



Department of Justice

United States Attorney Robert E. O'Neill
Middle District of Florida

Tampa Orlando
FOR IMMEDIATE RELEASE
Tuesday, August 9, 2011
<http://www.usdoj.gov/usao/flm/pr>

Jacksonville Ocala Fort Myers
CONTACT: WILLIAM DANIELS
PHONE: (813) 274-6388
FAX: (813) 274-6300

CORTEZ COMMERCIAL FISHERMAN FOUND GUILTY BY JURY

Fort Myers, Florida - U.S. Attorney Robert E. O'Neill and Tracy Dunn, Acting Special Agent in Charge, National Oceanic and Atmospheric Administration (NOAA), Office of Law Enforcement (OLE) announce that on August 5, 2011 a federal jury found John L. Yates (59, Holmes Beach) guilty of disposing of evidence to prevent seizure, and destroying evidence to impede or obstruct a federal investigation. Yates faces a maximum penalty of 20 years in federal prison. His sentencing hearing is scheduled for November 14, 2011. Yates was indicted on May 5, 2010.

According to testimony and evidence presented at trial, deputized officers of NOAA's National Marine Fisheries Service boarded the fishing vessel *Miss Katie* in federal waters in the Gulf of Mexico and discovered 72 undersized red grouper. The officers instructed the captain, John L. Yates, to leave the fish onboard the *Miss Katie* and report back to Cortez, Florida, so agents of the National Marine Fisheries Service could seize the fish. Instead of reporting as instructed, Yates caused his crew to throw the fish overboard.

"Protecting our environment and natural resources should be of prime concern to all Americans," stated U.S. Attorney O'Neill. "Our office will continue to make the enforcement of environmental laws a priority."

“NOAA Enforcement takes acts of destroying evidence to impede an investigation very seriously and will take appropriate measures to bring violators before the criminal courts,” state Tracy Dunn, Acting Special Agent in Charge, NOAA-OLE.

This case was investigated by NOAA’s National Marine Fisheries Service, the United States Coast Guard and the Florida Fish and Wildlife Conservation Commission. It is being prosecuted by Assistant United States Attorneys Jeffrey F. Michelland and Tama Koss Caldarone.