



Department of Justice

United States Attorney David E. Nahmias
Northern District of Georgia

FOR IMMEDIATE RELEASE

02/24/09

<http://www.usdoj.gov/usao/gan/>

CONTACT: Patrick Crosby

(404)581-6016

FAX (404)581-6160

SMYRNA MAN SENTENCED FOR VIOLATING THE ENDANGERED SPECIES ACT AND LACEY ACT

Atlanta, GA - TORU SHIMOJI, 49, of Smyrna, Georgia, was sentenced today by United States Magistrate Judge E. Clayton Scofield III on multiple misdemeanor charges involving the illegal possession of wildlife skulls, a violation of the Endangered Species Act, the Lacey Act, and the Migratory Bird Act.

United States Attorney David E. Nahmias said, "This defendant was a collector and had acquired a number of illegal skulls of birds and the carcass of a snow leopard, all of which are endangered and therefore protected by federal wildlife law. Unfortunately there continues to be a market for such illegal activity and collectors should be on notice that they take a chance on being convicted on federal charges. We continue working with U.S. Fish and Wildlife officers and will continue to bring federal cases where appropriate to stop these violations of laws to protect endangered and rare animals."

James Gale, Special Agent in Charge, Southeast Region, U.S. Fish and Wildlife Service Office of Law Enforcement said of today's sentencing "This case is an excellent example of the U.S. Fish & Wildlife Service's commitment to investigate and interdict the commercialization of endangered and other protected wildlife species, Our agents will continue to concentrate and aggressively pursue individuals who purchase and trade in protected species of wildlife."

SHIMOJI was sentenced to pay a fine of \$15,000 to the Lacey Act Reward Account, was placed on probation for two years, and forfeited all wildlife seized.

According to United States Attorney Nahmias and the information presented in court: In December 2007, SHIMOJI purchased over the internet and received in interstate commerce the carcass of an endangered snow leopard, a violation of the Lacey Act and the Endangered Species Act. The “seller” was in fact a United States Fish & Wildlife Service Special Agent working in an undercover capacity. Less than one week later, a search warrant was executed at SHIMOJI's home in Smyrna, where agents discovered over 45 skulls of endangered and other protected animals in his private collection.

The Lacey Act, enacted in 1900, is the first national wildlife law, and was passed to assist states in enforcing wildlife laws. It provides additional protection to fish, wildlife, and plants that were taken, possessed, transported or sold in violation of state, tribal, foreign, or U.S. law. The Endangered Species Act, enacted in 1973, provides protection to fish, wildlife, and plants listed as endangered or threatened and identify critical habitat. Unless permitted by regulation, it is unlawful to import, export, take, sell, purchase, or receive, in interstate or foreign commerce any species listed as endangered or threatened.

This case was investigated by Special Agents of the U.S. Fish and Wildlife Service, Office of Law Enforcement. Assistance in this case was provided by the Georgia Department of Natural Resources Division of Law Enforcement.

This case was prosecuted by Assistant United States Attorney Mary C. Roemer.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.