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FIVE COMMERCIAL FISHERMAN PLEAD GUILTY
FOR ILLEGALLY CATCHING AND SELLING FISH

RALEIGH, NC - The remaining two of five men who were charged with felony violations for illegally selling fish unlawfully caught in North Carolina, pled guilty this week-- joining three co-defendants who had pled guilty last month to similar charges involving striped bass, red drum, and tuna. The defendants, **JONATHAN MIDGETT, RICHARD MOORE, CHAS ROWE, MATTHEW HUTH,** and **DANIEL DAVIS,** were commercial fishermen in 2000 through 2001 in and around Manteo, N.C. The defendants landed their catch in North Carolina without properly reporting it as required by North Carolina law, usually because their catch included fish that were out of season, undersized, or over the legal limits. North Carolina prohibits fishing for certain species such as striped bass and red drum during certain times of the year; requires that the fish be a certain size before they may be kept; and restricts the numbers of fish an individual may catch and sell. In addition, reporting commercial catch assists the state in its efforts to manage and

regulate its fish resources. After catching the fish, the defendants would transport and sell it in Virginia, in

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violation of the Lacey Act, which prohibits the interstate transport or sale of fish that are illicit.

JONATHAN MIDGETT pled guilty to four felony Lacey Act counts for his sale of over 1,900 pounds of striped bass, 340 pounds of red drum, and 450 pounds of tuna from June 13, 2000, through October 12, 2000. **RICHARD MOORE** pled guilty to three felony Lacey Act counts for the illegal sale of over 900 pounds of striped bass from February 12, 2000, through February 26, 2000. **CHAS ROWE** pled guilty to two felony Lacey Act counts for his involvement with the sale of over 1200 pounds of striped bass and 250 pounds of red drum in September of 2000. **DANIEL DAVIS** pled guilty to two felony Lacey Act violations for the sale of over 550 pounds of striped bass and 600 pounds of red drum in late 2000. **MATTHEW HUTH** pled guilty to one misdemeanor Lacey Act violation for his role in the sale of over 450 pounds of tuna in June 2000.

For their transport and sale of the illicit fish, the defendants who pled guilty to felony violations - **MIDGETT, MOORE, ROWE, and DAVIS** - face a maximum penalty of up to five

years imprisonment and a fine of up to \$250,000. **HUTH** faces a maximum penalty of up to one year in prison and a \$100,000 fine. No date has been set yet for the defendants' sentencing.

Commenting on the convictions, Frank D. Whitney, United States Attorney for the Eastern District of North Carolina, said, "We will

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continue to protect North Carolina's fishing industry by prosecuting poachers who harvest fish out of season and over legal limits."

The investigation was conducted jointly by the NOAA Fisheries Office of Law Enforcement, the U. S. Fish and Wildlife Service, and the Virginia Marine Police Special Investigative Unit. The case was prosecuted by the U. S. Attorney's Office for the Eastern District of North Carolina and the Environmental Crimes Section of the U. S. Department of Justice.

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