

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

United States of America

Plaintiff(s)

CASE NUMBER: CR

06-595

v.

HISAYOSHI KOJIMA

Defendant(s)

WARRANT FOR ARREST
UNDER SEAL

TO: UNITED STATES MARSHAL AND ANY AUTHORIZED UNITED STATES OFFICER

YOU ARE HEREBY COMMANDED to arrest HISAYOSHI KOJIMA

and bring him/her forthwith to the nearest Magistrate Judge to answer a(n): Complaint Indictment

Information Order of Court Probation Violation Petition Violation Notice

charging him/her with: (ENTER DESCRIPTION OF OFFENSE BELOW)

**Illegal Offer to Sell Endangered Species in Interstate and Foreign Commerce;
Importing Wildlife Contrary to Law;
Smuggling Wildlife;
Illegal Importation of Endangered Species;
Causing an Act to be Done**

in violation of Title **16:18::** United States Code,

Section(s) **1538(a)(1)(F), 1540(b):545:545:1538(a)(1)(A), 1540(b)(1):2(b):**

Sherri R. Carter
NAME OF ISSUING OFFICER

July 26, 2006 LOS ANGELES, CALIFORNIA

DATE AND LOCATION OF ISSUANCE

Clerk of Court
TITLE OF ISSUING OFFICER

Sherri R. Carter
SIGNATURE OF DEPUTY CLERK

BY: ANDREW J. WISTRICH
NAME OF JUDICIAL OFFICER

RETURN

THIS WARRANT WAS RECEIVED AND EXECUTED WITH THE ARREST OF THE ABOVE-NAMED DEFENDANT AT (LOCATION):

DATE RECEIVED

NAME OF ARRESTING OFFICER

DATE OF ARREST

TITLE

DESCRIPTIVE INFORMATION FOR DEFENDANT
CONTAINED ON PAGE TWO

SIGNATURE OF ARRESTING OFFICER

WARRANT FOR ARREST

FILED

2006 JUL 26 PM 2:16

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

February 2006 Grand Jury

11 UNITED STATES OF AMERICA,)

12 Plaintiff,)

13 v.)

14 HISAYOSHI KOJIMA,)

15 Defendant.)

CR 06- 06-595

I N D I C T M E N T

[16 U.S.C. §§ 1538(a)(1)(F),
1540(b): Illegal Offer to
Sell Endangered Species in
Interstate and Foreign
Commerce; 18 U.S.C. § 545:
Importing Wildlife Contrary
to Law; 18 U.S.C. § 545:
Smuggling Wildlife; 16 U.S.C.
§§ 1538(a)(1)(A), 1540(b)(1):
Illegal Importation of
Endangered Species; 18 U.S.C.
§ 2(b): Causing an Act to be
Done]

22 The Grand Jury charges:

23 COUNT ONE

24 (16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1))

25 On or about May 21, 2006, in Los Angeles County, within the
26 Central District of California, and elsewhere, defendant

27 HISAYOSHI KOJIMA did knowingly offer for sale in interstate and

28 JOJ:joj

1 foreign commerce endangered wildlife species, namely, one or more
2 specimens of Papilio homerus butterflies, without a permit issued
3 by the United States Fish and Wildlife Service.

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COUNT TWO

(16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1))

On or about June 7, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly offer for sale in interstate and foreign commerce endangered wildlife species, namely, three pairs of Papilio hospiton and one pair of Papilio chikae butterflies, without a permit issued by the United States Fish and Wildlife Service.

COUNT THREE

[18 U.S.C. § 545; § 2(b)]

On or about June 12, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did fraudulently and knowingly import, bring, and cause the importation and bringing of merchandise, namely, one pair of protected Ornithoptera victoriae butterflies, into the United States contrary to law. Specifically, defendant brought, imported, and caused the bringing and importation of said pair of Ornithoptera victoriae butterflies into the United States contrary to law, namely, without first obtaining a valid foreign export permit from the country of origin or a valid foreign re-export certificate issued by the country of re-export, as required by Title 50, Code of Federal Regulations, Section 23.12(a)(2)(i).

COUNT FOUR

[18 U.S.C. § 545]

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3 On or about June 12, 2006, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant
5 HISAYOSHI KOJIMA, did knowingly and willfully, with the intent to
6 defraud the United States, smuggle and attempt to smuggle
7 merchandise, namely, one pair of protected Ornithoptera victoriae
8 butterflies, into the United States by means of fraudulent
9 documents. Specifically, on said date, defendant KOJIMA
10 submitted, and caused to be submitted, to United States customs
11 officials a fraudulent customs declaration, namely, Express Mail
12 Service customs declaration form CN 23 that described said
13 merchandise as a gift of "dry butterfly" having a value of
14 \$10.00, whereas in truth and fact, as defendant KOJIMA well knew,
15 said merchandise consisted of said pair of Ornithoptera victoriae
16 butterflies that had been sold for \$80.00.

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COUNT FIVE

[18 U.S.C. § 545; § 2(b)]

On or about June 15, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA, did fraudulently and knowingly import, bring, and cause the importation and bringing of merchandise, namely, three pairs of endangered Papilio hospiton and one pair of endangered Papilio chikae butterflies, into the United States contrary to law, namely, without first obtaining a valid United States import permit and valid foreign export permit from the country of origin or a valid foreign re-export certificate issued by the country of re-export, as required by Title 50, Code of Federal Regulations, Section 23.12(a)(1)(i).

COUNT SIX

[18 U.S.C. § 545]

1 On or about June 15, 2006, in Los Angeles County, within the
2 Central District of California; and elsewhere, defendant
3 HISAYOSHI KOJIMA, did knowingly and willfully, with the intent to
4 defraud the United States, smuggle and attempt to smuggle
5 merchandise, namely, three pairs of endangered Papilio hospiton
6 and one pair of endangered Papilio chikae butterflies, into the
7 United States by means of fraudulent documents. Specifically, on
8 said date, defendant KOJIMA submitted, and caused to be
9 submitted, to United States customs officials a fraudulent
10 customs declaration, namely, Express Mail Service customs
11 declaration form CN 23 that described said merchandise as a gift
12 of "dry butterfly" having a value of \$39.00, whereas in truth and
13 fact, as defendant KOJIMA well knew, said merchandise consisted
14 of said pairs of Papilio hospiton and said pair of Papilio chikae
15 butterflies that had been sold for \$3,000.00.
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COUNT SEVEN

(16 U.S.C. §§ 1538(a)(1)(A), 1540(b)(1); 18 U.S.C. § 2(b))

On or about June 15, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly import and cause the importation of endangered wildlife species, namely, three pairs of Papilio hospiton and one pair of Papilio chikae butterflies, without a permit issued by the United States Fish and Wildlife Service.

COUNT EIGHT

(16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1))

On or about June 28, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly offer for sale in interstate and foreign commerce endangered wildlife species, namely, four specimens of Papilio homerus and one pair of Ornithoptera alexandrae butterflies, without a permit issued by the United States Fish and Wildlife Service.

COUNT NINE

[18 U.S.C. § 545; § 2(b)]

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3 On or about June 29, 2006, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant
5 HISAYOSHI KOJIMA did fraudulently and knowingly import, bring,
6 and cause the importation and bringing of merchandise, namely,
7 one pair of protected Ornithoptera meridionalis butterflies, into
8 the United States contrary to law, namely, without first
9 obtaining a valid foreign export permit from the country of
10 origin or a valid foreign re-export certificate issued by the
11 country of re-export, as required by Title 50, Code of Federal
12 Regulations, Section 23.12(a)(2)(i).

COUNT TEN

[18 U.S.C. § 545]

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3 On or about June 29, 2006, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant
5 HISAYOSHI KOJIMA, did knowingly and willfully, with the intent to
6 defraud the United States, smuggle and attempt to smuggle
7 merchandise, namely, one pair of protected Ornithoptera
8 meridionalis butterflies, into the United States by means of
9 fraudulent documents. Specifically, on said date, defendant
10 KOJIMA submitted, and caused to be submitted, to United States
11 customs officials a fraudulent customs declaration, namely,
12 Express Mail Service customs declaration form CN 23 that
13 described said merchandise as a gift of "dry butterflys" having a
14 value of \$30.00, whereas in truth and fact, as defendant KOJIMA
15 well knew, said merchandise consisted of said pair of
16 Ornithoptera meridionalis butterflies that had been sold for
17 \$1,000.00.

COUNT ELEVEN

(16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1))

On or about June 30, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly offer for sale in interstate and foreign commerce endangered wildlife species, namely, one pair of Ornithoptera alexandrae butterflies, without a permit issued by the United States Fish and Wildlife Service.

COUNT TWELVE

[18 U.S.C. § 545; § 2(b)]

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3 On or about July 10, 2006, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant
5 HISAYOSHI KOJIMA did fraudulently and knowingly import, bring,
6 and cause the importation and bringing of merchandise, namely,
7 three individual specimens of protected Ornithoptera paradesia
8 butterflies, into the United States contrary to law, namely,
9 without first obtaining a valid foreign export permit from the
10 country of origin or a valid foreign re-export certificate issued
11 by the country of re-export, as required by Title 50, Code of
12 Federal Regulations, Section 23.12(a)(2)(i).
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COUNT THIRTEEN

[18 U.S.C. § 545]

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On or about July 10, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA, did knowingly and willfully, with the intent to defraud the United States, smuggle and attempt to smuggle merchandise, namely, three individual specimens of protected Ornithoptera paradesia butterflies, into the United States by means of fraudulent documents. Specifically, on said date, defendant KOJIMA submitted, and caused to be submitted, to United States customs officials a fraudulent customs declaration, namely, Express Mail Service customs declaration form CN 23 that described said merchandise as a gift of "dry butterfly" having a value of \$50.00, whereas in truth and fact, as defendant KOJIMA well knew, said merchandise consisted of said three individual specimens of Ornithoptera paradesia butterflies that had been sold for \$2,300.00.

COUNT FOURTEEN

[18 U.S.C. § 545; § 2(b)]

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3 On or about July 17, 2006, in Los Angeles County, within the
4 Central District of California, and elsewhere, defendant
5 HISAYOSHI KOJIMA, did fraudulently and knowingly import, bring,
6 and cause the importation and bringing of merchandise, namely,
7 one pair of endangered Ornithoptera alexandrae butterflies, into
8 the United States contrary to law, namely, without first
9 obtaining a valid United States import permit and valid foreign
10 export permit from the country of origin or a valid foreign re-
11 export certificate issued by the country of re-export, as
12 required by Title 50, Code of Federal Regulations, Section
13 23.12(a)(1)(i).

COUNT FIFTEEN

[18 U.S.C. § 545]

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On or about July 17, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA, did knowingly and willfully, with the intent to defraud the United States, smuggle and attempt to smuggle merchandise, namely, one pair of Ornithoptera alexandrae butterflies, into the United States by means of fraudulent documents. Specifically, on said date, defendant KOJIMA submitted, and caused to be submitted, to United States customs officials a fraudulent customs declaration, namely, Express Mail Service customs declaration form CN 23 that described said merchandise as a gift of "dry butterfly" having a value of \$30.00, whereas in truth and fact, as defendant KOJIMA well knew, said merchandise consisted of said pair of Ornithoptera alexandrae butterflies that had been sold for \$8,500.00.

COUNT SIXTEEN

(16 U.S.C. §§ 1538(a)(1)(A), 1540(b)(1); 18 U.S.C. § 2(b))

On or about July 17, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly import and cause the importation of endangered wildlife species, namely, one pair of Ornithoptera alexandrae butterflies, without a permit issued by the United States Fish and Wildlife Service.

COUNT SEVENTEEN

(16 U.S.C. §§ 1538(a)(1)(F), 1540(b)(1))

On or about July 17, 2006, in Los Angeles County, within the Central District of California, and elsewhere, defendant HISAYOSHI KOJIMA did knowingly offer for sale in interstate and foreign commerce endangered wildlife species, namely, one pair of Papilio homerus butterflies, without a permit issued by the United States Fish and Wildlife Service.

A TRUE BILL

Foreperson

DEBRA WONG YANG
United States Attorney

THOMAS P. O'BRIEN
Assistant United States Attorney
Chief, Criminal Division

JOSEPH O. JOHNS
Assistant United States Attorney
Environmental Crimes Section