


Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington.

APRIL 1 2015
WILLIAM M. McCOOL, Clerk
By  Deputy

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CR15 096 MJP
NO.

UNITED STATES OF AMERICA,

Plaintiff

INDICTMENT

v.

SHANE W. MOSES,

Defendant.

The Grand Jury charges that:

COUNT 1
(Violation of the Lacey Act)

1. On or about December 27, 2013, on the Tulalip Indian Reservation, within the Western District of Washington, and elsewhere, SHANE W. MOSES, the defendant, did knowingly engage in conduct that involved the offer of sale and purchase, and the intent to sell and purchase, wildlife with a market value in excess of \$350, and did knowingly transport, attempt to sell, and acquire said wildlife, knowing that the wildlife had been taken, possessed and transported in violation of, and in a manner unlawful under, the laws and regulations of the United States.

2. Specifically, while crabbing in or around the Tulalip Bay, defendant SHANE W. MOSES encountered two female adult bald eagles, wildlife protected by the

1 Bald and Golden Eagle Protection Act, Title 16, United States Code, Section 668(a), and
2 the Migratory Bird Treaty Act, Title 16, United States Code, Section 703. One of the
3 eagles weighed approximately 15 pounds ("Eagle 1"). The other weighed approximately
4 12 pounds ("Eagle 2"). SHANE W. MOSES clubbed each eagle in the head, causing the
5 immediate death of Eagle 1 and the eventual death of Eagle 2. SHANE W. MOSES
6 placed both eagles in a bucket, and once on land, transported both eagles to a prospective
7 purchaser with the intent to sell the eagles to the purchaser.

8 All in violation of Title 16, United States Code, Sections 3372(a)(1) and
9 3373(d)(1)(B).

10
11 **COUNT 2**

12 **(Taking of Bald Eagle in Violation of the Migratory Bird Treaty Act—Eagle 1)**

13 3. The Grand Jury incorporates the allegations of Paragraph 2 of this
14 Indictment as if fully set forth herein.

15 4. On or about December 27, 2013, on the Tulalip Indian Reservation, within
16 the Western District of Washington, and elsewhere, SHANE W. MOSES, with intent to
17 sell and to offer to sell, did knowingly pursue, hunt, take, capture, kill and possess,
18 migratory birds, to wit, a female bald eagle weighing approximately 15 pounds.

19 All in violation of Title 16, United States Code, Sections 703(a) and 707(b)(1).

20 **COUNT 3**

21 **(Taking of Bald Eagle in Violation of the Migratory Bird Treaty Act—Eagle 2)**

22 5. The Grand Jury incorporates the allegations of Paragraph 2 of this
23 Indictment as if fully set forth herein.

24 6. On or about December 27, 2013, on the Tulalip Indian Reservation, within
25 the Western District of Washington, and elsewhere, SHANE W. MOSES, with intent to
26 sell and to offer to sell, did knowingly pursue, hunt, take, capture, kill and possess,
27 migratory birds, to wit, a female bald eagle weighing approximately 12 pounds.

28 All in violation of Title 16, United States Code, Sections 703(a) and 707(b)(1).

FORFEITURE ALLEGATIONS

1
2 7. The allegations contained in Paragraphs 1-6 of this Indictment are hereby
3 re-alleged and incorporated herein for the purpose of alleging forfeitures to the United
4 States.

5 8. Upon conviction of the violations alleged in Count 1 of this Indictment, and
6 pursuant to Title 16, United States Code, Sections 3374(a)(1), 3374(a)(2) and 3374(c),
7 and the procedures outlined in Title 21, United States Code, Section 853, the defendant
8 shall forfeit to the United States (1) all wildlife imported, exported, transported, sold,
9 received, acquired, or purchased contrary to the provisions of Title 16, United States
10 Code, Section 3372, or any regulation issued pursuant thereto, and (2) all vehicles,
11 vessels and other equipment used to aid in the importing, exporting, transporting, selling,
12 receiving, acquiring, or purchasing of wildlife.

13 9. In addition, upon conviction of the violations alleged in Count 1 of this
14 Indictment, and pursuant to Title 16, United States Code, Sections 3374(a)(1), 3374(a)(2)
15 and 3374(c), and the procedures outlined in Title 21, United States Code, Section 853, the
16 defendant shall be liable for all costs incurred for the storage, care, and maintenance of
17 wildlife seized in connection with the alleged violations.

18 10. Upon conviction of the violations alleged in Counts 2 and 3 of this
19 Indictment, and pursuant to Title 16, United States Code, Section 707(d), the defendant
20 shall forfeit to the United States all equipment, vessels, and other means of transportation

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1 used by the defendant when engaged in pursuing, taking, killing, or attempting to take or
2 kill, any migratory bird, with the intent to offer said bird for sale, sell, or offer for barter.

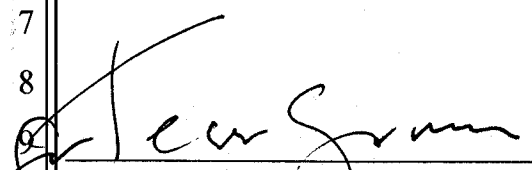
3
4 DATED:

4-1-15


5 A TRUE BILL:

6 (Signature of Foreperson redacted pursuant to
7 policy of the Judicial Conference)

8 FOREPERSON

9 
10 ANNETTE L. HAYES
Acting United States Attorney

11
12 
13 ANDREW FRIEDMAN
14 Assistant United States Attorney

15
16 
17 SETH WILKINSON
18 Assistant United States Attorney