

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

NO. 7:12-CR-84-1FL(3)
NO. 7:12-CR-84-2FL(3)
NO. 7:12-CR-84-3FL(3)
NO. 7:12-CR-84-4FL(3)
NO. 7:12-CR-84-5FL(3)
NO. 7:12-CR-84-6FL(3)

FILED IN OPEN COURT
ON 6-21-2012
Julie A. Richards, Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA,)
)
 v.)
)
 JAMES MATTHEW BLACKMAN)
 RICKY DIAL)
 TONY HARRIS)
 FRANK JACOBS)
 JIMMY JACOBS)
 OZELL MCLAIN)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

Beginning on a date unknown to the grand jury, but no later than December 2011, and continuing to on or about February 25, 2012, in the Eastern District of North Carolina, and elsewhere, the defendants, JAMES MATTHEW BLACKMAN, RICKY DIAL, TONY HARRIS, FRANK JACOBS, JIMMY JACOBS, and OZELL MCLAIN, did knowingly and intentionally combine, conspire, confederate, agree and have a tacit understanding with each other and other persons, known and unknown to the Grand Jury, to commit offenses against the United States, that is,

a. to knowingly possess, train, receive, and transport animals, for the purpose of having the animals participate in an

animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in and affecting interstate commerce in violation of Title 7, United States Code, Section 2156(b) and Title 18, United States Code, Section 49; and

b. to knowingly exhibit animals in an animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in and affecting interstate commerce, in violation of Title 7, United States Code, Section 2156(a)(1) and Title 18, United States Code, Section 49.

MANNER AND MEANS OF THE CONSPIRACY

The members of the conspiracy used various manners and means to effect the object and purpose of the conspiracy, including, but not limited to, the following:

- a. Trained and bred pit bulls for participation in dog fighting ventures.
- b. Traveled in interstate commerce to other locations to participate in dog fighting ventures.
- c. Sponsored and fought dogs that had traveled in interstate commerce in animal fighting ventures.
- d. Placed and accepted bets on individual dog fights.
- e. Collected entrance fees to dog fights and secured locations of dog fighting ventures.
- f. Provided property in secluded locations and constructed pits to host dog fighting ventures.

- g. Offered prize money for winning participant in dog fighting venture.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof, JAMES MATTHEW BLACKMAN, RICKY DIAL, TONY HARRIS, FRANK JACOBS, JIMMY JACOBS, and OZELL MCLAIN, committed the following overt acts, among others, within the Eastern District of North Carolina and elsewhere:

1. In December 2011, a dog fighting event was hosted by JIMMY JACOBS on property leased to him in Robeson County, North Carolina.

2. In February 2012, JIMMY JACOBS and FRANK JACOBS used the telephone to contact individuals, known and unknown to the grand jury to promote the dog fighting event scheduled to take place on the property of Jimmy Jacobs on February 25, 2012.

3. On February 25, 2012, RICKY DIAL, assisted in the construction of the fighting pit in which the individual dog fights were to take place.

4. On February 25, 2012, JAMES MATTHEW BLACKMAN, collected entry fees from spectators of the dog fighting event and secured the entrance gate to the property once the dog fights were set to commence.

5. On February 25, 2012, OZELL MCLAIN and TONY HARRIS transported a dog to the property of JIMMY JACOBS in Robeson

County, North Carolina from an unknown location in South Carolina for the scheduled dog fighting event.

6. On February 25, 2012, FRANK JACOBS, transported a dog to the property of JIMMY JACOBS in Robeson County, North Carolina from his property in Scotland County, North Carolina for the scheduled dog fighting event.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

Beginning on a date unknown to the grand jury, and continuing up to and including February 25, 2012, in the Eastern District of North Carolina, the defendant, JIMMY JACOBS, did knowingly possess and train animals for the purposes of having the animals participate in an animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in and affecting interstate commerce, all in violation of Title 7, United States Code, Section 2156(b), and Title 18, United States Code, Section 49.

COUNT THREE

Beginning on a date unknown to the grand jury, and continuing up to and including February 25, 2012, in the Eastern District of North Carolina, and elsewhere, the defendant, FRANK JACOBS, did knowingly possess and transport animals for the purposes of having the animals participate in an animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in

and affecting interstate commerce, all in violation of Title 7, United States Code, Section 2156(b), and Title 18, United States Code, Section 49.

COUNT FOUR

On or about February 25, 2012, in the Eastern District of North Carolina, and elsewhere, the defendants, OZELL MCLAIN and TONY HARRIS, aiding and abetting one another, did knowingly possess and transport an animal for the purposes of having the animal participate in an animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in and affecting interstate commerce, all in violation of Title 7, United States Code, Section 2156(b), and Title 18, United States Code, Sections 2 and 49.

COUNT FIVE

On or about February 25, 2012, in the Eastern District of North Carolina, and elsewhere, the defendants, FRANK JACOBS, JIMMY JACOBS, OZELL MCLAIN and TONY HARRIS, aiding and abetting one another, did knowingly exhibit animals in an animal fighting venture, as that term is defined in Title 7, United States Code, Section 2156(g)(1), in and affecting interstate commerce, in violation of Title 7, United States Code, Section 2156(a), and Title 18, United States Code, Sections 2 and 49.

FORFEITURE NOTICE

The defendant is given notice of the provisions of Title 21, United States Code, Section 853, that all of the defendant's interest in all property specified herein is subject to forfeiture.

As a result of the foregoing offenses of the Indictment, the defendant shall forfeit to the United States any and all property constituting, or derived from, any proceeds the said defendant obtained directly or indirectly as a result of the said offenses, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offenses alleged in the Indictment, and any property, real or personal, involved in such offenses, and any property traceable to such property.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other

property of said defendant up to the value of the above forfeitable property.

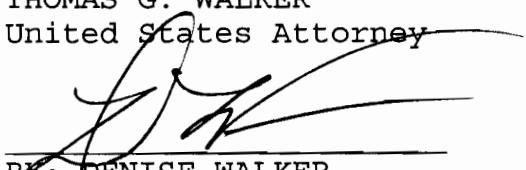
A TRUE BILL

FOREPERSON

DATE:

6/26/2012

THOMAS G. WALKER
United States Attorney


BY: DENISE WALKER
Assistant United States Attorney

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.