

U.S. Department of Justice
United States Attorney
Southern District of Florida, Miami

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Two South Florida Men Found Guilty Of Illegally Trafficking In West Indies Tortoises And Rare And Endangered Lizards

Thomas E. Scott, United States Attorney for the Southern District of Florida and Lois J. Schiffer, Assistant Attorney General for the Environment and Natural Resources Division of the U.S. Department of Justice announced that a federal jury sitting in Fort Lauderdale returned guilty verdicts today after a three week trial against two south Florida residents, DWAYNE D. CUNNINGHAM, 41, and ROBERT A. LAWRACY, 32, for illegally trafficking in West Indian reptiles protected under domestic and international law in violation of the Lacey Act (the federal anti-wildlife trafficking statute) and the federal smuggling and conspiracy statutes. CUNNINGHAM and LAWRACY were found guilty of conspiring with one another to violate the Lacey Act, the federal smuggling statute and the international treaty known as "CITES", the Convention on International Trade in Endangered Species of Fauna and Flora, which is enforced through the Endangered Species Act. Additionally, CUNNINGHAM was found guilty of a Lacey Act violation and LAWRACY was found guilty of importing wildlife contrary to law. Each of these charges are felonies punishable by up to 5 years in jail and up to a \$250,000 fine. Sentencing is scheduled for July 16.

According to the Indictment, from 1992 through 1997 the defendants poached and then trafficked in CITES-protected reptile species that originated on various West Indies islands. Several species and sub-species of *Cyclura* (commonly known as Rock or Ground Iguanas), including the White's Cay Rock Iguana and the Exuma Island Rock Iguana, both of which exist only in the Bahamas Islands, and the Anegada (British Virgin Islands) Island Rock Iguana, as well as Lesser Antillean Iguanas and Red-footed Tortoises, were alleged to have been smuggled into the United States aboard cruise ships touring the West Indies that employed CUNNINGHAM as a comedian and LAWRACY as a dive instructor. The aforementioned species and sub-species of *Cyclura* are currently threatened with extinction, with wild populations numbering in the low hundreds for the White's Cay and Anegada Rock Iguanas, and are listed on Appendix I of CITES, the highest level of protection available under the treaty. The Rock Iguanas and Lesser Antillean Iguanas were often marketed for \$1,000 and more apiece.

The Indictment further alleged that in an effort to conceal the smuggling of Exuma Island Rock Iguanas, CUNNINGHAM procured from the U.S. Fish & Wildlife Service ("USFWS") a permit for the "captive breeding" of species listed under the Endangered Species Act to create the impression that their sale of these reptiles stemmed from a viable domestic breeding program rather than smuggling of wild-caught animals.

Mr. Scott commended the Special Agents of the United States Fish and Wildlife Service for their work on the case.

The United States is represented in this matter by Thomas Watts-FitzGerald, Chief of the Environmental Crimes Unit at the U. S. Attorney's Office in Miami and Peter Murtha, Senior Trial Attorney, United States Department of Justice, Wildlife & Marine Resources Section.