

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

**FILED**  
VANESSA L. ARMSTRONG, CLERK

MAY 18 2016

U.S. DISTRICT COURT  
WEST'N. DIST. KENTUCKY

UNITED STATES OF AMERICA

v.

**DAVID Q. GIVHAN**

INDICTMENT

NO. 3:16 CR-57-H

18 U.S.C. § 1591(a)  
18 U.S.C. § 1591(b)(1)  
18 U.S.C. § 1594(a)  
18 U.S.C. § 1594(d)(1)  
18 U.S.C. § 1594(d)(2)  
18 U.S.C. § 2421  
18 U.S.C. § 2428  
28 U.S.C. § 2461

The Grand Jury charges:

COUNT 1

(Interstate Transportation for Prostitution)

In or around November 2014, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, defendant **DAVID Q. GIVHAN**, knowingly transported Jane Doe #1 and Jane Doe #2, two adult females whose identities are known to the Grand Jury, in interstate commerce from Michigan to Kentucky, with intent that Jane Doe #1 and Jane Doe #2 engage in prostitution.

In violation of Title 18, United States Code, Section 2421.

The Grand Jury further charges:

COUNT 2

(Sex Trafficking an Adult by Force, Fraud, or Coercion)

In or about and between October 2014, and March 2015, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, defendant **DAVID Q. GIVHAN**, in and

affecting interstate and foreign commerce, knowingly recruited, enticed, harbored, transported, provided, obtained, and maintained Jane Doe #1, an adult female, whose identity is known to the Grand Jury, knowing and in reckless disregard of the fact that means of force, threats of force, fraud, and coercion, and any combination of such means, would be used and were used to cause Jane Doe #1 to engage in a commercial sex act; and attempted to do so.

In violation of Title 18, United States Code, Sections 1591(a), 1591(b)(1), and 1594(a).

The Grand Jury further charges:

COUNT 3  
(Interstate Transportation for Prostitution)

On or about April 25, 2015, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, defendant **DAVID Q. GIVHAN**, knowingly transported Jane Doe #3, an adult female, whose identity is known to the Grand Jury, in interstate commerce from Michigan to Kentucky, with intent that Jane Doe #3 engage in prostitution.

In violation of Title 18, United States Code, Section 2421.

The Grand Jury further charges:

COUNT 4  
(Interstate Transportation for Prostitution)

On or about April 30, 2015, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, defendant **DAVID Q. GIVHAN**, knowingly transported Jane Doe #3, an adult female, whose identity is known to the Grand Jury, in interstate commerce from Michigan to Kentucky, with intent that Jane Doe #3 engage in prostitution.

In violation of Title 18, United States Code, Section 2421.

The Grand Jury further charges:

COUNT 5  
(Sex Trafficking an Adult by Force, Fraud, or Coercion)

In or about and between March 2015, and May 2015, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, defendant **DAVID Q. GIVHAN**, in and affecting interstate and foreign commerce, knowingly recruited, enticed, harbored, transported, provided, obtained, and maintained Jane Doe #3, an adult female, whose identity is known to the Grand Jury, knowing and in reckless disregard of the fact that means of force, threats of force, fraud, and coercion, and any combination of such means, would be used and were used to cause Jane Doe #3 to engage in a commercial sex act; and attempted to do so.

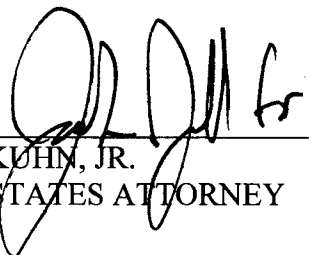
In violation of Title 18, United States Code, Sections 1591(a), 1591(b)(1), and 1594(a).

NOTICE OF FORFEITURE

If convicted of any violation of Title 18, United States Code, Section 2421, or Title 18, United States Code, Section 1591, as alleged in Counts 1 through 5 of this Indictment, defendant **DAVID Q. GIVHAN**, shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds obtained, directly or indirectly, as the result of the violation, and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation.

Pursuant to Title 18, United States Code, Sections 1594(d)(1), 1594(d)(2), and 2428, and  
Title 28, United States Code, Section 2461.

A TRUE BILL.



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JOHN E. KUHN, JR.  
UNITED STATES ATTORNEY

JEK:AEG

FOREPERSON

**PENALTIES**

Counts 1, 3, and 4: NM 10 yrs./\$250,000/both/NL 5 yrs./NM Life Supervised Release (each count)  
Counts 2 and 5: NL 15 yrs./NM Life/\$250,000/NL 5 yrs./NM Life Supervised Release (each count)  
Forfeiture

**NOTICE**

**ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.**

**SPECIAL ASSESSMENTS**

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

18 U.S.C. § 3014 requires that a special assessment of \$5,000 shall be imposed for each count of a conviction of certain offenses, including violations of 18 U.S.C. §§ 1591 and 2421, committed after May 29, 2015, in addition to the special assessment imposed by 18 U.S.C. § 3013.

**FINES**

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

**Failure to pay fine as ordered may subject you to the following:**

1. **INTEREST and PENALTIES** as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No **INTEREST** will accrue on fines under \$2,500.00.

**INTEREST** will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

**PENALTIES** of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a **LIEN** shall have the same force and effect as a tax lien.
3. Continuous **GARNISHMENT** may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

### RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

### APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

### PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court  
106 Gene Snyder U.S. Courthouse  
601 West Broadway  
Louisville, KY 40202  
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court  
120 Federal Building  
241 East Main Street  
Bowling Green, KY 42101  
270/393-2500

OWENSBORO: Clerk, U.S. District Court  
126 Federal Building  
423 Frederica  
Owensboro, KY 42301  
270/689-4400

PADUCAH: Clerk, U.S. District Court  
127 Federal Building  
501 Broadway  
Paducah, KY 42001  
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payment is made.

No. \_\_\_\_\_

**UNITED STATES DISTRICT COURT**

Western District of Kentucky  
Louisville Division

THE UNITED STATES OF AMERICA

vs.

DAVID Q. GIVHAN

**INDICTMENT**

Title 18 U.S.C. §§ 2421; 1591(a); 1591(b)(1);  
1594(a):

Interstate Transportation for Prostitution; Sex  
Trafficking an Adult by Force, Fraud, or  
Coercion.

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*A true bi*

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Filed in open court this 18th day, of May A.D. 2016.

\_\_\_\_\_  
*Clerk*

Bail, \$

**FILED**

YANESSA L. SMITH, CLERK  
WESTERN DISTRICT OF KENTUCKY

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WEST'N. DIST. KENTUCKY