

Eastern District of Kentucky
FILED

FEB 24 2022

AT LONDON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
COVINGTON**

UNITED STATES OF AMERICA

V. INDICTMENT NO. 2:22-cr-19-DLB

CRUZ ALEJANDRO MERCADO-VAZQUEZ

* * * * *

THE GRAND JURY CHARGES:

BACKGROUND

1. At all relevant times, **CRUZ ALEJANDRO MERCADO-VAZQUEZ** was a resident of Mason County, in the Eastern District of Kentucky.

2. At all relevant times, the federal Animal Welfare Act defined “animal fighting venture” as “any event, in or affecting interstate or foreign commerce, that involves a fight conducted or to be conducted between at least 2 animals for purposes of sport, wagering, or entertainment.” 7 U.S.C. § 2156(f)(1).

3. At all relevant times, the Sheriff’s office of Mason County, Kentucky was a political subdivision of Mason County and the Commonwealth of Kentucky and, as such, was a local government within the purview of 18 U.S.C. § 666(a)(2).

4. The Sheriff’s office of Mason County received more than \$10,000 of funds under federal programs or grants between August 1, 2020 and July 31, 2021, and, as such, came within the purview of 18 U.S.C. § 666.

5. At all relevant times, the federal Animal Welfare Act prohibited sponsoring or exhibiting an animal in an animal fighting venture. 7 U.S.C. § 2156(a). It further prohibited anyone from possessing, training, selling, buying, transporting, delivering or receiving an animal for purposes of having the animal participate in an animal fighting venture. 7 U.S.C. § 2156(b). Additionally, it prohibited use of an instrumentality of interstate commerce for commercial speech for purposes of advertising an animal for use in an animal fighting venture, or for promoting or furthering an animal fighting venture. 7 U.S.C. § 2156(c).

6. At all relevant times, it was unlawful to attend an animal fighting venture in the Eastern District of Kentucky, and it was unlawful to knowingly cause an individual who has not attained the age of 16 to attend an animal fighting venture. 7 U.S.C. § 2156(a)(2).

7. At all relevant times, it was unlawful to participate in animal fighting under Kentucky law. K.R.S. § 525.130.

COUNT 1
18 U.S.C. § 666(a)(2)

8. The Background of this Indictment is re-alleged and incorporated by reference as if set forth fully herein.

9. On or about September 24, 2020, in Mason County, in the Eastern District of Kentucky,

CRUZ ALEJANDRO MERCADO-VAZQUEZ

did corruptly offer and agree to give a thing of value, that is a bribe of more than \$5,000, to the Sheriff of Mason County, an employee and agent of local government that received more than \$10,000 of federal funds in a twelve-month period, with intent to influence and reward the Sheriff in connection with any business, transaction, and series of transactions of that local government involving a matter worth \$5,000 or more, that is, law enforcement protection of a planned animal fighting venture, all in violation of Title 18, United States Code, Section 666(a)(2).

COUNT 2
18 U.S.C. § 666(a)(2)

10. The Background of this Indictment is re-alleged and incorporated by reference as if set forth fully herein.

11. On or about December 1, 2020, in Mason County, in the Eastern District of Kentucky,

CRUZ ALEJANDRO MERCADO-VAZQUEZ

did corruptly offer and agree to give a thing of value, that is a bribe of more than \$5,000, to the Sheriff of Mason County, an employee and agent of local government that received more than \$10,000 of federal funds in a twelve-month period, with intent to influence and reward the Sheriff in connection with any business, transaction, and series of transactions of that local government involving a matter worth \$5,000 or more, that is, law

enforcement protection of a planned animal fighting venture, all in violation of Title 18, United States Code, Section 666(a)(2).

COUNT 3
7 U.S.C. § 2156(b)

12. The Background of this Indictment is re-alleged and incorporated by reference as if set forth fully herein.

13. Between on or about September 24, 2020, and continuing through on or about June 8, 2021, in Mason County, in the Eastern District of Kentucky, and elsewhere,

CRUZ ALEJANDRO MERCADO-VAZQUEZ

did knowingly sell, buy, possess, train, transport, deliver, and receive any animal, namely roosters, for purposes of having the animals participate in an animal fighting venture, as defined in Title 7, United States Code, Section 2156(f)(1), in violation of Title 7, United States Code, Section 2156(b) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION

7 U.S.C. § 2156(e)
28 U.S.C. § 2461(c)

14. The allegations contained in the Background section and Count 3 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 7, United States Code, Section 2156(e) and Title 28, United States Code, Section 2461(c).

15. Upon conviction of Count 3 of this Indictment, defendant **CRUZ ALEJANDRO MERCADO-VAZQUEZ** shall forfeit to the United States pursuant to 7 U.S.C. § 2156(e), all animals involved in the offense and the costs incurred for the care of

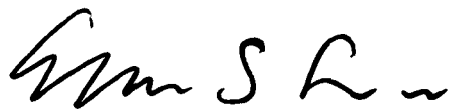
the animals forfeited, including but not limited to the following:

- a. The chickens individually housed and located at 7492 Kentucky State Route 11, Maysville, KY 41056.
- b. Costs incurred for care of animals seized and forfeited.

16. By virtue of the commission of the felony offenses charged in this Indictment, any and all interest, **CRUZ ALEJANDRO MERCADO-VAZQUEZ** has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 7 U.S.C. § 2156(e) and 28 U.S.C. § 2461(c).

A TRUE BILL


FOREPERSON



CARLTON S. SHIER, IV
UNITED STATES ATTORNEY

PENALTIES

COUNTS 1-2: Not more than 10 years imprisonment, \$250,000 fine, and 3 years supervised release.

COUNT 3: Not more than 5 years imprisonment, \$250,000 fine, and 3 years supervised release.

PLUS: Mandatory special assessment of \$100 per count.

PLUS: Restitution, if applicable.