

Summary of Recent Wildlife Trafficking Enforcement Cases
Environment and Natural Resources Division, U.S. Department of Justice
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Black Market Trade in Rhinoceros Horn

The following cases are the result of “Operation Crash,” an ongoing multi-agency effort to detect, deter, and prosecute those engaged in the illegal killing of rhinoceros and the illegal trafficking of endangered rhinoceros horns.

United States v. Edward Levine (D. Nev.): On March 23, 2018, Edward N. Levine was sentenced to 27 months in prison followed by three years of supervised release for illegally selling two black rhinoceros horns in Las Vegas. Levine will be prohibited from wildlife and antique sales. Levine was convicted under the Lacey and Endangered Species Acts for conspiring to and knowingly selling the horns to an undercover agent from the United States Fish and Wildlife Service. Levine and co-defendant Lumsden Quan and Levine had negotiated the sale of two black rhinoceros horns by e-mail and telephone, ultimately communicating with an undercover agent. Levine offered to sell two horns for \$55,000 and agreed to meet the buyer in Las Vegas. Quan and Levine flew from California to complete the sale in a Las Vegas hotel room. Quan had been sentenced previously. <https://www.justice.gov/opa/pr/california-man-sentenced-27-months-prison-sale-black-rhinoceros-horns>

United States v. Guan Zong Chen (D. Mass.): On February 14, 2018, Chinese national Guan Zong Chen was sentenced to 19 months’ incarceration, which was time served, for leading a conspiracy to illegally export \$700,000 worth of endangered and protected wildlife items made from rhinoceros horn, elephant ivory, and coral from the United States to China. The court ordered him to forfeit the seized ivory and pay \$700,000 in substituted assets. Chen, who owned an antiques business in China, was previously arrested in Chengdu, China, and convicted in China in 2009 trafficking ivory carvings that had purchased in the United States. Unable to travel outside of China due to his conviction, Chen continued to traffic wildlife by procuring the help of others to smuggle wildlife merchandise to China that he purchased at U.S. auction houses located in California, Florida, Ohio, Pennsylvania, New York, and Texas. Jin Jie Yang, a Chinese national, and Carla Marsh, who owned a shipping business in Concord, Massachusetts, both aided Chen in his illegal activities. In December 2014, Yang pleaded guilty to his role in the conspiracy and was sentenced in May 2015 to time-served. Marsh pleaded guilty in May 2015 and was sentenced to one year of probation in April 2016.

United States v. Michael Hegarty (S.D. Fla.): On November 14, 2017, Irish national Michael Hegarty was sentenced to 18 months’ incarceration, followed by three years’ supervised release, for facilitating the transportation and concealment of a libation cup carved from an endangered rhinoceros horn that was illegally smuggled from the United States to Great Britain. In mid-April 2012, Hegarty and a co-conspirator joined a Miami resident to attend an auction in North Carolina where a second co-conspirator worked as the bidder, making a winning bid for a rhinoceros horn libation cup. After Hegarty and his first co-conspirator received the cup in Florida, the co-conspirator smuggled it out of the United States in his luggage. The co-conspirator, along with two other Irish nationals, was arrested in London, while attempting to

sell the cup to a Hong Kong native. Hegarty was arrested via an INTERPOL Red Notice and extradited to the United States from Belgium. His co-conspirator was convicted of unrelated charges in England, is currently incarcerated there, and will face wildlife trafficking charges in Florida.

United States v. Fengyi Zhou (E.D.N.Y.): On September 18, 2017, Fengyi Zhou was sentenced to 24 months' incarceration, followed by three years' supervised release, and ordered to pay a \$5,000 fine and \$112,133 in restitution, for illegally trafficking black rhinoceros horns. Zhou owned a business that specialized in Asian art. Between November 2010 and January 2011, he purchased approximately five uncarved rhinoceros horns from another Asian arts dealer in New York. Along with the horns, Zhou was given an "Endangered Species Bill of Sale," which informed him that four of the horns were purchased in Texas and unlawfully transported to New York. Zhou sold the horns to a Chinese associate in China for more than \$130,000.

Black Market Trade in Juvenile American Eels ("elvers")

The following cases are the result of "Operation Broken Glass," a multi-jurisdiction United States Fish and Wildlife Service (USFWS) investigation into the illegal trafficking of American eels.

United States v. William Sheldon et al. (D. Maine): On May 3, 2018, three men, William Sheldon, Timothy Lewis, and Thomas Reno, were sentenced to six months' incarceration, followed by three years' supervised release, for illegally trafficking juvenile eels. Sheldon will pay a \$10,000 fine and Lewis will pay \$2,500. Reno will complete a one-year term of probation, and Sheldon will further forfeit \$33,200 in lieu of a truck he used during the criminal acts. Both Sheldon and Lewis were prohibited from possessing a license to purchase or export elvers. The defendants bought, sold, and transported elvers, knowing that they had been taken, possessed, transported, and sold in violation of the laws and regulations of numerous states including New Jersey, Massachusetts, Rhode Island, and Connecticut. Sheldon and Lewis may not possess a license to purchase or export elvers as a special condition of their supervised release.

<https://www.justice.gov/opa/pr/maine-men-sentenced-illegally-trafficking-american-eels>

United States v. Timothy Lewis et al. (D. Maine): On May 3, 2018, Timothy Lewis was sentenced to serve 6 months incarceration, and to pay a \$2,500 fine. Lewis and William Sheldon previously pled guilty to Lacey Act trafficking violations. Charles Good pleaded guilty to aiding and abetting the illegal transport of juvenile American eels, or "elvers." Between 2011 and 2014, Sheldon purchased elvers (also called "glass eels") from individuals who he knew had harvested them illegally. He then transported those elvers to an exporter, who shipped them to Hong Kong and Korea to be raised to adulthood and sold for food. From 2012 to 2014, Lewis fished for elvers illegally, purchased glass eels that he knew had been harvested illegally, and arranged for their transport and export. Good, whose home served as a base of operations, conspired with Lewis to illegally harvest, transport, and sell elvers. Among those dealers is Thomas Choi, who pleaded guilty to related crimes in the District of Maine in 2016, and who was subsequently sentenced to six months' imprisonment for those offenses.

<https://www.justice.gov/opa/pr/two-men-indicted-illegally-trafficking-american-eels>

United States v. John Pinkham et al. (D. Maine): On February 1, 2018, John Pinkham and Michael Squillace were sentenced for their involvement in the trafficking of more than \$1.9 million worth of juvenile American eels, also known as “elvers.” Both will complete two-year terms’ of probation. Squillace will pay a \$5,000 fine and perform 300 hours of community service. Squillace also is jointly and severally liable (with another co-defendant) for \$70,500 in restitution to Massachusetts and the same to New Jersey, for a total of \$141,000. All previously pleaded guilty to violating the Lacey Act for trafficking elvers. Pinkham, Squillace, and their co-defendants illegally harvested, sold, transported, or exported elvers, knowing they had been harvested in violation of state law. Further, as a means of concealing the illegal sale and export of elvers, the defendants used Maine or Florida eel harvest licenses (theirs or others) to claim that they were obtained legally from Maine or Florida waters. Elver export declaration packages submitted to authorities included this false documentation used to disguise the illegal origins of the elvers and to facilitate their export from the United States.

United States v. Joseph Kelley et al. (D.N.J.): On January 18, 2018, Joseph Kelley and James Lewis were charged in a seven-count indictment with conspiracy, smuggling, and Lacey Act charges for their involvement in the illegal trafficking of juvenile eels. Between January 2013 and May 2014, Kelley, Lewis, and others bought, sold, and transported young eels, knowing that they had been taken, possessed, transported, and sold in violation of the laws and regulations of the States of New Jersey, Massachusetts, Rhode Island, Connecticut, and other states.

United States v. Tommy Water Zhou (E.D. Va.): On November 3, 2017, Tommy Water Zhou was sentenced to 18 months’ imprisonment for trafficking juvenile American eels in violation of the Lacey Act. In April 2017, Zhou pleaded guilty to violating the Lacey Act by trafficking more than \$150,361 worth of elvers in interstate commerce that had been harvested illegally in Virginia. Court documents indicate that Zhou trafficked at least 105 pounds of elvers, which is approximately 210,000 individual eels. Zhou subsequently sold these elvers to international buyers and exported them from the United States.

<https://www.justice.gov/opa/pr/maine-fisherman-sentenced-illegally-trafficking-american-eels-0>

Illegal Importation of Protected Species

United States v. Arongkron Malasukum (E.D. Tex.): On August 1, 2018, Arongkron “Paul” Malasukum was sentenced to nine months in prison to be followed by one year of supervised release for illegally trafficking parts from endangered African lions and tigers. Malasukum admitted that between April 9, 2015 and June 29, 2016, he purchased and exported from the United States to Thailand approximately 68 packages containing skulls, claws, and parts from endangered and protected species, with a total fair market value in excess of \$150,000. He admitted to purchasing a tiger skull from undercover agents and purchasing lion skulls from an auction house in Texas through the undercover agents. After the purchases, Malasukum shipped the tiger and lion skulls from Texas to his home in Woodside, New York. From New York, Malasukum shipped the skulls to Thailand for sale to a wholesale buyer.

<https://www.justice.gov/usao-edtx/pr/new-york-man-sentenced-prison-trafficking-endangered-lion-and-tiger-parts>

United States v. David Sommers (E.D. Pa.): In July 2018, a federal grand jury indicted David Sommers for trafficking in protected diamondback terrapins. The indictment charges Sommers with smuggling turtles and submitting false records for a package shipped to Canada and four violations of the Lacey Act for trafficking over 3,500 turtles in interstate commerce. The indictment alleges that throughout 2017 Sommers poached diamondback terrapins and their eggs from coastal marshes in New Jersey, and then sold them, in violation of the Lacey Act. The indictment also charges that in 2014, Sommers smuggled turtles to Canada and falsely labeled the package by claiming it contained a book. The United States seized over 3,400 diamondback terrapin hatchlings from Sommers' house in October and were able to return the hatchlings to their New Jersey native habitat. If convicted, Sommers faces a maximum sentence of 10 years' incarceration on the smuggling charge and five years for the Lacey Act violations. <https://www.justice.gov/opa/pr/pennsylvania-man-indicted-trafficking-turtles>

United States v. William McGinness et al. (E.D. La.): On May 31, 2018, five individuals (William McGinness, Paul Tallman, Rene Rizal, Wayne Andrews, and Alex Madriaga) were indicted for conspiracy to smuggle CITES-protected birds from the United States to Taiwan. The indictment alleges, among other things, that the co-conspirators created false statements and submitted them to the United States Fish and Wildlife Service (USFWS) in order to illegally export CITES-protected birds from the Port of New Orleans to Taiwan. The shipment included 90 CITES-protected birds, including parrots, macaws, cockatoos and corellas. Several of the birds were in crates that were falsely labeled. The USFWS seized 14 of the birds at the airport in Houston, Texas before they were exported. McGinness was also charged with smuggling birds to Taiwan and three counts of making and submitting false records under the Lacey Act, and Tallman also was charged with smuggling and one count of making and submitting false records under the Lacey Act.

<https://www.justice.gov/opa/pr/five-men-indicted-louisiana-conspiracy-smuggle-birds>

United States v. Tim Davis (W.D. Wash.): On July 13, 2017, Tim Davis was sentenced to complete a three-year term of probation, to include one month of home confinement. He also was ordered to pay a \$20,000 fine. Davis previously pleaded guilty to a Lacey Act violation for trafficking in ivory products made from sperm whales, elephants, and walrus. Davis advertised on internet sites such as Etsy, EBay, and Craigslist, offering to purchase and sell various ivory products. He sold ivory to buyers outside the U.S., particularly in Asia. To conceal his international transactions, Davis fraudulently labeled the ivory packages, stating that they contained "oxbone" products. He participated in approximately 74 transactions involving the purchase and sale of whale, elephant, and walrus ivory between May 2006 and June 2015. In May 2015, he sold an undercover agent a collection of sperm whale teeth for \$2,000, and purchased four walrus tusks from the agent in June 2015.

Other Illegal Trafficking

United States v. Travis Leger and Jason Leckelt (E.D. Tex.): On December 15, 2017, Travis Leger, his half-brother Jason Leckelt, and Rickey Simon sentenced to 21 months and 16 months in prison, respectively, followed by three years of supervised release for conspiring to violate the Lacey Act by illegally trafficking alligator snapping turtles. The third defendant in the case, Rickey Simon of Sulphur, Louisiana, was sentenced to three years of probation. As part of his guilty plea, Leger admitted to selling a live, illegally taken 171-pound turtle for \$1,000, and another live, illegally taken 168-pound turtle, for \$500 in May and June of 2016. The turtles were later seized by U.S. Fish and Wildlife Agents from the buyer. Simon admitted that he sold an illegally-trafficked, 120-pound turtle to an undercover Special Agent of the U.S. Fish and Wildlife Service on May 19, 2016. Leger admitted that the market value of all the turtles that he caught illegally in Texas and then sold in Louisiana during the course of the conspiracy was between \$40,000 and \$95,000. The market value of the turtles that were illegally trafficked by Leckelt was between \$15,000 and \$40,000. In July of 2016, Federal agents seized about 30 large turtles from ponds located at Leger's property in Sulphur, Louisiana, pursuant to a federal search warrant. As part of his guilty plea, Leger agreed to forfeit all of the seized turtles and will permit the U.S. Fish and Wildlife Service to return to his property, drain the ponds, and seize any turtles remaining in the ponds. All of the turtles seized by the government in this case will be cared for at the U.S. Fish and Wildlife Service Natchitoches Fish Hatchery in Louisiana and used as part of a breeding program to restock the species in its native waterways in the southwestern United States.

<https://www.justice.gov/usao-edtx/pr/two-brothers-sentenced-21-months-and-16-months-prison-illegally-trafficking-threatened>

United States v. Aristides Sanchez (D.P.R): On August 23, 2017, Aristides Sanchez pleaded guilty to two felony violations of the Lacey Act for collecting, purchasing, falsely labeling, and shipping protected marine invertebrate species as part of an effort to subvert Puerto Rican law designed to protect corals and other reef species. Sanchez was the owner of the Arecibo-based saltwater aquarium business, Wonders of the Reef Aquarium. A large part of the business was devoted to the sale of native Puerto Rican marine species that are popular in the saltwater aquarium trade. Sanchez sent live specimens to customers in the mainland United States and foreign countries by commercial courier services. One of the most popular items that Sanchez sent was an organism from the genus Ricordea. These animals are known as "rics," "polyps," or "mushrooms" in the aquarium industry. Ricordea form part of the reef structure and spend their adult lives fastened in place to the reef. These animals are colorful in natural light and appear to glow under the UV lights that are typically used in high-end saltwater aquariums. Sanchez sent approximately 130 illegal shipments of coral from Puerto Rico to other countries and the mainland U.S. between January 2013 and March 2016. The retail value of these shipments was between \$800,000 and \$1,200,000. Bail was set at \$160,000. Sentencing hearing has been reset for November 1, 2018.

<https://www.justice.gov/opa/pr/owner-arecibo-aquarium-business-pleads-guilty-two-federal-lacey-act-felonies-illicit>

United States v. Andrew A. Praskovsky (W.D. Mo.): On January 26, 2017, Andrew A. Praskovsky was sentenced to pay a \$5,000 fine, complete a two-year term of probation, and perform 250 hours of community service. Praskovsky previously pleaded guilty to a Lacey Act trafficking violation, and is the final defendant to be prosecuted in this multi-defendant scheme involving the illegal purchase and sale of paddlefish eggs. Arkadiy Lvovskiy, Dmitri Elitchev, Felix Baravik, Bogdan Nahapetyan, Fedor Pakhnyuk and Artour Magdessian pleaded guilty to Lacey Act trafficking violations and were sentenced to terms of probation. Petr Babenko was convicted by a jury of conspiracy and Lacey Act violations and also was sentenced to probation. In 2011 and 2012, the defendants travelled to Missouri, and engaged in numerous transactions with agents posing as fishermen for the purchase and sale of female paddlefish. They then processed the paddlefish eggs into caviar that was then transported to Colorado. The retail value of the caviar was estimated to be between \$30,000 and \$50,000.