

Subject:

NEWS RELEASE: WILDLIFE SMUGGLERS SENTENCED TO PRISON TERMS



U.S. Department of Justice

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WILDLIFE SMUGGLERS SENTENCED TO PRISON TERMS

Wifredo A. Ferrer, United States Attorney for the Southern District of Florida, E. Matthew Bendele, Acting Resident Agent in Charge, U.S. Fish & Wildlife Service Office of Law Enforcement, Miami Office, and Dave Hubbard, Resident Agent in Charge, U.S. Fish & Wildlife Service Office of Law Enforcement, San Antonio Office, announced that **Elias Garcia Garcia**, 53, and **Maria Angela Plancarte**, 53, both of La Feria, Texas, were sentenced yesterday in United States District Court in Miami on charges of conspiring to violate the federal Lacey Act by trafficking in the skins of jaguars, a species listed as endangered under the Endangered Species Act, contrary to Title 18, United States Code, Section 371.

U.S. District Court Judge Joan A. Lenard, who had previously accepted pleas to the charge, from both defendants, sentenced both Elias Garcia Garcia and Maria Angela Plancarte to terms of imprisonment of one year and one day, followed by terms of supervised release of two years. The Judge determined the defendants could not afford a criminal fine and accordingly no fine was imposed. Additionally, the defendants each face deportation from the United States upon completion of their term of imprisonment.

According to the Indictment, court records, and statements in court, Garcia and Plancarte initially offered several jaguar skins for sale in South Florida in 2008. They later offered to sell jaguar skins to potential customers in person in Texas and made similar sales offers by telephone and emails. Additionally, under cover of a plant seed company they jointly operated, the defendants made repeated trips to South Florida,

offering to sell jaguar skins to Florida customers. On November 9, 2010, at La Feria, Texas, Garcia and Plancarte sold 2 jaguar pelts to undercover FWS agents for a total price of \$3,000 in cash and offered additional sales of up to 10 jaguar skins at a time to the agents. Garcia and Plancarte also admitted to a second sale of jaguar skins to undercover FWS agents in Homestead, Florida, resulting in a payment of \$4,000 in cash, representing the purchase price of \$3,000 and an additional \$1,000 as a deposit against the future sale of up to 10 jaguar skins, to be smuggled into the United States by them from Mexico.

The Endangered Species Act, Title 16, United States Code, Section 1531, et seq., and regulations promulgated thereunder, subject to certain exceptions not relevant in this case, makes it unlawful among other things, to deliver, carry, transport, ship, sell, or offer for sale any species of wildlife, or the dead body or parts thereof, listed under Title 50, Code of Federal Regulations, Section 17.11, and thus protected under the Act. The jaguar (*Panthera onca*) is listed as an "Endangered Species" under the Act, and subject to the prohibitions appearing in Title 50, Code of Federal Regulations, Section 17.21. The Lacey Act, among other things, makes it unlawful for a person to transport, sell, receive, acquire, or purchase any fish or wildlife, including any jaguar, possessed, transported, or sold in violation of any law, treaty, or regulation of the United States. 16 U.S.C. §3372(a)(1).

Mr. Ferrer commended the investigative efforts of the U.S. Fish & Wildlife Service, which resulted in the successful resolution. The case was prosecuted by Assistant U.S. Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the United States District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

This photo is part of the public record in the case.