

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

FILED
DEC 31 2008
DAVID CREWS, CLERK
[Signature]

UNITED STATES OF AMERICA

PLAINTIFF

vs.

NO. 3:08CV137-A-A

\$425,000.00 IN UNITED STATES
CURRENCY

DEFENDANT

VERIFIED COMPLAINT FOR FORFEITURE IN REM

Comes now the United States of America, Plaintiff in the above styled cause, by and through the United States Attorney for the Northern District of Mississippi, Jim M. Greenlee, and the undersigned Assistant United States Attorney, and brings this Complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

Nature of the Action

1. This is an action to forfeit and condemn property to the United States for violations of 18 U.S.C. § 1343 (Wire Fraud).

The Defendant in Rem

2. The defendant property consists of the following property: \$425,000.00 in United States currency seized from Edward J. Peters. The currency is presently in the custody of the United States Marshals Service in the Seized Asset Deposit Fund Account at the Federal Reserve Bank.

Jurisdiction and Venue

3. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court also has jurisdiction over this particular action under 18 U.S.C. § 981(a)(1)(C).

4. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. 1355(b). Moreover, the Court will have control over the property pursuant to the service of an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

5. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred in this district.

Basis for Forfeiture

6. The Defendant property is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) because it is property that constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1343 (Wire Fraud), which constitutes a "specified unlawful activity" by virtue of 18 U.S.C. §1956(c)(7)(A) and 18 U.S.C. §1961(1), collectively.

Facts

7. Edward J. Peters was a member of a conspiracy to corruptly influence a sitting State of Mississippi Circuit Court Judge.

8. Peters was approached by Tim Balducci, Steve Patterson, and Joey Langston in an effort to reach an agreement whereby Peters would be paid to influence the judge in an effort to obtain a favorable ruling in a case filed in the Circuit Court of Hinds County, Mississippi. An agreement was reached and the trio paid Peters \$50,000.00 in cash as an initial payment for his services.

9. Eventually, a "reverse contingency agreement" was reached with Peters wherein Joey Langston would make ongoing payments to Peters for his services. The agreement with Peters resulted in wire transfers being initiated from Joey Langston's law office in Booneville, Mississippi and funds being deposited into Edward J. Peters' bank account in Jackson, Mississippi. In all, wire transfers totaling \$950,000 were made from Langston to Peters according to their agreement. The property named as the Defendant herein represents the remaining funds of the total \$1,000,000.00 after deductions for federal income taxes and losses incurred as a result of recent stock market conditions.

10. Each wire transfer made by Langston to Peters constitutes a violation of 18 U.S.C. § 1343 (Wire Fraud).

11. Based on the above facts, Plaintiff alleges that the Defendant property named herein constitutes or is derived from proceeds traceable to violations of 18 U.S.C. § 1343 (Wire Fraud), which constitutes a "specified unlawful activity" by virtue of 18 U.S.C. §1956(c)(7)(A) and 18 U.S.C. §1961(1), collectively, and is therefore subject to forfeiture to the United States pursuant to 18 U.S.C. § 924(d).

WHEREFORE, Premises considered, Plaintiff prays as follows:

(1) That a Warrant of Arrest in rem issue to the United States Marshals Service commanding them to seize the Defendant property;

(2) That notice issue according to the normal procedure of this Court and in accordance with 18 U.S.C § 983(a)(4)(A);

(3) That judgment of forfeiture be decreed against the Defendant property;

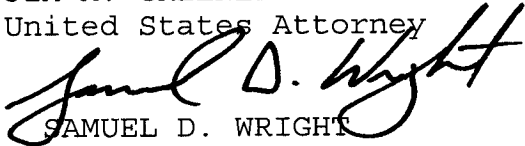
(4) That upon judgment of forfeiture, the United States Marshal dispose of the Defendant property in accordance with law;

(5) For costs and for such other further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

JIM M. GREENLEE
United States Attorney

By:


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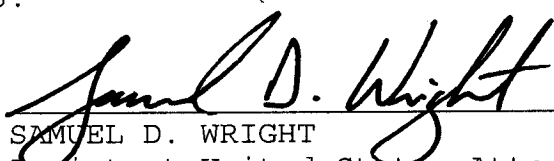
VERIFICATION

I, Samuel D. Wright, hereby verify and declare under penalty of perjury that I am an Assistant United States Attorney for the Northern District of Mississippi, United States Department of Justice, and that I have drafted the foregoing *Verified Complaint For Forfeiture In Rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to the best of my knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information, and the grounds of my belief, are the official files and records of the United States Department of Justice, information supplied to me by federal law enforcement officers, as well as my investigation of this case, together with others, as an Assistant United States Attorney.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Dated: December 31, 2008.



SAMUEL D. WRIGHT
Assistant United States Attorney