v. Wayne Bailey, et al.</u>	Boat Scuttling/NWRA
District of Virgin Islands	<u>United States v. Ionian Management, Inc., et al.</u>	Vessel/APPS, Obstruction
Western District of Washington	<u>United States v. Christopher Cox</u>	Vehicle Smuggling/CAA, Smuggling



Indictments

***United States v. David Guidry, III*, No. 2:22-CR-00132 (E.D. La.), ECS Trial Attorney Matt Evans, AUSA Jon Shih, and ECS Law Clerks Amanda Backer and Nate Borelli.**

On June 30, 2022, prosecutors charged David Guidry, III, with seven counts of possessing animals in an animal fighting venture, in violation of the Animal Welfare Act (7 U.S.C. § 2156(b)).

Among evidence obtained in the investigation, law enforcement surveilled other dog fighters via Title III wiretaps and discovered dog fights hosted on Guidry's property. Law enforcement agents executed a search warrant on Guidry's property, finding seven pit bulls, several deconstructed dog fighting rings, and paraphernalia used to train fighting dogs.

The U.S. Department of Agriculture Office of Inspector General and the Federal Bureau of Investigation conducted the investigation.

***United States v. Doc Antle, et al.*, No. 4:22-CR-00580 (D.S.C.), ECS Senior Trial Attorney Patrick Duggan, AUSAs Derek A. Shoemake and Amy Bower, and ECS Paralegal Jillian Grubb.**

On June 30, 2022, a grand jury returned a 10-count indictment charging the following individuals with violating the Lacey Act, the Endangered Species Act (ESA), conspiracy to commit money laundering, and substantive money laundering charges: Bhagavan Mahamayavi Antle, aka Kevin Antle, aka Doc Antle; Andrew Jon Sawyer aka Omar Sawyer; Meredith Bybee, aka Moksha Bybee; Charles Sammut; and Jason Clay (16 U.S.C. §§ 3372(a)(2), (d)(2), 3373(d)(1)(B), (d)(3)(A); 18 U.S.C. §§ 371, 1956(a)(3)(A), (B)).

Antle owns and operates The Institute for Greatly Endangered and Rare Species (T.I.G.E.R.S.), also known as the Myrtle Beach Safari. The Myrtle Beach Safari is a 50-acre wildlife tropical preserve in Myrtle Beach. Sawyer and Bybee are Antle's employees and business associates. Sammut owns and operates Vision Quest Ranch, a for-profit corporation that housed captive exotic species and sold tours and safari experiences to guests. Clay owns and operates the Franklin Drive Thru Safari, a for-profit corporation that also housed captive exotic species and sold tours.

Between 2018 and 2019, Antle, Bybee, Sammut, and Clay illegally trafficked in wildlife (including lemurs, cheetahs, and a chimpanzee) and falsified records in violation of the ESA and the Lacey Act. Antle and Sawyer also laundered more than \$500,000 in cash received from an operation to smuggle illegal immigrants from Mexico into the United States. Antle used bulk cash receipts to purchase animals for which he could not use checks. Antle further planned to conceal the cash he received by inflating tourist numbers at the Myrtle Beach Safari.

The Federal Bureau of Investigation and the U.S. Fish and Wildlife Service conducted the investigation.



Indictments

***United States v. Samuel J. Webster*, No. 1:22-CR-00068 (D. Utah), AUSAs Melina Shiraldi and Karen Fojtik.**

On June 8, 2022, prosecutors charged Samuel J. Webster with 23 counts related to torturing four guinea pigs obtained from pet supply stores. Webster was charged with 18 felony counts of distributing animal crush videos on YouTube, one felony count of creating an animal crush video, and four felony counts of animal crushing (18 U.S.C § 48(a)(3)). Trial is scheduled to begin on August 15, 2022.

Webster bought four guinea pigs from pet stores in October 2021. Shortly thereafter, he posted 23 videos to multiple YouTube accounts showing him torturing the animals. He also posted graphic comments with the videos.

The Federal Bureau of Investigation conducted the investigation.

***United States v. Laddie D. McMillian, et al.*, No. 1:22-CR-00045 (W.D.N.C.), ECS Senior Trial Attorney Banu Rangarajan, ECS Trial Attorney William Shapiro, and AUSA Don Gast.**

On June 7, 2022, a grand jury returned a 12-count indictment charging Laddie D. McMillian and Derrick Twitty with participating in an animal fighting venture (18 U.S.C. §§ 317, 49; 7 U.S.C. §§ 2156(a)(1), 2156(b)).

Between May 2017, and February 2022, the defendants sponsored, exhibited, trained, bred, transported, and received pit bull-type dogs used to participate in animal fighting ventures. Evidence includes multiple communications between the two and others, through which they shared graphic video of fight events, pictures of the injured dogs, and descriptions of the events. In addition to training, fighting, and breeding the dogs, the defendants acquired veterinary medicines in an attempt to treat the animals themselves, to avoid scrutiny of a veterinarian.

The U.S. Department of Agriculture Office of the Inspector and the Polk County Sheriff's Office conducted the investigation.



Guilty Pleas

***United States v. Terri Settle, et al.*, No. 21-CR-10074 (D. Kans.), ECS Senior Trial Attorney R.J. Powers, AUSA Alan Metzger, and ECS Paralegal Jillian Grubb.**

On June 30, 2022, Terri Settle pleaded guilty to a Clean Air Act (CAA) false statement charge (42 U.S.C. §§ 7413(c)(1), (c)(2)).

Settle worked for Airosol Company, Inc. Airosol manufactures and packages aerosol and liquid products for a variety of industries, including automotive, janitorial, and electrical maintenance. During production, Airosol uses several chemical compounds regulated under Section 7412(r) of the CAA. The company failed to create and implement a risk management plan (RMP) to prevent or minimize any accidental releases of hazardous substances from its facility.

As the Airosol's environment coordinator, Settle was responsible for preparing and filing the company's RMP report with the Environmental Protection Agency every five years beginning in 2000. Each report she prepared and filed by Settle falsely represented that Airosol had instituted or revised a detailed RMP when, in fact, no such program existed. The court sentenced Airosol to pay a \$100,000 fine, complete a three-year term of probation, to including implementing a comprehensive RMP.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.

***United States v. Amin Ali*, No. 4:22-CR-00015 (N.D. Ga.), AUSA Christopher Huber.**

On June 22, 2022, Amin Ali pleaded guilty to violating the Resource Conservation and Recovery Act (RCRA), for illegally storing hazardous waste (42 U.S.C. § 6928(d)(2)(A)). Sentencing is scheduled for September 20, 2022.

Ali owned and controlled Goldstar Investment Group, LLC (Goldstar), 7 Days Property Management, Inc., and Rock Springs Farming, LLC (Rock Springs). Goldstar purchased a warehouse, formerly owned by a chemical company. Rock Springs owned a farming property, with several old chicken houses.

In August 2021, Ali arranged for more than 100 drums and other containers of chemicals, including many containing hazardous waste, moved from the Goldstar property to the Rock Springs property. Workers left some of the drums in one of the old chicken houses, with others placed in an open trench for burial. Some of the drums leaked and spilled onto the surrounding soil.

Neither Ali, Goldstar, or Rock Springs possessed a RCRA permit to treat, store, transport, or dispose of hazardous waste. Subsequent testing of the drums and soil revealed benzene, lead, and/or chromium.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Guilty Pleas

***United States v. Cuong Duc Bui*, No. 1:22-CR-00100 (S.D. Ala.), ECS Trial Attorney Christopher Hale and AUSA Michael Anderson.**

On June 22, 2022, Cuong Duc Bui pleaded guilty to violating the Lacey Act for illegally trafficking in fish (16 U.S.C. §§ 3372(a)(2)(A), (a)(4), 3373(d)(1)(B)). Sentencing is scheduled for September 22, 2022.

In 2018, Bui operated a grocery store in Columbus, Georgia, known as “S Mart.” Bui sold a variety of items, including live blue crabs and finfish, without proper licensing. Bui purchased fish from recreational, or otherwise unlicensed, fishermen

to supply his store. Federal fisheries agents initiated an undercover investigation after learning about Bui’s activities.

From February through July 2018, a confidential informant (CI) sold Bui (either directly or through an employee) hundreds of pounds of red snapper that Bui knew was caught by unlicensed fishermen. Bui even joked about going to jail, advising that, if the CI gets pulled over, he should just tell the police that he was bringing fish to a relative’s party.

Six of the undercover sales took place in a parking lot in the Southern District of Alabama. After transferring the red snapper to his van, Bui drove it back to the S Mart in Columbus, Georgia.

The National Oceanic and Atmospheric Administration Office of Law Enforcement conducted the investigation.



Bui illegally selling red snapper

***United States v. David B. Huff*, No. 5:22-mj-08001 (N.D. Ohio), AUSA Brad Beeson.**

On June 21, 2022, David B. Huff pleaded guilty to violating the Bald and Golden Eagle Protection Act (16 U.S.C. § 668(a)). Sentencing is scheduled for October 11, 2022.

On October 7, 2021, Huff shot and killed a bald eagle with a rifle. Huff owns farmland and several fields in Tuscarawas County and routinely inspects his land for the pests and rodents. During one of these inspections, Huff shot and killed a bald eagle. After shooting the bird, Huff discarded it near the tree line of a bordering field.

The U.S. Fish and Wildlife Service conducted the investigation, with assistance from the Ohio Department of Natural Resources Division of Wildlife.



Guilty Plea

United States v. Ionian Management, Inc., et al., No. 1:19-CR-00009 (D.V.I.),
ECS Senior Trial Attorney Kenneth Nelson and AUSA Kim Chisholm.

On June 16, 2022, Ionian Management, Inc., (Ionian M.) pleaded guilty to violating the Act to Prevent Pollution from Ships (APPS) for authorizing the use of non-compliant fuel. Sentencing is scheduled for October 19, 2022. The court previously sentenced Ionian Shipping & Trading Corp. (Ionian ST) and Lily Shipping Ltd. (Lily) to each pay \$1.5 million, complete four-year terms' of probation, and implement environmental compliance plans. The companies pleaded guilty to violating APPS and obstruction of justice related to the burning of dirty fuel on the *M/T Ocean Princess*. The court previously rejected the plea agreement with Ionian M (18 U.S.C. § 1505; 33 U.S.C. § 1908).

In July 2018, U.S. Coast Guard inspectors boarded the *Ocean Princess* in St. Croix to conduct a routine Port State Control inspection. The inspection revealed that the vessel was using high-sulfur diesel fuel as it transited through, and operated within, the U.S. Caribbean Emission Control Area (ECA). MARPOL Annex VI and related Environmental Protection Agency regulations prohibit the use of high-sulfur fuel within the ECA. Ionian M, a New York City-based company, authorized the transfer of high-sulfur diesel fuel from the ship's cargo tanks to be used as bunker for the main engine, generators, and auxiliary equipment. Lily and Ionian ST, Greece-domiciled companies owned and operated the ship, respectively. The ship had been violating the ECA by using high-sulfur fuel since January 2016.

During the Coast Guard inspection, the Chief Mate, Rey Espulgar, instructed lower level crewmembers to lie to the inspectors about where the ship took on its fuel. The Master, Stamatios Alekidis, would email Ionian M. and request authorization to transfer high-sulfur diesel cargo to be used as fuel. After Ionian M. authorized the transfer, Alekidis would inform Espulgar and the Chief Engineer, Athanasios Pittas, about the authorization and Espulgar and Pittas carried out the transfer. Espulgar falsified the oil record book (ORB), Part II, by failing to log that cargo had been transferred to the engine room. Pittas falsified the ORB, Part I, by indicating that the bunkers had actually been loaded from a shore-side facility in St. Martin, French West Indies (F.W.I.). Pittas created fictitious Bunker Delivery Notes indicating the bunkers had originated in St. Martin, F.W.I. and would have it counter-signed by an employee of a fuel depot in St. Martin, F.W.I.

The U.S. Coast Guard conducted the investigation.



Guilty Plea

***United States v. Brandon Wall*, No. 2:21-CR-00001 (E.D. La.), AUSAs Spiro G. Latsis and J. Ryan McLaren.**

On June 14, 2022, Brandon Wall pleaded guilty to violating the Outer Continental Shelf Lands Act related to an incident on an oil platform in the Gulf of Mexico (43 U.S.C. § 1350(c)(3)). Sentencing is scheduled for October 4, 2022.

Wall worked as a foreman on an oil platform known as Grand Isle 43AA (GI-43AA). In December 2017, the GI-43AA experienced sand buildup problems with its filtration systems. After the crew notified Wall about the problem, he instructed the operators to keep the platform “flowing” instead of shutting down to repair or replace the filtration systems. Wall also told the operators to bypass the platform’s safety systems, which would have automatically “shut-in” the platform. Operators knew that putting safety systems in bypass made the platform less safe and increased the risk of a pollution event. The platform operated in this manner for close to a month.

On January 25, 2018, the platform discharged oil and other hazardous substances into the Gulf, causing a sheen. Operators informed their supervisors, including Wall, who eventually alerted authorities of the discharge.

The U.S. Environmental Protection Agency Criminal Investigation Division, and the Department of the Interior Office of Inspector General Energy Investigations Unit conducted the investigation.

***United States v. Paul Andrecola*, No. 1:01-CR-00204 (D.N.J.), ECS Senior Trial Attorney Adam Cullman, ECS Trial Attorney Matt Evans, and ECS Law Clerk Maria Wallace.**

On June 8, 2022, Paul Andrecola pleaded guilty to charges stemming from his illegally manufacturing and selling various disinfectant products. Sentencing is scheduled for October 11, 2022.

During the pandemic, Andrecola sold disinfectants, claiming he registered them with the Environmental Protection Agency and were approved for use against COVID-19. However, none of this was true. Andrecola stole another company’s EPA Registration Numbers to falsely claim that his product was EPA-approved to kill COVID-19, created dozens of false documents to support his claims, and used the misbranding and fraudulent statements to induce more than 150 sales worth more than \$2.7million.

Andrecola pleaded guilty to violating the Federal Insecticide, Fungicide, and Rodenticide Act, wire fraud, and making or presenting a false, fictitious or fraudulent claim to the United States (7 U.S.C. § 136j(a)(1)(A); 18 U.S.C. §§ 1343, 287).

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation, with assistance from EPA Office of Inspector General, Homeland Security Investigations, the Defense Criminal Investigative Service, the Naval Criminal Investigative Service, and the Mount Laurel Police Department.



Guilty Plea

United States v. First Capital Insulation, Inc., et al., No. 1:20-CR-00020 (M.D. Pa.), ECS Senior Litigation Counsel Howard Stewart, SAUSA Patricia Miller, and ECS Paralegal Claudia Garin.

On June 7 and June 8, 2022, First Capital Insulation, Inc. (FCI), and Francis Richard Yingling, Jr., respectively, pleaded guilty to violating the Clean Air Act Asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP) regulations stemming from an illegal asbestos abatement project at a former weaving mill property located in Berwick, Pennsylvania (42 U.S.C. § 7413(c)(1)). The Berwick Area School District (BASD) purchased the property to demolish and build a new elementary school. A jury acquitted co-defendants Dennis Lee Charles, Jr., M & J Excavation, Inc. (M&J), and John A. Sidari, Jr.

BASD hired Lobar, Inc., as the general contractor. Lobar assigned Charles, an experienced construction superintendent, as the on-site manager. Lobar also hired two subcontractors: Sidari and his company, M & J Excavation, Inc., to conduct the demolition after abating the asbestos and Yingling and his company FCI, to handle the abatement. Yingling assigned Ty Allen Barnett as the on-site asbestos crew supervisor. FCI has a history of asbestos violations with the U.S. Environmental Protection Agency (EPA) and the Occupational Safety and Health Administration.

In February 2015, EPA received information regarding illegal asbestos removal activity at the Berwick facility. Inspectors observed a number of NESHAP work practice violations on-site. FCI and Yingling pleaded guilty to violating the CAA on the eve of trial; Lobar and Barnett previously pleaded guilty. Lobar is scheduled for sentencing on July 20, 2022, and Barnett is set for August 26, 2022.

The U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Guilty Plea

United States v. William C. Easterling, et al., No. 2:21-CR-00455 (M.D. Ala.), ECS Trial Attorney Leigh Rende, ECS Senior Trial Attorney Gary Donner, and ECS Paralegals Sam Goins and John Taylor.

On June 3, 2022, Thomas Glyn Williams, Kassi Brook Easterling, and Amber Nicole Easterling entered guilty pleas in this case arising from a large-scale gambling and cockfighting operation. The court scheduled all three for sentencing on September 29, 2022 (18 U.S.C. §§ 371, 1955; 49(a); 7 U.S.C. § 2156; 16 U.S.C. §§ 703, 706, 707).

Amber Easterling aided and abetted others in sponsoring and exhibiting roosters in a cockfighting derby on January 23, 2021. She worked at a merchandise stand at the Easterling family's cockfighting pit where she sold cockfighting knives, including a \$200 set of knives to an undercover agent. She also worked in the office inside the pit arena, accepting money from attendees who placed bets, and entering their roosters to fight in the derby.

Kassi Easterling pleaded guilty to conspiring to commit acts in violation of the Animal Welfare Act's animal fighting venture prohibition. She sold cockfighting instruments at a merchandise stand between January 2018 and June 2021. She also purchased cockfighting knives from a co-conspirator in Mexico. Kassi supported the L&L Gamefarm operation, a bird breeding business on her property. She shipped birds from the Gamefarm through the U.S. Mail, and deposited proceeds from their sale into a bank account she co-owned with a co-conspirator.

Thomas Glyn Williams aided and abetted others in sponsoring, exhibiting and possessing roosters in a cockfighting derby on January 23, 2021. Williams provided security at the pit gate and collected entrance fees. Between May 2018 and June 2021, Williams also assisted with the Swift Creek Gamefarm operation, by feeding, maintaining and shipping birds via U.S. Mail.

Co-defendants William Colon Easterling, Brent Colon Easterling, William Tyler Easterling, and George William Easterling, are scheduled for trial to begin on August 9, 2022.

The U.S. Department of Agriculture Office of Inspector General and Homeland Security Investigations conducted the investigation.



Guilty Plea

***United States v. FCA US LLC*, No. 2:19-CR-20626 (E.D. Mich.), ECS Senior Trial Attorney Todd Gleason; Trial Attorneys Jason M. Covert, Kyle W. Maurer, Michael P. McCarthy, and Assistant Chief Michael T. O'Neill of the Criminal Division's Fraud Section; White Collar Unit Chief John K. Neal and AUSA Timothy J. Wyse; and ECS Law Clerks Maria Wallace and Amanda Backer.**

On June 3, 2022, FCA US LLC (FCA US), formerly Chrysler Group LLC, pleaded guilty to conspiring to defraud U.S. regulators and customers, agreeing to pay a criminal fine of \$96,145,784 and forfeit \$203,572,892. The company made false and misleading representations about the design, calibration, and function of the emissions control systems on more than 100,000 Model Year 2014, 2015, and 2016 Jeep Grand Cherokee and Ram 1500 diesel vehicles. The company further made erroneous claims about the vehicles' fuel efficiency and compliance with U.S. emissions standards. Specifically, FCA pleaded guilty to conspiracy to defraud the United States, commit wire fraud, and violate the Clean Air Act (18 U.S.C. § 371).

In approximately 2010, FCA US developed a 3.0-liter diesel engine for use in FCA US's Jeep Grand Cherokee and Ram 1500 vehicles (the Subject Vehicles/SVs) for sale in the United States. FCA US designed a specific marketing campaign to market these vehicles to U.S. customers as "clean EcoDiesel" vehicles with best-in-class fuel efficiency.

However, FCA US installed software features in the SVs and engaged in other deceptive practices intended to meet the required emissions standards, and avoid regulatory scrutiny, while maintaining features (including fuel efficiency, service intervals, and performance) to make them more attractive to consumers,

Specifically, FCA US purposely calibrated the emissions control systems on the SVs to produce less NOx emissions during testing, instead of under normal driving conditions. The company further attempted to conceal the emissions impact and function of the emissions control systems from U.S. regulators and customers by (a) submitting false and misleading applications to U.S. regulators to obtain authorization to sell the vehicles, (b) making false and misleading representations to U.S. regulators both orally and in writing and (c) making false and misleading representations to consumers in advertisements and on vehicle window labels, stating that the SVs complied with U.S. emissions requirements, had best-in-class fuel efficiency as measured by EPA testing, and were equipped with "clean EcoDiesel engine[s]" that reduced emissions.

In related cases, prosecutors indicted three FCA employees, Emanuele Palma, Sergio Pasini, and Gianluca Sabbioni, for conspiring to defraud the United States and to violate the Clean Air Act, making false statements and six CAA counts (18 U.S.C. §§ 371, 1001, 1349; 42 U.S.C. § 7413).

The Federal Bureau of Investigation and the U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Sentencings

***United States v. Jaime Gomez Gonzalez*, No. 2:21-CR-02667 (S.D. Calif.), ECS Senior Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On June 30, 2022, a court sentenced Jaime Gomez Gonzalez to complete a two-year term of probation and pay \$900 in restitution. Gonzalez pleaded guilty to smuggling charges (18 U.S.C. § 545). Authorities apprehended Gonzalez in August 2021, after he attempted to smuggle 17 one-liter bottles of Taktic, an illegal Mexican pesticide, into the United States.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

***United States v. Paulo Cesar Silva*, No. 3:21-CR-01853 (S.D. Calif.), ECS Senior Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On June 30, 2022, a court sentenced Paulo Cesar Silva to complete a two-year term of probation and pay \$1,085 in restitution. Silva previously pleaded guilty to smuggling (18 U.S.C. § 545). Authorities apprehended Silva in June 2021, as he attempted to smuggle 36 one-liter bottles of "Bovitraz," an illegal Mexican pesticide, into the United States.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.

***United States v. Brian Liming*, No. 1:21-CR-00032 (S.D. Ohio), ECS Senior Trial Attorney Adam Cullman and ECS Paralegal Claudia Garin.**

On June 29, 2022, a court sentenced Brian Liming to nine years and 364 days of incarceration, followed by three years' supervised release.

Liming pleaded guilty to illegally possessing a firearm with which he used to unintentionally shoot an Ohio wildlife officer (18 U.S.C. § 922(g)(9)). Liming is a "prohibited person" under § 922(g)(9) because of a past conviction for a crime of domestic violence.

On December 20, 2020, Ohio Department of Natural Resources Officer (ODNR) Kevin Behr was investigating deer poaching in Clinton County, Ohio. ODNR placed a decoy deer off the side of a road on private property. Officer Behr positioned himself in the woods to observe illegal activity. Liming and two other individuals drove down the road and noticed the deer. The driver let Liming and the other passenger out of the vehicle at two different points along the road. Liming entered the woods with a shotgun and a thermal scope. Liming fired a shot that struck Officer Behr and fled the scene. Ohio prosecutors charged Liming for reckless endangerment. It is not believed he intended to shoot a

(Continued on page 15)



Sentencings

(Continued from page 14)

person.

Authorities apprehended Liming a short time later. He initially denied firing the shot, but then stated it was an accident. At the time of his arrest, Liming possessed a box of shotshells and a loose shotshell. Investigators recovered the shotgun used in the shooting, matching a spent shotshell to the ones Liming possessed. Authorities retrieved two additional firearms from Liming's truck, and recovered a fourth firearm (which Liming had lent to one of the other individuals).

The U.S. Bureau of Alcohol, Tobacco, Firearms & Explosives conducted the investigation.

***United States v. Pro Diesel Inc.*, No. 1:22-CR-00062; *United States v. McDermid Sales & Service*, No. 1:22-CR-00065; *United States v. Endrizzi Diesel, LLC*, No. 1:22-CR-00064 (D. Colo.), AUSA Rebecca S. Weber and SAUSA Linda S. Kato.**

On June 29, 2022, a court sentenced a second diesel shop in this case involving tampering with diesel truck emissions control systems. Endrizzi Diesel, LLC, will complete a three-year term of probation (to include enacting a compliance plan), will pay a \$110,000 fine (with \$55,000 held in abeyance upon successfully completing probation) and pay \$110,000 towards a community service project. The project will help the Walnut Grove, Missouri, school district purchase cleaner school buses. On June 14, 2022, a court sentenced Pro Diesel to complete a three-year term of probation (to include enacting a compliance plan), pay a \$77,500 fine (with \$38,750 held in abeyance upon successfully completing probation), and pay \$77,500 towards a community service project. The project will fund a training program at a local community college for diesel mechanics. McDermid Sales & Service is scheduled for sentencing on August 5, 2022. All three companies pleaded guilty to conspiring to violate the Clean Air Act (CAA) for altering emissions control systems on Class 8, commercial heavy-duty diesel trucks and semi-trucks (42 U.S.C. § 7413(c)(2)(C)).

The defendants own garages and/or fleets of trucks in three different states: Pro Diesel is located in Des Moines, Iowa; McDermid is located in Oconto Falls, Wisconsin; and Endrizzi operates out of Bolivar, Missouri. The defendants disabled hardware emission controls (including diesel particulate filters and catalytic converters) on Class 8 heavy duty semi-trucks. To complete the process, they hired a garage located in Colorado that specialized in remotely "tuning," or overriding, the on-board diagnostic (OBD) computer software systems. OBD functions include monitoring hardware emission controls on vehicles to ensure that they are operating properly. As such, OBDs qualify as "monitoring devices" under the CAA. The defendants tampered with monitoring devices by hiring the Colorado garage to tune the OBDs, preventing them from detecting emission control malfunctions. In total, the defendants manipulated the OBDs on 126 vehicles.

The U.S. Environmental Protection Agency Criminal Investigation Division and the Colorado Office of the Attorney General conducted the investigation.



Sentencings

United States v. Starlite Reclamation Environmental Services, Inc., et al., No. 2:15-CR-00361 (C.D. Calif.), AUSAs Dennis Mitchell and Erik Silber.

On June 27, 2021, a court sentenced Christopher Jaramillo, president of Starlite Reclamation Environmental Services (Starlite), to pay a \$6,000 fine and complete a three-year term of probation. Jaramillo pleaded guilty to knowingly violating the Clean Water Act (CWA) (33 U.S.C. §§ 1317(d), 1319(c)(2)(A)).

Companies hired Starlite to treat and dispose of their industrial wastewater prior to discharging into the publicly owned treatment works (POTW). Between November 2014 and June 2015, Starlite employees, Fernando Torres and Andrew Hucks, former vice president Robert Conn, and Jaramillo, repeatedly and routinely discharged acidic wastewater into the POTW operated by the Inland Empire Utilities Agency, which flowed to a POTW operated by the Sanitation Districts of Los Angeles County. They discharged wastewater with an average pH of 3, below its permitted pH level of 5. The defendants tampered with monitoring devices by, among other things, placing pH probes into buckets of clean water.

Hucks and Torres pleaded guilty to negligently violating the CWA, but await sentencing. A court sentenced Conn in May 2021 to complete a four-year term of probation after pleading guilty to knowingly violating the CWA (33 U.S.C. § 1317(d), § 1319(c)(2)(A)). Starlite is scheduled for trial to begin on December 6, 2022.

The U.S. Environmental Protection Agency Criminal Investigation Division, the Inland Empire Utilities Agency, and the Sanitation Districts of Los Angeles County, conducted the investigation.

United States v. Wayne Robert Banks, Jr., No. 3:21-CR-00511 (N.D. Ohio), AUSA Jody King.

On June 27, 2022, a court sentenced Wayne Robert Banks, Jr., to one year and one day of incarceration (time-served) and three years' supervised release. Banks also will pay \$11,735 restitution to the U.S. Coast Guard. Banks pleaded guilty to destruction of a vessel, depositing refuse in navigable waters, obstructing navigable waters, and failing to mark or light a sunken vessel (18 U.S.C. § 2274; 33 U.S.C. §§ 407, 409, 411). Banks was under supervised release at the time of this offense. The court revoked the supervised release and ordered that he serve 12 months and 1 day, to run consecutive to the sentence on the new charges.

In October 2020, Banks sunk and destroyed a 24-foot Reinell boat within navigable channels of the Maumee River. Banks failed to immediately mark the sunken craft with a buoy, beacon, or light. He further disposed of refuse materials, including bottles, electronic equipment, batteries, cardboard and other garbage into the river.

The U.S. Coast Guard conducted the investigation.



Sentencings

***United States v. Signal Peak Energy, LLC, et al.*, Nos. 1:19-CR-00159, 1:21-CR-00079, 00080 (D. Mont.), AUSAs Colin M. Rubich, Zeno B. Baucus, and Timothy Tatarka.**

On June 22, 2022, a court sentenced Dale Lee Musgrave to pay a \$20,000 fine and complete a three-year term of probation. Musgrave, a vice president of underground operations at the Signal Peak mine, pleaded guilty to conspiring to submit false statements in mine records (18 U.S.C. § 371).

Signal Peak Energy, LLC, (SPE) was sentenced in January 2022 to pay a \$1 million fine, complete a three-year term of probation (to include implementing an environmental compliance plan) and pay \$400 in restitution to injured worker Gaylen Monson. This underground coal mine operator previously pleaded guilty to four counts of willfully violating the Mine Safety and Health Act (MSHA) (30 U.S.C. § 802(d)).

The SPE prosecution is part of a broad corruption investigation into mine mismanagement and operations that resulted in worker safety and environmental convictions, as well as embezzlement, tax evasion, bank fraud, money laundering, drugs, and firearms violations. Convicted mine officials include: Larry Wayne Price, Jr., a former vice president of surface operations, sentenced to prison for defrauding companies out of \$20 million; and Zachary Ruble, former surface mine manager, sentenced to probation for conspiring to defraud SPE of \$2.3 million.

Other cases include: Stephen P. Casher, a former Rocky Mountain Bank loan officer, sentenced to prison and fined on bank fraud and money laundering charges for a loan scheme involving Price; James and Timilynn Kisling, owners of Kisling Quality Builders, sentenced to probation and fined for evading taxes in a scheme involving the construction of Price's residence; Nevada resident Mark Luciano, sentenced to prison for conviction on trafficking cocaine; and Todd Alan Irwin, Price's secretary, sentenced to probation as a felon-in-possession of firearms. Robert Wayne Ramsey, owner of Peters Equipment Company, pleaded guilty to wire fraud for an equipment sales' scheme and was ordered to pay a \$50,000 fine and \$246,268 in restitution.

Between 2013 and 2018, SPE routinely violated MSHA health and safety standards while operating the mine, in addition to environmental and worker safety standards. These violations also occurred with the full knowledge, direction, and participation of the mine's most senior management during that period, including the president and CEO, the vice president of surface operations, the vice president of underground operations, and the safety manager.

During the summer of 2013, SPE's senior managers directed mine employees to improperly dispose of mine waste by pumping it into abandoned sections of the mine. This waste, known as "slurry," consisted of wastewater, chemicals, and unprocessed soil

(Continued on page 18)



Sentencings

(Continued from page 17)

containing heavy metals (including arsenic and lead). Mine employees pumped this slurry into an abandoned section of the mine for approximately two weeks, until the section was full. Disposing of mine waste in this manner required MSHA and EPA approval, which SPE did not obtain.

During the spring of 2015, SPE commissioned the drilling of two bore holes through the ground leading to another abandoned section of the mine. SPE obtained a permit to inject water into the ground through the bore holes, but this permit did not allow for slurry waste disposal. Senior mine managers directed employees to pump more slurry through the bore holes for approximately six weeks. They stopped pumping after the slurry breached seals between the abandoned mine works and the operating mine, causing flooding in the active mine.

In January 2018, SPE failed to report an employee injury. While moving equipment in the mine, "John Doe 1's (JD1)" crushed his finger, requiring amputation. JD1 and the safety manager were on their way to the hospital when JD1 received a phone call from the underground operations vice president (VP). The VP pressured JD1 to not report the injury as work related, saying it would be "worth his while." The safety manager dropped JD1 at the hospital (rather than accompanying him pursuant to mine policy). JD1 told hospital staff that he hurt himself at home. As a result, he received an envelope containing \$2,000 from the VP.

In May 2018, SPE failed to report another injured worker. This employee (John Doe 2-JD2), was working in the underground portion of the mine when rock fell onto his head, causing a severe laceration. The shift manager immediately called the safety manager to take JD2 to the hospital. Instead, the safety manager drove JD2 home, where he waited until the next morning to seek medical attention. JD2 told hospital staff that a shelf fell on his head in his garage. Doctors treated JD2 and he returned to work for his next scheduled shift; however, his injuries prevented him from working for several days following the accident. Management subsequently charged JD2 vacation leave.

The Internal Revenue Service, the Federal Bureau of Investigation, and the U.S. Environmental Protection Agency Criminal Investigation Division conducted the investigation.



Sentencings

United States v. Darren D. Drake, No.1:22-CR-000063 (D. Ore.), AUSA John C. Brassel.

On June 22, 2022, a court sentenced Darren D. Drake to pay a \$5,000 fine and complete a two-year term of probation. Drake pleaded guilty to conspiring to violate the Lacey Act and to causing the mailing of poisonous animals, insects, and reptiles (18 U.S.C. § 371).

Between September 4, 2017 and March 21, 2018, Drake imported and exported dozens of live scorpions to and from contacts in Germany without obtaining an import-export license. Drake falsely labeled a package intercepted by Customs as containing “chocolates.” Drake also mailed or received several hundred live scorpions from other U.S. states, including Michigan and Texas, in violation of federal mailing laws.

The U.S. Fish and Wildlife Service, with assistance from Customs and Border Patrol and the U.S. Postal Inspection Service, conducted the investigation.



Pill bottles containing scorpions

United States v. Brian T. Rogers, No. 8:21-CR-00618 (D.S.C.), AUSA Winston Holliday.

On June 22, 2022, a court sentenced Brian T. Rogers, d/b/a Rogers Environmental, LLC, to pay a \$25,500 fine, complete a three-year term of probation, to include the first six months on an overnight curfew, and perform 100 hours of community service. Rogers pleaded guilty to violating the Clean Air Act and making a false statement (18 U.S.C. § 1001; 42 U.S.C § 7413(c)(2)(A)).

In May 2018, Rogers performed an asbestos inspection for Mavin Construction on the Anderson University campus. In his inspection report, Rogers denied finding any asbestos-contaminated material. He also claimed that a lab conducted Transmission Electron Microscope (TEM) analysis, but that the lab had failed to document those results. South Carolina regulations require TEM analysis on one sample of any non-friable, organically bound material that tests negative under Polarized Light Microscopy (PLM) analysis.

A Southeast Environmental Microbiology Laboratories (SEEML) Lab Technician stated that Rogers initially requested TEM analysis, but opted for PLM instead when asked how quickly he needed the results. Per Rogers’ request, the technician changed the analysis on the chain of custody form, by marking out “TEM” and writing “PLM” in its place. TEM analysis costs more and takes longer, because it has to go to another lab for analysis.

Based upon Roger’s report, subcontractors began demolishing the property. On June 20, 2018, while removing flooring from a bathroom, Wilma’s Petroleum and Demolition (WPD) suspected that floor tile and black mastic under the top layer of flooring

(Continued on page 20)



Sentencings

(Continued from page 19)

contained asbestos. The following day, Rogers returned to the site to collect two samples, reporting back to Mavin that the lab had not detected any asbestos in those samples. WPD decided to submit its own set of samples to the lab from the same tile and mastic. The lab provided a report showing eight percent asbestos in one sample and two percent in the other sample. After state environmental agents confronted Rogers with this evidence, he admitted using his computer to change the lab results for the samples he submitted, and giving Mavin the falsified document.

During a subsequent interview with federal agents in March 2020, Rogers claimed ignorance as to the absence of TEM testing and why the lab changed the analyses to PLM. He also sent a follow-up email to those agents saying: "Will reiterate, don't remember why lab didn't run the TEM samples on the floor glue. Don't remember why we didn't have them run."

The U.S. Environmental Protection Agency Criminal Investigation Division and the South Carolina Department of Health and Environmental Control conducted the

United States v. Matthew S. Geouge, et al., Nos. 1:21-CR-00075-00077, 00096 (W.D.N.C.), AUSA Steven Kaufman.

On June 22, 2022, a court sentenced Matthew S. Geouge to one year and one day of incarceration for conspiring to violate the Clean Air Act (CAA) by selling more than 14,000 illegal devices that defeat required vehicle emissions control systems, also known as "defeat devices." Geouge will complete a three-year term of supervised release (to include six months' home confinement), and pay a civil penalty of \$1.3 million to the Environmental Protection Agency (EPA), and \$1.2 million in restitution to the Internal Revenue Service (IRS). Geouge also pleaded guilty to evading taxes (18 U.S.C. § 371; 42 U.S.C. § 7413(c)(2) (C); 26 U.S.C. § 7201).

The court previously sentenced Geouge's co-conspirators for their roles in the scheme: John A. Slagel was sentenced to pay a \$150,00 fine, complete a three-year term of probation, to include six months' home confinement, and perform 100 hours of community service. Joshua L. Davis was ordered to pay a \$50,000 fine, complete a three-year term of probation, to include six months' home confinement, and perform 80 hours of community service. Spade K. Bailly will pay a \$10,000 fine, complete a three-year term of probation, to include six months' home confinement, and perform 100 hours of community service.

Between approximately 2008 and January 2017, Geouge and his companies obtained devices ("tuners") that defeat vehicle's emissions control systems. Individuals load software ("tunes") onto tuners designed for particular vehicles. For automatic transmission vehicles, Geouge pre-loaded tunes onto the tuners, and sold them to customers. For manual transmission vehicles, he directed customers to his website to download tunes for themselves.

Beginning in 2012, Slagel worked for and eventually owned the company that

(Continued on page 21)



Sentencings

(Continued from page 20)

manufactured the tuners. Davis and Bailly conspired with Geouge and created other companies that sold tuners manufactured by Slagel's company with Geouge's tunes installed on them. In total, the co-conspirators sold more than 14,000 illegal tuners, worth millions of dollars.

The EPA issued a notice of violation to Geouge in 2015. However, Geouge continued to sell and service illegal devices. Geouge also evaded paying a penalty owed to the EPA, and taxes owed to the IRS, by having another individual receive the income he earned from the sale of the illegal devices.

The U.S. Environmental Protection Agency Criminal Investigation Division and the Internal Revenue Service Criminal Investigations conducted the investigation.

United States v. Michelle M. Rousseff-Kemp, No. 1:21-CR-00074 (N.D. Ind.), ECS Trial Attorney Stephen Foster, ECS Senior Counsel Kris Dighe, AUSA Sarah Nokes, SAUSA David Mucha, and ECS Paralegal Sam Goins.

On June 16, 2022, a court sentenced Michelle M. Rousseff-Kemp to pay a \$5,500 fine and complete a two-year term of probation. Rousseff-Kemp pleaded guilty to making and using a false document and illegally storing hazardous waste (18 U.S.C. § 1001(a)(3)); 42 U.S.C. § 6928(d)(2)(A)).

Rousseff-Kemp was the president and owner of an environmental services company located in Fort Wayne, Indiana. Neither Rousseff-Kemp nor the company possessed a permit to store hazardous waste. In June 2018, Rousseff-Kemp's company picked up a shipment of hazardous waste from Company B. In November 2018, Company B requested a copy of the shipment's hazardous waste manifest. Rousseff-Kemp asked one of her employees to sign the name of a representative of the treatment, storage, and disposal (TSD) facility on the manifest. When the employee refused, Rousseff-Kemp forged the signature herself. She then sent a copy of the falsified manifest to Company B. The manifest contained false information purporting to show that the hazardous waste was delivered to the TSD facility on July 15, 2018, and signed for by a representative of the TSD facility on that date. In truth, the waste remained stored by Rousseff-Kemp's company.

Additionally, between March 2019 and June 2019, Rousseff-Kemp illegally stored hazardous waste at her company's facility and elsewhere. During this time, she directed an individual to move the hazardous waste to an off-site location after learning that the Indiana Department of Environmental Management was planning to inspect her company's facility.

The U.S. Environmental Protection Agency Criminal Investigation Division, the Department of Transportation Office of Inspector General, and the Indiana Department of Environmental Management, Office of Criminal Investigations conducted the investigation.



Sentencings

United States v. Colten R. Ferdinand et al., No. 1:21-CR-00183 (D. Idaho), AUSA Peter Wucetich.

On June 15, 2022, a court sentenced Colten R. Ferdinand and Wyatt G. Noe for illegally taking a golden eagle, in violation of the Bald and Golden Eagle Protection Act (16 U.S.C. § 668(a)). Both will complete two-year terms of probation and perform 15 hours of community service related to wildlife conservation. The court banned them from hunting or possessing firearms while under supervision. Noe will forfeit his rifle, pistol, and ammunition. He also will pay \$3,000 in restitution to the Idaho Fish and Game Department (IFGD). Ferdinand will forfeit his rifle, ammunition, and two Streamlight flashlights and pay \$3,800 in restitution to the IFGD.



Golden eagle shot by defendants

In March 2021, agents from the IFGD, the U.S. Fish and Wildlife Service, and the Bureau of Land Management initiated an investigation following reports of multiple dead golden eagles and hawks (including red tail, ferruginous, and rough-legged hawks) found under a power line near the Morley Nelson Snake River Birds of Prey National Conservation Area. Investigators collected ammunition casings from the scene and confirmed the raptors had been shot.

On April 10, 2021, while surveilling the area, agents observed Ferdinand and Noe driving near the conservation area, using powerful hand-held lights as they shot at raptors.

The Idaho Fish and Game Department, the U.S. Fish and Wildlife Service, and the Bureau of Land Management Office of Law Enforcement and Security conducted the investigation.



Sentencings

United States v. Great Lakes Dredge & Dock Company, LLC, et al., Nos. 2:21-CR-00008, 00056 (E.D. La.), AUSA Nicholas Moses.

On June 14, 2022, a court sentenced Great Lakes Dredge & Dock Company, LLC (Great Lakes), the nation's largest dredging company, to pay a \$1 million fine for causing an oil spill. The company pleaded guilty to negligently causing the discharge of a harmful quantity of oil into a navigable water of the United States, in violation of the Clean Water Act (CWA) (33 U.S.C. §§ 1319(c)(1)(A), 1321(b)(3)).

On September 5, 2016, Great Lakes employee James Tassin negligently discharged 6,000 gallons of oil into Bay Long near the Chenier Ronquille barrier island. The spill took place after Tassin's supervisors instructed him to perform unauthorized digging with a marsh buggy near a pipeline. Great Lakes failed to alert federal authorities or the pipeline company in spite of working near the pipelines for several months.

After digging for multiple days, Tassin removed the mud cover from the top of the underwater pipeline before eventually striking it, causing it to rupture. The ensuing oil spill resulted in a cleanup overseen by the Coast Guard that included more than 140 workers, 36 boats, 11 skimmers and 12,000 feet of spill containment boom. Tassin pleaded guilty to violating the CWA, and is scheduled for sentencing on August 16, 2022.

The U.S. Environmental Protection Agency Criminal Investigation Division, the Department of Transportation Office of Inspector General, and the Department of Commerce Office of Inspector General conducted the investigation.

United States v. Vanessa Rondeau, No. 22-CR-00005 (W.D.N.Y.), AUSA Aaron Mango.

On June 10, 2022, a court sentenced Vanessa Rondeau to pay a \$40,000 fine, three days' time-served, one year of supervised release, and pay \$1,364 in restitution to the U.S. Fish and Wildlife Service. Rondeau pleaded guilty to violating the Lacey Act for trafficking in wildlife (16 U.S.C. §§ 3372(a)(1), 3373(d)(1)(B)).

Rondeau falsely labelled and trafficked polar bear skulls she sold through her business, the



Gash in pipeline



Wildlife items seized as defendant attempted to enter Canada

(Continued on page 24)



Sentencings

(Continued from page 23)

Old Cavern Boutique, to an undercover wildlife agent (UA).

Rondau, a Canadian national, resides in Montreal, Quebec, Canada. In December 2019, she posted an advertisement offering to sell a polar bear skull for \$750. The UA purchased the skull in January 2020, and Rondau mailed it to him from a post office located in the United States near the Canadian border.

In January 2021, Rondau posted another advertisement offering to sell a polar bear skull for \$699. The UA purchased this polar bear skull from the defendant, who mailed it directly from Canada to the UA in the United States. Knowing she was breaking the law, she shipped the skull from Canada to the United States, marking the package as a "gift" rather than a "sale."

Agents arrested Rondau in May 2021, as she attempted to cross the border from Vermont into Canada. She possessed numerous undeclared wildlife items, including crocodilian skulls and feet, a three-toed sloth, shark jaws, and a human skull.

The U.S. Fish and Wildlife Service and Homeland Services Investigations conducted the investigation, with assistance from Environment and Climate Change Canada, Homeland Security Investigations, and U.S. Customs and Border Protection.

***United States v. Dangelo Dontae Cornish*, No. 3:21-CR-00078 (M.D. La.), ECS Trial Attorneys Matt Evans and Christopher Hale, AUSA Lyman Thornton, III, and ECS Law Clerks Amanda Backer and Nate Borelli.**

On June 9, 2022, a court sentenced Dangelo Dontae Cornish to 14 months' incarceration, followed by two years' supervised release. Cornish is banned from possessing dogs while under supervision.

Cornish pleaded guilty to possessing five dogs for use in an animal fighting venture (7 U.S.C. § 2156(b)). He is one of several defendants charged in the Middle and Eastern Districts of Louisiana as part of Operation Nefarious.

Among evidence obtained in the investigation, law enforcement surveilled Cornish via Title III wiretaps and executed a search warrant on his residence. The wiretaps revealed numerous conversations between Cornish and another defendant regarding gambling on dog fights, breeding fighting dogs for dog fighting ventures, prices for fighting dogs, and stakes for upcoming fights. Cornish possessed five pit bulls and a cache of dog fighting paraphernalia.

The U.S. Department of Agriculture Office of Inspector General and Federal Bureau of Investigation conducted the investigation.



Sentencings

***United States v. Michael E. Yellow*, No. 2:18-CR-00470 (D. Utah), AUSA Melina Shiraldi.**

On June 9, 2022, a court sentenced Michael E. Yellow to 46 months' incarceration for violating the Bald and Golden Eagle Protection Act and felon in possession of a weapon (16 U.S.C. § 668(a); 18 U.S.C. § 922 (g)(1)). Yellow also must forfeit a .22 caliber rifle along with a rifle scope, ammunition, four golden eagle carcasses, and other golden and bald eagle remains and feathers, located on his property. The court noted that Yellow killed approximately 80 eagles and hawks, for pecuniary gain.



Eagle remains

Between August 2014 and August 2015, Yellow took ten bald or golden eagles without a permit. Yellow used a rifle to shoot the birds, which is illegal as a convicted felon.

The U.S. Fish and Wildlife Service conducted the investigation, with assistance from the Ute Tribal Police.

***United States v. Paul R. Heil*, No. 1:21-mj-05130 (W.D.N.Y.), AUSA Aaron Mango.**

On June 8, 2022, a court sentenced Paul R. Heil to pay a \$15,000 fine and complete a one-year term of probation. Heil pleaded guilty to violating the Toxic Substances Control Act for aiding and abetting the failure to provide lead paint hazard warning notice (15 U.S.C. §§ 2615(b), 2689).

Heil worked as a property manager acting on behalf of Williamsville Property Holdings LLC, a.k.a. Williamsville Properties. Between December 2015 and May 2018, Heil and the company knew that a two-family house built in 1905 in Buffalo contained lead-based paint. In April 2018, and again in June 2020, Heil and Williamsville Properties leased the residence. The lead disclosure statement he gave the tenants falsely affirmed that the landlord "has no knowledge of lead-based paint and/or lead-based paint hazards in the housing," and "has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing."

The U.S. Environmental Protection Agency Criminal Investigation Division, and the Department of Housing and Urban Development Office of Inspector General, conducted the investigation, with assistance from the New York State Attorney General's Office.



Sentencings

***United States v. Jimmy W. Hammonds*, No. 8:20-CR-00401 (M.D. Fla.), AUSAs Colin McDonell and Lisa M. Thelwell.**

On June 8, 2022, a court sentenced Jimmy W. Hammonds, aka “the Monkey Whisperer” to pay a \$90,000 fine into the Lacey Act Reward Fund and complete a five-year term of probation, to include eight months’ home confinement. Hammonds pleaded guilty to conspiring to violate the Lacey Act and substantive violations of the Endangered Species Act (18 U.S.C. § 371; 16 U.S.C. §§ 1538(a)(1), 1540(b)(1)).

Hammonds owned and operated The Monkey Whisperer, LLC, a wildlife breeding and selling business. Between September 2017 and February 2018, Hammonds conspired to sell a capuchin monkey to a celebrity in California, Chris Brown, who did not possess the required documents to legally own a primate. Brown paid more than \$12,000 for the animal. Law enforcement later seized that capuchin monkey from Brown’s California residence.

Hammonds illegally sold endangered cotton-top tamarins to buyers in Alabama, South Carolina, and Wisconsin. To conceal his unlawful wildlife trafficking, Hammonds submitted false records to a law enforcement officer and attempted to persuade a witness to lie to an official by saying that he had purchased the animals at a flea market.

The U.S. Fish and Wildlife Service, the Florida Fish and Wildlife Conservation Commission, and the California Department of Fish and Wildlife conducted the investigation.

***United States v. Shelly Johnson, et al.*, No. 5:22-CR-00011 (M.D. Ga.), ECS Senior Trial Attorney Banu Rangarajan, AUSA Will Keyes, and ECS Law Clerk Amanda Backer.**

On June 7, 2022, a court sentenced Shelley Johnson to serve the maximum guideline sentence of 37 months in prison, followed by three years’ supervised release, and pay a \$25,000 fine. Johnson is the 12th defendant prosecuted as part of an extensive investigation into a dog fighting and cocaine distribution network spanning three states. Johnson pleaded guilty to conspiring to participate in an animal fighting venture (18 U.S.C. §§ 371, 49; 7 U.S.C. §§ 2156(a)(1), 2156(b)).

Between May 2019 and February 2020, law enforcement investigated a criminal enterprise engaged in both cocaine distribution and organized dog fighting. The organization’s criminal activities were based out of Roberta, Georgia, and extended into the Northern District of Georgia, Florida, and Alabama.

Between December 2019 and February 2020, Johnson communicated with co-conspirator Jarvis Lockett about fighting and breeding dogs, dogs mauled and killed as a result of fighting, sharpening a dog’s teeth for fighting purposes, cash prizes for fights, and various topics detailing the business and the brutality of dog fighting. Johnson also attended a dog fight and participated as a handler during the fight.

(Continued on page 27)



Sentencings

(Continued from page 26)

In February 2020, agents executed 15 residential search warrants and seized more than 150 dogs used for organized dog fighting. They seized 13 of the dogs from Johnson's Macon, Georgia, residence. Agents also recovered evidence of dog fighting including a digital scale, weighted collars, heavy chains, ground stakes, and a variety of medical supplies to treat animals for injuries sustained during fights.

In January 2021, the court unsealed a 136-count indictment charging 11 individuals with drug and animal welfare violations (21 U.S.C. §§ 841, 844, 846; 7 U.S.C. §§ 2156(a)(1), (b); 18 U.S.C. §§ 49, 371.)

The U.S. Drug Enforcement Administration, The U.S. Department of Agriculture Office of the Inspector General, the U.S. Marshals Service, the Georgia Bureau of Investigation, the Bibb County Sheriff's Office, the Crawford County Sheriff's Office, the Houston County Sheriff's Office, the Merriweather County Sheriff's Office, the Peach County Sheriff's Office, the Taylor County Sheriff's Office, the Webster County Sheriff's Office, the Byron Police Department, and the Fort Valley Police Department conducted the investigation.

***United States v. Sofia Mancera Morales, et al.*, No. 20-CR-03054 (S.D. Calif.), ECS Senior Trial Attorney Stephen DaPonte and AUSA Melanie Pierson.**

On June 6, 2022, a court sentenced Sofia Mancera Morales, the ringleader of a pesticide smuggling organization, to eight months' incarceration. The court further ordered her to pay \$7,497 in restitution to dispose of illegal pesticides, including Tactic and Bovitraz.

Between January 2020 and June 2021, Morales recruited individuals on Facebook, offering to pay between \$40 and \$150 for each box of six 1-liter bottles delivered to the United States. Morales directed her recruits to deliver the pesticides to a self-storage facility near the border in Calexico, after which she required that they send her photographs of the pesticides in the storage unit as proof of delivery prior to payment.

Morales paid recruits to lease self-storage units in their own names and instructed them to provide her with the keys. Recruits caught at the border with pesticides reported that they had seen items delivered by others in their self-storage units, including pesticides, veterinary medications, and alcohol. One recruit delivered almost 1,000 bottles of pesticides in a one-month period, while others advised that they had delivered pesticides several times per week.

Co-defendant Laura Orellana was sentenced to 92 days' time-served, followed by one year of supervised release. She also will pay \$7,497 in restitution. Orellana pleaded guilty to conspiring to violate the Federal Insecticide, Fungicide and Rodenticide Act (18 U.S.C. § 371). Co-defendant Felipa Oliveros is scheduled for sentencing on September 19, 2022.

Those involved in clandestine marijuana grows use illegal pesticides to cultivate unregulated marijuana on both public and private land in the United States.

The U.S. Environmental Protection Agency Criminal Investigation Division and Homeland Security Investigations conducted the investigation.



Sentencings

United States v. Christopher Cox, No. 3:21-CR-05221 (W.D. Wash.), AUSA Cecelia Gregson.

On June 3, 2022, a court sentenced Christopher Cox to pay \$22,100 in restitution to the victims of a vehicle smuggling scheme. Cox was sentenced in January 2022, after pleading guilty to smuggling illegal goods into the United States, making false statements in violation of the Clean Air Act, and possessing child pornography (18 U.S.C. §§ 545, 2252; 42 U.S.C. §§ 7413 (c)(2)(A)).

Between approximately 2015 and January 2019, Cox illegally smuggled cars into the United States that failed to meet federal safety and environmental requirements. He falsified paperwork on two dozen vehicles he imported from overseas. Many of these light-weight vehicles did not meet U.S. safety standards. Cox used his mail carrier credentials to obtain a Transportation Worker Identification Credential ("TWIC") card. The TWIC card allows a person access to secure areas of the nation's maritime facilities and vessels. Cox had no legitimate reason to request this credential, and it gave him access to vehicles that he had ordered were offloaded, in order to move them off the port before they could be inspected by CBP. Cox forged paperwork including Department of Homeland Security seals, to falsely show that CBP had inspected the vehicles.

The total value of the imported vehicles exceeded \$55,000. During the course of this investigation, law enforcement executed a search warrant on the defendant's Google account and discovered files depicting minors engaged in sexual conduct.

The Department of Transportation Office of Inspector General, Homeland Security Investigations and the U.S. Environmental Protection Agency Criminal Investigations conducted the investigation, with assistance from U.S. Customs and Border Protection.



Sentencings

United States v. Wayne Bailey, et al., No. 2:22-CR-00016 (D. Vt.), AUSA Joseph Perella.

On June 2, 2022, a court sentenced Wayne Bailey and Louis Bates after they pleaded guilty to violating the National Wildlife Refuge Act by abandoning a junk boat and setting it adrift in the Missisquoi National Wildlife Refuge on the Missisquoi River (16 U.S.C. § 668dd(f)(1)). Bailey will pay \$684 in restitution and a \$300 fine and Bates will pay \$400 in restitution and a \$200 fine. The restitution reimburses the U.S. Fish and Wildlife Service (FWS) for boat disposal costs.



Abandoned Bayliner

In the summer of 2021, Bailey purchased a 19-foot Bayliner, circa 1989, for \$150. Shortly thereafter, Bailey removed and sold the engine. Rather than paying to properly dispose of the boat, Bailey decided set it adrift on the Missisquoi River. Bailey recruited Bates to tow the boat to the river.

During the evening of July 15, 2021, Bates towed the boat to Louie's Landing boat ramp on the Missisquoi National Wildlife Refuge, with Bailey following in his own vehicle. Bates backed the trailer into the river, and Bailey unhooked the boat to set it adrift. U.S. Fish and Wildlife personnel discovered the boat the following day, and spent more than \$1,000 for its proper disposal.

The U.S. Fish and Wildlife Service conducted the investigation.



Environmental Crimes Section Attorneys: (Main # 202-305-0321)

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Assistant Chief	Thomas Ballantine	202-305-0321
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Assistant Chief	Jennifer Whitfield	202-305-0321
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Senior Litigation Counsel	Richard Udell	202-305-0321
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Senior Trial Attorney	Adam Cullman	202-305-0321
Senior Trial Attorney	Stephen DaPonte	202-305-0321
Senior Trial Attorney	Gary Donner	202-305-0321
Senior Trial Attorney	Daniel Doohar	202-305-0321
Senior Trial Attorney	Patrick Duggan	202-305-0321
Senior Trial Attorney	Ethan Eddy	202-305-0321
Senior Trial Attorney	Todd Gleason	202-305-0321
Senior Trial Attorney	Jeremy Korzenik	202-305-0321
Senior Trial Attorney	Ken Nelson	202-305-0321
Senior Trial Attorney	RJ Powers	202-305-0321
Senior Trial Attorney	Banu Rangarajan	202-305-0321
Trial Attorney	Sarah Brown	202-305-0321
Trial Attorney	Mary Dee Carraway	202-305-0321
Trial Attorney	Matthew Evans	202-305-0321
Trial Attorney	Stephen Foster	202-305-0321
Trial Attorney	Christopher Hale	202-305-0321
Trial Attorney	Joel LaBissonniere	202-305-0321
Trial Attorney	Samuel (Charlie) Lord	202-305-0321
Trial Attorney	Matt Morris	202-305-0321
Trial Attorney	Shennie Patel	202-305-0321
Trial Attorney	Erica Pencak	202-305-0321
Trial Attorney	Leigh Rende	202-305-0321
Trial Attorney	William Shapiro	917-305-0321
Trial Attorney	Lauren Steele	202-305-0321