

FILED
DEC 12 2019

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
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SEALED

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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 v.

14 JOSEPH D. SANFORD,
aka Joe Don Sanford,
15 aka Joe D. Sanford,

16 Defendant.

CASE NO. 19 CR - 00270 LJO SKO

Violations: 18 U.S.C. § 371 – Conspiracy to Violate
Animal Welfare Act; 7 U.S.C. § 2156(b), 18 U.S.C.
§§ 49(a) and 2 - Unlawful Possession of Animals for
Animal Fighting Venture; 7 U.S.C. § 2156(b), 18
U.S.C. §§ 49(a) and 2 - Unlawful Sale of Animals for
Animal Fighting Venture; 7 U.S.C. § 2156(f) and 28
U.S.C. § 2461(c) – Criminal Forfeiture

17
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19 INDICTMENT

20 INTRODUCTORY ALLEGATIONS

21 At all times material to this Indictment:

22 1. JOSEPH D. SANFORD, aka Joe Don Sanford, aka Joe D. Sanford, was a
23 resident of Ceres, California, who operated a business at his residence known as JOE SANFORD
24 GAMEFARM.

25 2. Pursuant to Title 7, United States Code, Section 2156(g), an “animal fighting
26 venture” was defined as “any event, in or affecting interstate or foreign commerce, that involves a fight
27 conducted or to be conducted between at least 2 animals for purposes of sport, wagering, or
28

1 entertainment.”

2 3. The term “animal” was defined to include live birds. Thus, an “animal fighting
3 venture” would include an event involving the fighting of at least two birds for purposes of sport,
4 wagering, or entertainment if that event was in or affecting interstate or foreign commerce.
5

6 4. Cockfighting is a contest in which a knife, gaff, or other sharp instrument is often
7 attached to the legs of gamecocks or roosters for the purpose of fighting each other. The fight typically
8 occurs in a pit, ring, or arena. The fights between the roosters are supervised by a referee. The fight is
9 ended when one rooster is dead or refuses to continue to fight. It is not uncommon for one or both
10 roosters to die after a fight. A series of individual cockfights is referred to as a derby. A derby usually
11 consists of dozens of individual cockfights and can last for several hours, or days, depending on the
12 number of entries.

13 5. Participants in cockfighting generally include: (1) a promoter, who generally
14 makes arrangements and oversees activities at the derby; (2) handlers who prepare birds and handle
15 birds during a fight and may be the actual bird owner or someone paid to do the job; and (3) referees,
16 who officiate in the pit during the cockfights.

17 6. In a derby, a number of entrants, or cock fighters, pay a predetermined entry fee
18 to enter a pre-set number of roosters, usually between three and twelve per entrant. The roosters are
19 usually matched within a few ounces of each other for individual fights. The cock fighter whose
20 roosters win the most fights in a derby wins the purse, which is usually comprised of the derby
21 participants’ entry fees, less amounts retained by the “house” or promoter(s).

22 7. For purposes of this indictment, the term “rooster” is synonymous with the terms
23 “gamecock,” “cock,” “bird,” and “chicken.” A mature gamecock resembles an ordinary rooster except it
24 may be surgically altered and is trained and conditioned for fighting. Gamecocks also generally receive
25 vitamins, drugs and other supplements to boost their strength and endurance.

26 8. Roosters have a natural bony spur on the back of their legs. This spur is used by
27 the rooster to cause injury to other animals when it kicks with its leg. The spur is the rooster’s natural
28 means of defense. Cock fighters often trim the bird’s natural spurs down to a length of approximately

1 one-half to three-quarters of an inch to affix sharp instruments to supplement the bird's fighting.

2 9. To prepare a rooster for fighting and minimize the possibility of injury, cock
3 fighters may also cut off parts of the bird's body to make it less of a target for the opponent. In
4 particular, owners may dub the rooster by cutting off its wattles and comb.

5 10. For purposes of this indictment, the term "game fowl" refers to a bird of any of
6 various strains of domestic fowls developed originally chiefly for the production of fighting cocks.

7 COUNT ONE: [18 U.S.C. § 371 – Conspiracy to Sell, Possess, Train, and Deliver an Animal in an
8 Animal Fighting Venture]

9 The Grand Jury charges:

10 JOSEPH D. SANFORD,
11 aka Joe Don Sanford,
12 aka Joe D. Sanford,

13 defendant herein, as follows:

14 11. The allegations of paragraphs 1 through 10 are re-alleged and incorporated herein
15 by reference.

16 12. Defendant JOSEPH SANFORD, beginning at a time unknown, but no later than
17 on or about January 1, 1980, and continuing to on or about September 18, 2019, within the County of
18 Stanislaus, State and Eastern District of California, and elsewhere, did knowingly and intentionally
19 conspire and agree with other persons, known and unknown to the Grand Jury, to commit the following
20 offenses: to sell, buy, possess, train, transport, deliver, and receive roosters for purposes of having the
21 roosters participate in animal fighting ventures, in violation of Title 7, United States Code, Section
22 2156(b).

23 MANNER AND MEANS OF THE CONSPIRACY

24 Defendant JOSEPH SANFORD and others carried out the conspiracy by the following manner
25 and means:

26 13. The defendant and others, created and operated JOE SANFORD GAMEFARM for
27 the purpose of selling, buying, possessing, training, transporting, delivering and receiving game fowl for
28 purposes of having the roosters participate in animal fighting ventures.

14. The defendant and others developed and maintained properties for purposes of

1 housing and training game fowl for purposes of having the roosters participate in animal fighting ventures.

2 15. The defendant and others acquired and maintained medical equipment, such as
3 scalpels, syringes, thermometers, and medications, for purposes of treating the roosters and to surgically
4 alter and remove roosters' wattles, combs, spurs and other body parts, for fighting purposes.

5 16. The defendant and others communicated with one another by telephone, text
6 message, and other electronic means, about: the transport, delivery, transfer, exchange, purchase, sale,
7 breeding, training, and receipt of particular game fowl; their possession of and ownership interests in
8 particular game fowl; arrangements to fight roosters; the lineage or bloodline of certain game fowl; the
9 aptitude, abilities, and fighting histories of particular fighting roosters; and drugs and equipment intended
10 for use on fighting roosters.

11 17. The defendant and others planned to fight roosters in cockfights.

12 18. The defendant and others fought roosters in cockfights.

13 OVERT ACTS

14 19. In furtherance of the conspiracy and to effect the unlawful objects thereof, the
15 following overt acts, among others, were committed in the Eastern District of California and elsewhere:

16 a. On or about December 4, 2018, the defendant received two separate
17 parcels from Efland, North Carolina containing game fowl for purposes of having roosters participate in
18 cockfights.

19 b. On or about April 16, 2019, the defendant possessed approximately 2,956
20 game fowl, consisting of approximately 367 roosters, 334 hens, and 2,255 pullets or young hens for
21 purposes of having roosters participate in cockfights.

22 c. On or about July 30, 2019, the defendant mailed three game fowl to a
23 customer in Alabama for purposes of having roosters participate in cockfights.

24 d. Between on or about April 16, 2019, and on or about September 18, 2019,
25 the defendant received and possessed approximately 200 additional game fowl for purposes of having
26 roosters participate in cockfights.

27 All in violation of Title 18, United States Code, Section 371.
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2 COUNT TWO: [7 U.S.C. § 2156(b) and 18 U.S.C. §§ 49(a) and 2 - Unlawful Possession of Animals for
Animal Fighting Venture]

3 The Grand Jury charges:

4 JOSEPH D. SANFORD,
5 aka Joe Don Sanford,
6 aka Joe D. Sanford,

7 defendant herein, as follows:

8 20. The allegations of paragraphs 1 through 10 are re-alleged and incorporated herein
9 by reference.

10 21. Defendant JOSEPH SANFORD, beginning at a time unknown, but no later than
11 on or about January 1, 1980, and continuing to on or about September 18, 2019, within the County of
12 Stanislaus, State and Eastern District of California, did knowingly possess roosters, for the purpose of
13 having the roosters participate in an animal fighting venture, in and affecting interstate and foreign
14 commerce, in violation of Title 7, United States Code, Section 2156(b), and Title 18, United States
Code, Sections 49(a) and 2.

15 COUNT THREE: [7 U.S.C. § 2156(b) and 18 U.S.C. §§ 49(a) and 2 - Unlawful Sale of Animals for
16 Animal Fighting Venture]

17 The Grand Jury charges:

18 JOSEPH D. SANFORD,
19 aka Joe Don Sanford,
20 aka Joe D. Sanford,

21 defendant herein, as follows:

22 22. The allegations of paragraphs 1 through 10 are re-alleged and incorporated herein
23 by reference.

24 23. Defendant JOSEPH SANFORD, beginning at a time unknown, but no later than
25 on or about September 24, 2018, within the County of Stanislaus, State and Eastern District of
26 California, did knowingly sell, possess, and deliver animals, namely, one rooster and two hens, for the
27 purpose of having roosters participate in an animal fighting venture, in and affecting interstate and
28 foreign commerce, in violation of Title 7, United States Code, Section 2156(b), and Title 18, United
States Code, Sections 49(a) and 2.

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FORFEITURE ALLEGATION: [7 U.S.C. § 2156(f) and 28 U.S.C. § 2461(c) – Criminal Forfeiture]

Upon conviction of the offenses alleged in Counts One through Three of this Indictment, the defendant shall forfeit to the United States of America, pursuant to Title 7, United States Code, Section 2156(f) and Title 28, United States Code, Section 2461(c), any animal involved in any violation of the offenses alleged in this Indictment.

A TRUE BILL.

/s/ Signature on file w/AUSA
FOREPERSON

McGREGOR W. SCOTT,
United States Attorney

By: **KIRK E. SHERRIFF**

KIRK E. SHERRIFF
Assistant United States Attorney
Chief-Fresno Office

No. _____

UNITED STATES DISTRICT COURT

Eastern District of California

Criminal Division

SEALED

THE UNITED STATES OF AMERICA

vs.

JOSEPH D. SANFORD
aka Joe Don Sanford,
aka Joe D. Sanford

FILED

DEC 12 2019

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY *[Signature]*

INDICTMENT

VIOLATION(S): 18 U.S.C. § 371 – Conspiracy to Violate Animal Welfare Act;
7 U.S.C. § 2156(b), 18 U.S.C. §§ 49(a) and 2 - Unlawful Possession of Animals for Animal Fighting Venture;
7 U.S.C. § 2156(b), 18 U.S.C. §§ 49(a) and 2 - Unlawful Sale of Animals for Animal Fighting Venture;
7 U.S.C. § 2156(f) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

A true bill,

[Signature]
Foreman.

Filed in open court this _____ day

of _____, A.D. 20 _____

Clerk.

Bail, \$ _____

NO BAIL WARRANT

[Signature]

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION -- IN U.S. DISTRICT COURT

BY COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING: Case No.

Name of District Court, and/or Judge/Magistrate Judge Location (City)
EDCA

OFFENSE CHARGED

Please see Indictment

PLEASE SEE INDICTMENT

- Petty
- Minor
- Misdemeanor
- Felony

Place of offense
Fresno County

U.S.C. Citation
Please see Indictment

DEFENDANT -- U.S. vs.
JOSEPH D. SANFORD

Address { 1: 19 CR - 00270 LJO SKO

Birth Date Male Alien
 Female (if applicable)

(Optional unless a juvenile)

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

SA ANTIRA MACKIE

- person is awaiting trial in another Federal or State Court, give name of court
- this person/proceeding is transferred from another district per FRCrP 20 21 40. Show District
- this is a re prosecution of charges previously dismissed which were dismissed on motion of:
 - U.S. Att'y Defense
- this prosecution relates to a pending case involving this same defendant
- prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE JUDGE CASE NO.

DEFENDANT

IS NOT IN CUSTODY

- 1) Has not been arrested, pending outcome of this proceeding
If not detained, give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) On this charge
- 5) On another conviction
- 6) Awaiting trial on other charges } Fed'l State
If answer to (6) is "Yes," show name of institution

Has detainer been filed? Yes No
If "Yes," give date filed
Mo. Day Year

DATE OF ARREST

Or... if Arresting Agency & Warrant were not Federal

Mo. Day Year
DATE TRANSFERRED TO U.S. CUSTODY

This report amends AO 257 previously submitted

Name and Office of Person Furnishing Information on

THIS FORM

DEBRA DE LA PENA

U.S. Att'y Other U.S. Agency

Name of Asst. U.S. Att'y (if assigned)

KAREN ESCOBAR

FORFEITURE ALLEGATION

ADDITIONAL INFORMATION OR COMMENTS

Please issue no bail warrant

AUSA INITIALS

PENALTY SLIP

DEFENDANT: Joseph D. Sanford, aka Joe D. Sanford

COUNT ONE:

VIOLATION: 18 U.S.C. § 371 - Conspiracy to Violate
Animal Welfare Act

PENALTY: Maximum prison term of 5 years; fine of
\$250,000; maximum term of supervised release
of 3 years; \$100 penalty assessment

COUNT TWO:

VIOLATION: 7 U.S.C. § 2156(b), 18 U.S.C. §§ 49(a) and 2
- Unlawful Possession of Animals for Animal
Fighting Venture

PENALTY: Maximum prison term of 5 years; fine of
\$250,000; maximum term of supervised release
of 3 years; \$100 penalty assessment

COUNT THREE:

VIOLATION: 7 U.S.C. § 2156(b), 18 U.S.C. §§ 49(a) and 2
- Unlawful Sale of Animals for Animal
Fighting Venture

PENALTY: Maximum prison term of 5 years; fine of
\$250,000; maximum term of supervised release
of 3 years; \$100 penalty assessment

CRIMINAL FORFEITURE: Pursuant to 7 U.S.C. § 2156(f) & 28
U.S.C. § 2461(c) - Criminal Forfeiture