

FILED

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

LEE JAY JOHNSON,
STEVEN JAMES PIQUE,
GERALD BRENT MORAN,
JOSHUA AARON MARSHALL,
JOHN MICHAEL PRITCHARD,

Defendants.)

CRIMINAL NO.

23-cr-40034-SMY

Title 18, United States Code,
Sections 2, 371, Title 16, United States
Code, Sections 3371, 3372

INDICTMENT

THE GRAND JURY CHARGES:

The following statements were true at all times relevant to this Indictment:

Legal FrameworkA. *The Lacey Act*

1. The Lacey Act Amendments of 1981, 16 U.S.C. § 3371 *et seq.* (hereinafter "the Lacey Act"), make it unlawful for any person to knowingly transport or sell in interstate commerce any wildlife which the person knows to have been taken, possessed, transported, or sold in violation of any law or regulation of any State. 16 U.S.C. § 3372(a)(2)(A). For Lacey Act purposes, the term "taken" means captured, killed, or collected. 16 U.S.C. § 3371(j)(1).

2. Under the Lacey Act, "wildlife" is defined to include any wild animal, including white-tailed deer, whether alive or dead, and including any part or product thereof. 16 U.S.C. § 3371(a).

3. Under the Lacey Act, it is deemed to be a sale of wildlife for any person, for money or other consideration, to provide guiding, outfitting, or other services, for the illegal taking, acquiring, receiving, transporting, or possessing of wildlife. 16 U.S.C. § 3372(c)(1).

B. Deer Hunting under Illinois Law

1. License Requirement

4. Illinois law makes it unlawful to hunt in the State without a valid hunting license. Non-residents are required to have a valid non-resident hunting license. Chapter 520, *Illinois Compiled Statutes*, Section 5/3.2. "Hunt" means the act of a person possessing a weapon...for the purpose of taking a covered species in any location such species may inhabit. Chapter 520, *Illinois Compiled Statutes*, Section 5/1.2k. "Take" means hunt, shoot, pursue, lure, kill, destroy, capture, gig or spear, trap or ensnare, harass, or to attempt to do so. Chapter 520, *Illinois Compiled Statutes*, Section 5/1.2o.

5. Illinois law makes it unlawful for any person attempting to take deer without first obtaining a Deer Hunting Permit issued by the Illinois Department of Natural Resources. Chapter 520, *Illinois Compiled Statutes*, Section 5/2.26.

6. Illinois law prohibits the possession of any species of wildlife or wildlife parts taken unlawfully in Illinois. Chapter 520, *Illinois Compiled Statutes*, Section 5/2.33(nn).

7. Illinois law prohibits the possession of any rifle while in the field during gun deer seasons. Chapter 520, *Illinois Compiled Statutes*, Sections 5/2.25 and 5/2.26.

8. Illinois law prohibits the use of the lights of any vehicle or conveyance, any light connected to any vehicle or conveyance, or any other lighting device or mechanism

from inside or on a vehicle or conveyance in any area where wildlife may be found, which includes, but not limited to, any device that uses active illumination. Chapter 520, *Illinois Compiled Statutes*, Section 5/2.33(i).

COUNT 1

CONSPIRACY TO VIOLATE THE LACEY ACT

9. Paragraphs 1 through 8 of this Indictment are hereby re-alleged and reincorporated as if fully set forth herein.

10. From about 2018 and continuing until February 2022, within the Southern District of Illinois, including in Massac, Jefferson, Union, Pope, and Clark Counties, and elsewhere, the defendants,

LEE JAY JOHNSON and STEVEN JAMES PIQUE and GERALD BRENT MORAN

and JOSHUA AARON MARSHALL

did knowingly and intentionally conspire, confederate, and agree, with each other and with other persons both known and unknown to the Grand Jury, to knowingly commit acts in violation of the laws of the United States, to wit: to knowingly engage in conduct involving the transport or sale of wildlife, namely white-tailed deer, with a market value in excess of \$350.00, by knowingly transporting said wildlife in interstate commerce between Illinois, Mississippi, and other states, knowing the wildlife to have been taken and possessed in violation of the laws and regulations of the State of Illinois, specifically, *Illinois Compiled Statutes*, Chapter 520, Sections 5/2.33(nn), 5/3.2, 5/2.26 and 5/2.33(i), all in violation of the Lacey Act, 16 U.S.C. § 3372(a)(2)(A) and 3373(d)(1)(B).

Manner and Means of the Conspiracy

11. During the period of time relevant to the charges in this Indictment, LEE JAY JOHNSON, STEVEN J. PIQUE, GERALD MORAN and JOSHUA A. MARSHALL employed the following manner and means to accomplish the object of the conspiracy:

- a. LEE JAY JOHNSON organized and led deer hunts from Mississippi to the Southern District of Illinois, to a number of locations and properties within the Southern District of Illinois.
- b. LEE JAY JOHNSON and others, including STEVEN J. PIQUE, and JOHN MICHAEL PRITCHARD would rent or lease cabins, rental properties, or hotel rooms, for the purpose of guiding and participating in white-tailed deer hunts.
- c. LEE JAY JOHNSON would provide transportation to other individuals, including STEVEN J. PIQUE, GERALD MORAN, JOSHUA A. MARSHALL, and JOHN MICHAEL PRITCHARD from Mississippi to various locations within the Southern District of Illinois, including Alexander, Massac, Johnson, Pope, and Clark Counties, for the purpose of hunting white-tailed deer.
- d. LEE JAY JOHNSON, and others known and unknown to the Grand Jury, would operate a motor vehicle, and drive through various locations within the above listed counties, all within the Southern District of Illinois, for the purpose of scouting white-tailed deer.
- e. LEE JAY JOHNSON, STEVEN J. PIQUE, GERALD MORAN, JOSHUA A. MARSHALL, and JOHN MICHAEL PRITCHARD would utilize spotlights

and other lighting to scout for deer in the darkness, and record or mark the locations of observed deer.

- f. LEE JAY JOHNSON, and others known and unknown to the Grand Jury, would retrieve a hidden or concealed rifle, supplied by LEE JAY JOHNSON, and return to the recorded or marked location of observed white-tailed deer, for the purpose of hunting and shooting those deer with the aid and use of a spotlight.
- g. During these hunts, LEE JAY JOHNSON encouraged and permitted STEVEN J. PIQUE, GERALD MORAN, JOSHUA A. MARSHALL, JOHN MICHAEL PRITCHARD, and himself, to take and possess white-tailed deer illegally, including by hunting without a valid license or permit, by hunting with the aid of lights from a vehicle or other conveyance, or by active illumination from other sources, and by the use of illegal equipment (a rifle).
- h. LEE JAY JOHNSON would pay in United States Currency others, including STEVEN J. PIQUE and GERALD MORAN, to retrieve illegally hunted, shot, and killed deer for the purpose of collection and transportation.
- i. At times, LEE JAY JOHNSON and others, including JOHN MICHAEL PRITCHARD would harvest and salvage parts of the illegally hunted white-tailed deer, including meat, heads, skulls, caps, and antlers, for the purpose of transporting those materials to Mississippi, where LEE JAY JOHNS, STEVEN J. PIQUE, GERALD MORAN, JOSHUA A. MARSHALL and JOHN MICHAEL PRITCHARD lived. During other times, LEE JAY

JOHNSON and others known and unknown to the Grand Jury would transport the entire deer carcass to Mississippi.

- j. LEE JAY JOHNSON, STEVEN J. PIQUE, GERALD MORAN, JOSHUA A. MARSHALL and JOHN MICHAEL PRITCHARD would then transport the illegally hunted and killed white-tailed deer parts to Mississippi for the purpose of storing or consuming the deer meat, or for the purpose of mounting or displaying deer heads, deer antlers, and, on occasion, full deer bodies, and for other purposes and uses.
- k. LEE JAY JOHNSON would then employ taxidermists for the purpose of mounting and preparing displays of illegally killed and hunted deer and deer parts.

Overt Acts

12. In furtherance of the conspiracy, and in order to effect its object, the defendants herein, along with others both known and unknown to the Grand Jury, committed, or caused to be committed, one or more of the following overt acts in the Southern District of Illinois and elsewhere:

- a. In or about October, 2018, LEE JAY JOHNSON initiated a hunting trip from Mississippi to areas within the Southern District of Illinois. This trip included JOSHUA A. MARSHALL, and others known and unknown to the Grand Jury. During this trip, JOSHUA A. MARSHALL obtained an illegally hunted and killed white-tailed deer.
- b. In or about December, 2018, LEE JAY JOHNSON initiated a hunting trip from Mississippi to areas within the Southern District of Illinois. This trip

included JOSHUA A. MARSHALL and others known and unknown to the Grand Jury. During this trip, JOSH A. MARSHALL obtained an illegally hunted and killed white-tailed deer.

- c. From about September 22, 2019, to and including September 26, 2019, LEE JAY JOHNSON initiated a hunting trip from Mississippi to areas in the Southern District of Illinois, including in Buncombe, Johnson County, Illinois. Others known and unknown to the Grand Jury accompanied LEE JAY JOHNSON on this trip. During this trip, LEE JAY JOHNSON and others known and unknown to the Grand Jury, illegally killed white-tailed deer with a rifle.
- d. On or about September 22, 2019, LEE JAY JOHNSON rented a cabin, located at 845 Hummingbird Road, Buncombe, Illinois, from GL, the owner of said cabin.
- e. In or about October, 2019, LEE JAY JOHNSON initiated a hunting trip from Mississippi to areas in the Southern District of Illinois, including in Marshall, Clark County, Illinois, and others known and unknown to the Grand Jury accompanied LEE JAY JOHNSON on this trip. During this trip, LEE JAY JOHNSON and others known and unknown to the Grand Jury illegally killed white-tailed deer with a rifle.
- f. From October 17, 2019, through and including October 18, 2019, LEE JAY JOHNSON rented a hotel room from Lincoln Suites in Marshall, Illinois.
- g. During October, 2019, GERALD MORAN accompanied LEE JAY JOHNSON and others known and unknown to the Grand Jury on a hunting

trip initiated by LEE JAY JOHNSON, and LEE JAY JOHNSON paid GERALD MORAN in United States Currency and/or other valuable consideration to retrieve an illegally hunted and killed white-tailed deer. This deer was ultimately transported to Mississippi.

- h. On or about October 14, 2020, through and including October 18, 2020, STEVEN J. PIQUE rented a hotel room at Motel 6, 2119 E. 5th Street, Metropolis, Illinois.
- i. On or about October 26, 2020 through and including October 29, 2020, LEE JAY JOHNSON rented a hotel room at Quality Inn, 13201 Kessler Road, Cairo, Alexander County, Illinois.
- j. In or about October, 2020, LEE JAY JOHNSON initiated a trip from Mississippi to locations within the Southern District of Illinois, including Alexander and Massac Counties, for the purpose of illegally hunting white-tailed deer. STEVEN J. PIQUE, JOHN MICHAEL PRITCHARD, and others known and unknown to the Grand Jury agreed to accompany LEE JAY JOHNSON on this trip.
- k. On or about October 15, 2020, JOHN MICHAEL PRITCHARD purchased a Savage Axis .308 rifle for LEE JAY JOHNSON's use, as well as others, when LEE JAY JOHNSON's rifle was destroyed after he hid and concealed his rifle on the side of a road.
- l. During this October 2020 trip, and at other times, LEE JAY JOHNSON paid STEVEN J. PIQUE United States Currency, and other valuable consideration, to retrieve illegally hunted and killed white-tailed deer.

m. In or about October, 2021, LEE JAY JOHNSON initiated a trip from Mississippi to the Southern District of Illinois, including Massac County, Illinois, for the purpose of illegally hunting white-tailed deer. JOHN MICHAEL PRITCHARD agreed to accompany LEE JAY JOHNSON on this trip. During this trip, LEE JAY JOHNSON and JOHN MICHAEL PRITCHARD killed white-tailed deer in violation of Illinois law, and transported those illegally hunted and killed deer back to Mississippi.

All in violation of 18 U.S.C. § 371.

COUNT 2

LACEY ACT - UNLAWFUL TRANSPORT OF WILDLIFE

13. Paragraphs 1 through 8 of this Indictment are hereby realleged and reincorporated as if fully set forth herein.

14. On or about December 6, 2018, through and including December 10, 2018, within the Southern District of Illinois, and elsewhere, the defendant

JOSHUA AARON MARSHALL

did knowingly transport wildlife, to wit: white-tailed deer, in interstate commerce between Illinois and Mississippi, and other states, knowing the wildlife to have been taken and possessed in violation of the laws and regulations of Illinois, specifically, Illinois Compiled Statutes, Chapter 520, Sections 5/2.33(nn), 5/3.2, 5/2.26 and 5/2.33(i), all in violation of the Lacey Act, 16 U.S.C. § 3372(a)(2)(A) and 3373(d)(2), and 18 U.S.C. § 2.

COUNT 3

LACEY ACT – UNLAWFUL TRANSPORT OF WILDLIFE

15. Paragraphs 1 through 8 of this Indictment are hereby realleged and reincorporated as if fully set forth herein.

16. In or about October, 2019, within the Southern District of Illinois, and elsewhere, the defendant

GERALD BRENT MORAN

did knowingly transport wildlife, to wit: white-tailed deer, in interstate commerce between Illinois and Mississippi, and other states, knowing the wildlife to have been taken and possessed in violation of the laws and regulations of Illinois, specifically, Illinois Compiled Statutes, Chapter 520, Sections 5/2.33(nn), 5/3.2, 5/2.26 and 5/2.33(i), all in violation of the Lacey Act, 16 U.S.C. § 3372(a)(2)(A) and 3373(d)(2), and 18 U.S.C. § 2.

COUNT 4

LACEY ACT – UNLAWFUL TRANSPORT OF WILDLIFE

17. Paragraphs 1 through 8 of this Indictment are hereby realleged and reincorporated as if fully set forth herein.

18. On or about October 14, 2019, within the Southern District of Illinois, and elsewhere, the defendant

JOHN MICHAEL PRITCHARD

did knowingly transport wildlife, to wit: white-tailed deer, in interstate commerce between Illinois and Mississippi, and other states, knowing the wildlife to have been taken and possessed in violation of the laws and regulations of Illinois, specifically, Illinois Compiled Statutes, Chapter 520, Sections 5/2.33(nn), 5/3.2, 5/2.26 and 5/2.33(i),

all in violation of the Lacey Act, 16 U.S.C. § 3372(a)(2)(A) and 3373(d)(2), and 18 U.S.C.

§ 2.

A TRUE BILL



Rachelle A. Crowe

RACHELLE AUD CROWE
United States Attorney

Casey E. A. Bloodworth

CASEY E. A. BLOODWORTH
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Recommended Bond: Summons