

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	No. 24-cv-
v.	)	
	)	
13 PIT BULL-TYPE DOGS,	)	
	)	
Defendants <i>in Rem</i> .	)	
	)	

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM***

The United States of America, by its attorney, Joshua S. Levy, Acting United States Attorney for the District of Massachusetts, in a civil action of forfeiture in accordance with Supplemental Rule G(2), Fed. R. Civ. P., alleges, that:

**NATURE OF THE ACTION**

1. This is a civil action *in rem* brought to enforce 7 U.S.C. § 2156(e) for the forfeiture of thirteen pit bull-type dogs that were involved in a violation of the animal fighting venture prohibition section of the Animal Welfare Act, 7 U.S.C. § 2156.

**DEFENDANTS *IN REM***

2. The Defendants *in rem* were seized from locations in Hanson and Townsend, Massachusetts.

3. The Defendants *in rem* seized from [REDACTED] Hanson, Massachusetts (the “Hanson Defendant Dogs”) are as follows:<sup>1</sup>

- a. USM-001: a blonde, female pit bull-type dog;

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<sup>1</sup> The United States Marshals Service assigns each dog an identification number, such as USM-XXX. USM-003, a red, underweight male pit bull-type dog, died after the dog was seized by the United States Marshals Service. That dog is believed to have had cancer.

- b. USM-002: a white and red, male pit bull-type dog;
- c. USM-004: a red, underweight male pit bull type-dog;
- d. USM-005: a red, male pit bull-type dog;
- e. USM-006: a fawn, female pit bull-type dog;
- f. USM-007: a red, male pit bull-type dog;
- g. USM-008: a red, underweight male pit bull-type dog; and
- h. USM-009: a red, underweight male pit bull-type dog.

4. The Defendants *in rem* seized from [REDACTED] Townsend, Massachusetts (the “Townsend Defendant Dogs”) are as follows:

- a. USM-001: a red brindle, underweight female pit bull-type dog;
- b. USM-002: a blonde and white, male pit bull-type dog;
- c. USM-003: a white and fawn, very thin, female pit bull-type dog;
- d. USM-004: a red, male pit bull-type dog; and
- e. USM-005: a red brindle, male pit bull-type dog.

5. The Hanson Defendant Dogs referenced in Paragraph 3 were seized on or about June 7, 2023, from the yards and main-house of the above-referenced residence located in Hanson, Massachusetts, pursuant to a federal search warrant. They are currently in the custody of the U.S. Marshals Service and being cared for by a U.S. Marshals Service contractor.

6. The Townsend Defendant Dogs referenced in Paragraph 4 were seized on or about June 7, 2023, from the yards and main-house of the above-referenced residence located in Townsend, Massachusetts, pursuant to a federal search warrant. They are currently in the custody of the U.S. Marshals Service and being cared for by a U.S. Marshals Service contractor.

7. The thirteen Defendants *in rem* are subject to forfeiture to the United States pursuant to 7 U.S.C. § 2156(e), as animals involved in a violation of the federal animal fighting venture prohibition section of the Animal Welfare Act, 7 U.S.C. § 2156.

8. Because this Complaint is being filed for the purpose of establishing grounds for forfeiture and providing notice to interested persons, it does not include all of the information known by the Government in connection with the investigation underlying the claims for forfeiture set forth herein.

### **JURISDICTION AND VENUE**

9. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§ 1345 and 1355.

10. Venue is proper pursuant to 28 U.S.C. § 1355(b) because acts and omissions giving rise to the forfeiture took place in the District of Massachusetts.

### **STATUTORY BASIS FOR FORFEITURE**

11. The Animal Welfare Act, 7 U.S.C. § 2131, *et seq.*, defines “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). It is illegal to sponsor or exhibit an animal in an animal fighting venture. 7 U.S.C. § 2156(a)(1). It is also illegal to sell, buy, possess, train, transport, deliver, or receive an animal intended for use in an animal fighting venture. 7 U.S.C. § 2156(b).

12. The Animal Welfare Act provides that “[a] warrant to search for and seize any animal which there is probable cause to believe was involved in any violation of this section may be issued by any judge of the United States or of a State court of record or by a United States magistrate judge within the district wherein the animal sought is located.” 7 U.S.C. § 2156(e).

Animals “seized under such a warrant shall be held by the United States marshal or other authorized person pending disposition thereof by the court in accordance with this subsection.” *Id.* In addition, “[n]ecessary care including veterinary treatment shall be provided while the animals are so held in custody.” *Id.*

13. The statute also contemplates forfeiture of seized live animals. Specifically,

[a]ny animal involved in any violation of this section shall be liable to be proceeded against and forfeited to the United States at any time on complaint filed in any United States district court or other court of the United States for any jurisdiction in which the animal is found and upon a judgment of forfeiture shall be disposed of by sale for lawful purposes or by other humane means, as the court may direct.

*Id.* The costs incurred in caring for animals seized and forfeited under this section “shall be recoverable from the owner of the animals (1) if he appears in such forfeiture proceeding, or (2) in a separate civil action brought in the jurisdiction in which the owner is found, resides, or transacts business.” *Id.*

14. As explained below, the Defendants *in rem* are animals “involved in [] violation[s]” of 7 U.S.C. § 2156 and are therefore subject to forfeiture to the United States of America pursuant to 7 U.S.C. § 2156(e).

### **BACKGROUND**

15. In the United States, dogfighting ventures usually involve pit bull-type dogs, which dogfighters prefer for their compact muscular build, short coat, and the aggression that some display toward other dogs. A dogfight occurs when two dogs are knowingly released by their handlers in a controlled environment to attack each other and fight. The fight ends when one dog withdraws, when a handler “picks up” their dog and forfeits the match, or when one or both dogs die. Dogfights often occur in rectangular or square enclosures with low walls. Dogfighters refer to

an enclosure for dogfighting as a “pit” or “box.” The enclosures can be constructed with plywood and dimensional lumber to allow for transport and convenient assembly/disassembly.

16. One sign of a dogfighting venture is the presence of pit bull-type dogs on heavy or excessive chains or housed individually in pens or crates. Persons engaged in dogfighting take steps to restrain or isolate dogs used for fighting from one another to prevent them from fighting at unintended times. They may also keep younger dogs they intend to use for fighting out of reach of other dogs to discourage normal socialization. Heavy chains are often used when restraining dogs for the dual purposes of controlling the strong animals and developing strength to prepare for fighting.

17. Dogfighters fight dogs with a goal of obtaining “Champion” (Ch) or “Grand Champion” (Gr Ch) status for their dogs, which is achieved by winning three or five fights, respectively. They maintain contact with other dogfighters around the country and can generate substantial income from gambling on dogfights and from the sale and breeding of fighting animals.

18. Dogfighters select the strongest, most capable fighting dogs and selectively breed, sell, and fight only those dogs that display particular traits. Some of these traits are: (1) “gameness” or aggressiveness and propensity to fight other dogs; (2) a willingness to continue fighting another dog despite traumatic and/or mortal injury; and (3) cardiovascular endurance to continue fighting for long periods of time and through fatigue and injury. Dogs displaying these attributes are often bred with other dogs displaying similar traits to enhance the bloodline of these dogs for fighting purposes.

19. It is a common practice for those involved in training and exhibiting fighting dogs to possess several dogs at one time. This practice is followed for several reasons. First, dogfighters maintain a stock of dogs at different weights and both sexes because in dogfights, dogs are matched

against other dogs to within a pound of the same weight against dogs of the same sex. Maintaining a stock of several dogs thus increases the odds of owning a dog whose weight meets the requirements for a match being solicited by an opponent. Possessing multiple dogs likewise increases the prospects of owning a dog who will become a Champion or Grand Champion.

20. Dogfighters also maintain multiple dogs in order to selectively breed, sell, and fight dogs displaying certain traits or to otherwise advance a particular dogfighting bloodline. Dogfighters commonly collect and store frozen dog semen at veterinary clinics to be able to continue breeding a winning blood line even after the dog dies or is seized by the government.

21. Further, dogfighters must possess an inventory of dogs because dogs often die or are badly injured during fights. Dogs that lose fights or fail to show “gameness” are often killed. It is not uncommon for dogs that lose matches to be killed in cruel, torturous, and inhumane ways as punishment. Dogfighters also routinely test and evaluate their dogs to determine those that exhibit aggressive behavior, including against their own dogs.

22. Once a dogfighter locates an opponent and agrees upon terms, a match is “hooked,” or set up. The dog then undergoes a conditioning process dog handlers refer to as a “keep.” A “keep” is typically conducted for six to eight weeks before the scheduled match and involves a training program that may include running and exercising the dogs away from public view, the use of devices such as “spring poles” and “flirt poles” to build jaw strength and increase aggression, and the administration of drugs, vitamins, and other medicine. Dogfighters use legal and illegal drugs to increase the strength and stamina of their fighting dogs, including using anabolic steroids to build muscle mass and aggression.

23. Dogfighters typically do not start setting up matches for a dog until the dog reaches at least eighteen months to two years of age. Until then, dogfighters may test the dog out by

“rolling” it or having the dog participate in short fights to assess the dog’s demeanor. Thus, it is common for dogfighters to possess multiple young pit bull-type dogs who are in the process of being trained to fight.

24. Dogs who have been fought may have scars, puncture wounds, swollen faces, or mangled ears. Scars from organized dogfights are commonly found on the face and front legs, as well as on hind ends and thighs.

25. Commonly, those operating dogfighting ventures maintain pedigrees, books, records, ledgers, and journals relating to the possession, purchase, transportation, sale, breeding, and training of fighting dogs. These materials exist in both hard and electronic copy and are frequently transmitted through the Internet on websites, forums, and social media. The “pedigree” of a fighting dog shows the dog’s name, with reference to the dogfighting “kennel,” as well as breeding lineage going back multiple generations, with references to the number of fights won by that dog and its predecessors. Pedigrees are important in the dogfighting “industry” because they allow dogfighters to maintain information on whether a particular “bloodline” or breeding combination resulted in desired fighting traits.

26. Dogfighters also post fighting dog pedigrees on the website <http://www.apbt.online-pedigrees.com>, known as “Peds Online” or “Online Peds.” Dogfighters use this as a repository for breeding information to prove and verify the lineage of their fighting dogs, opponents their dogs will be fighting against, or dogs the dogfighters are considering buying or breeding with their dogs. The pedigree for each dog often contains an indicator of how many fights the dog has won, whether the dog is a “Champion” or a “Grand Champion,” the breeding history of the dog in four generations, and indicators of the number of fights that dogs in their bloodline have won. There is also a field for “Breeder” and “Owner.” Some pedigrees have

pictures of the dogs. Each pedigree has a unique six-digit number that appears in the webpage internet address for that particular pedigree.

27. Historically, “underground” dogfighting publications similar to magazines are routinely published and distributed to readers through periodic subscriptions, which describe and report on recent fight details and past results from around the country using coded language. They also describe various “kennels” or dog breeders who raise dogs for animal fighting purposes. In addition, there are online versions of published magazines that serve the same purpose. Dogfighters also may keep detailed ledgers and journals that specifically depict how certain dogs performed during a particular fight, together with the duration and outcome of fights.

28. Dogfighters today tend to communicate with each other via text messages, Facebook, email, or website chat rooms dedicated to “game dogs.” Dogfighters routinely “hook” matches and exchange documents, expertise, photographs, or videos relating to dogfighting activities via email and other electronic means. Social media offers individuals who engage in animal fighting with the ability to communicate using text messages and audio calls, transmit and receive pictures and videos of animal fighting, and establish and widen animal fighting networks. Public and private Facebook groups dedicated to dogfighting exist. Dogfighters exchange photographs and videos of dogs, for example, to demonstrate a dog’s conformation or build, gameness, and other fighting qualities, when soliciting or advertising a dog for purposes of breeding, buying, or arranging a fight.

29. Dogfighters who maintain successful or high-potential fighting dogs do so for long periods of time so that they can continue to profit off those dogs in future dogfights or from selling offspring or breeding rights. The more fights a dog wins, the higher that dog’s value, for either offspring, breeding, or sale to another dogfighter.

30. Some dogfighters are selective about who they will sell fighting dogs to because the success of that dog in the fighting ring will reflect on the seller whose bloodline is represented by the dog. A dog that produces multiple offspring that go on to be “Champions” (*i.e.*, winning three or more dogfights) is bestowed the “Register of Merit” (“ROM”) title. This provides incentive to the seller to sell dogs to capable dogfighters, with the intention that the dogs will be fought successfully.

### **BASIS FOR FORFEITURE**

31. At all times relevant to this Complaint, John Murphy (“Murphy”) was a resident of [REDACTED] Hanson, Massachusetts (the “Hanson Residence”) and Steven Morrissey (“Morrissey”) was a resident of [REDACTED] Townsend, Massachusetts (the “Townsend Residence”).

#### **A. Interstate Dogfighting Investigation**

32. In 2021, the Suffolk County, New York, District Attorney’s Office initiated an investigation of subjects involved in dogfighting ventures in the Suffolk County area. As part of that investigation, the New York Suffolk County District Attorney’s Office conducted a series of wiretaps pursuant to court orders.

33. The intercepted wire communications indicated that the subjects in the Suffolk County, New York, investigation were communicating with individuals involved in dogfighting ventures in other states.

34. In September 2021, the New York Suffolk County District Attorney’s Office obtained a court order permitting the United States Department of Agriculture - Office of the Inspector General (“USDA-OIG”) to use the intercepted communications.

35. Using those intercepted communications, Special Agents from USDA-OIG, working in conjunction with the U.S. Attorney's Offices for the District of Maine, the District of Massachusetts, and the Middle District of Florida, identified a number of individuals in those states believed to be participating in an interstate network of dogfighters.

**1. John Murphy**

36. During the course of the interstate investigation, law enforcement identified Murphy as a participant in the interstate network of dogfighters.

37. Wire intercepts, surveillance of Murphy's Facebook accounts, and aerial and ground surveillance of the Hanson Residence revealed that Murphy was involved in the breeding, fighting, and training of fighting dogs at the Hanson Residence.

38. Wire intercepts revealed conversations between Murphy and a New York-based dogfighting target, in which they discussed the results of dogfights and injuries sustained by fighting dogs. Murphy also discussed breeding his dogs and indicated that he has collected and stored semen samples from one of his dogs for future use.

39. Law enforcement identified two Facebook accounts associated with Murphy under the usernames "John Mac Murchaidha" and "Séamus Sugar."

40. The "Séamus Sugar" account belonged to a private Facebook group, "Scratch Dog Journal," known to law enforcement as a medium used by dogfighters to share the results of past fights, buy and sell fighting dogs, exchange information on training and conditioning fighting dogs, and engage in other dogfighting-related activities.

41. In May 2021, the "Séamus Sugar" account posted a photograph to the "Scratch Dog Journal" Facebook Group of a pit bull-type dog wearing an unusually thick collar with the caption "Ch zorro" and a link to the pedigree information of the dog. Dogfighters often restrain their dogs

with thick, heavy collars for the dual purposes of controlling the animal and building its neck strength to prepare for fighting. Dogfighters use “Ch” to identify a “Champion” dog.

42. In April 2022, Murphy indicated on the “Séamus Sugar” account that he was considering selling puppies. In the post, Murphy notes that a dog named “Cupcake,” presumably the ancestor of the pups offered for sale, was “1 point away” from the “Register of Merit” title.

43. Several photographs posted to the “Séamus Sugar” account display dogfighting paraphernalia. One photograph displays a 2004 issue of the dogfighting magazine, *Sporting Dog Journal*. Other photographs show records of frozen semen storage for dogs “Sismo” and “Alpo”; a pit bull-type dog restrained in a breeding stand; multiple veterinary supplements, including anabolic androgenic steroids; and a pit bull-type dog with scarring and discolorations on its head and leg consistent with scars indicative of dogfighting.

44. Moreover, videos posted to the “Séamus Sugar” account on May 13, 2019, February 18, 2020, and March 3, 2021, depicted pit bull-type dogs physically tethered to various carpet and slat mills. Dogfighters use these treadmill-like-devices to physically condition dogs in preparation for a dogfight. One video depicted what appears to be live bait placed at the end of the mill to entice the pit bull-type dog to run faster and harder.

45. The “Séamus Sugar” account also revealed private communications between Murphy and other dogfighters via Facebook’s messaging application. In June 2019, Murphy messaged the Facebook account of Morrissey and bragged of his prowess in breeding “Champion” dogs. Additionally, in April 2022, Murphy messaged the Facebook account of “John Jacob Jinglehimer” and described the results of several dogfighting matches.

46. Aerial surveillance of the Hanson Residence on March 23, 2022 and April 7, 2023, revealed a stockaded enclosure as well as what agents believed to be outdoor housing structures

for fighting dogs based on the type, number, construction, and layout of the structures. On both occasions, the surveilling agent observed one or more dogs within or immediately outside of the enclosure.

47. With the use of a pole camera, law enforcement documented pit bull-type dogs present at the Hanson Residence in each month from August 2022 through May 2023. Additionally, on March 14, 2023, a local animal control officer responded to a citizen report of a “dog tethered outside” the Hanson Residence in violation of Massachusetts law. The animal control officer reported observing an “American bully” dog tethered in the yard, “2-3 small kennel runs set up behind a stockade fence,” and a “young pit type puppy” inside the Hanson Residence.

## **2. Steven Morrissey**

48. During the course of the interstate investigation, law enforcement identified Morrissey as a participant in the interstate network of dogfighters.

49. Surveillance of Morrissey’s Facebook account and aerial and ground surveillance of the Townsend Residence revealed that Morrissey was involved in the breeding, fighting, and training of fighting dogs at the Townsend Residence.

50. Morrissey’s personal Facebook account contained photographs of historical advertisements of dogfighting that repeatedly mention “the pit.” Additionally, one photograph showed a book entitled “The World of Fighting Dogs.”

51. In June 2022, Morrissey also posted to his Facebook account several photos of pit bull-type dogs inside of a dogfighting pit being displayed by their handlers. In one photo, spectators are visible directly behind the pit wall.

52. The Facebook account also contained a photograph of a pit bull-type dog biting a spring pole, a device used to condition fighting dogs, at the Townsend Residence, as well as

multiple videos depicting dogs at undisclosed locations training on various pieces of equipment used to condition fighting dogs, including slat mills, flirt poles, and spring poles.

53. In February 2022, another Facebook user sent an approximately eight-minute video to Morrissey's Facebook account showing two dogs fighting in a dogfighting pit. Morrissey replied to the video with a "thumbs up" emoji.

54. Morrissey's Facebook account also revealed private communications with other dogfighters via Facebook's messaging application. In April 2019, Morrissey messaged an individual through that person's Facebook account about the status of a particular fighting dog named "Coy." That individual responded that Coy recently lost a fight to a Grand Champion and subsequently lost another fight only weeks later and indicated that Coy's face was still swollen from his fighting injuries. Also, in March 2020, Morrissey messaged another suspected dogfighter to warn him of law enforcement investigations concerning dogfighting in the Massachusetts area. Then, in December 2021, Morrissey messaged the Facebook account of another individual to discuss his plans to breed fighting dogs. In the message, Morrissey also described a litter of puppies as having "big bites" and stated that he trains "all [his] dogs on the tools in the shed at an early age to get em [*sic*] acimated [*sic*] to them."

55. Aerial surveillance of the Townsend Residence on March 23, 2022, and April 7, 2023, revealed what agents believed to be outdoor housing structures for fighting dogs based on the type, number, construction, and layout of the structures.

56. Ground surveillance of the Townsend Residence on May 18, 2022, May 27, 2022, September 20, 2022, March 30, 2023, and May 24, 2023, revealed spring poles suspended from a tree branch in the rear yard. During the surveillance on September 20, 2022, the surveilling agent observed a pit bull-type dog aggressively pulling the spring pole. Subsequently, on May 24, 2023,

the surveilling agent observed two pit-bull type dogs aggressively pulling on spring poles attached to a tree.

### **B. Search Warrant Execution**

57. Law enforcement simultaneously executed property search warrants related to the interstate dogfighting investigation on the morning of June 7, 2023, at the Hanson and Townsend Residences and at other residences in Maine and Florida.

58. Upon execution of the above-mentioned property search warrants at the Hanson and Townsend Residences, law enforcement found evidence consistent with participation in dogfighting activities at both locations.

59. Upon information and belief, Murphy owned the Hanson Defendant Dogs for the purpose of participation in a dogfighting venture and Morrissey owned the Townsend Defendant dogs for the purpose of participation in a dogfighting venture.

#### **I. Hanson Defendant Dogs**

60. On June 7, 2023, Special Agents of the USDA-OIG, with the assistance of other federal and local law enforcement, executed a federal search warrant at the Hanson Residence. During the execution of the warrant, agents observed that several of the Hanson Defendant Dogs had scarring indicating that those Defendants *in rem* had been involved in organized dogfighting.

61. The following dogs are among those who exhibited scarring, wounds, sores, or other injuries:

- a. USM-002 (including severe, deep scarring around the neck and on the left front leg);
- b. USM-003 (including scarring on the front and hind legs, face, neck and head, as well as notching and scarring on the left ear, luxating patella (*i.e.*, self-dislocating

kneecap) in both knees, worn teeth, and several masses on the left flank, right front leg, and undercarriage); and

- c. USM-008 (including scarring on the head and both front legs, notching on both ears, and scarring and/or hair loss on both back legs).

62. It is not uncommon for dogs possessed for the purpose of participation in a dogfighting venture to lack scarring and wounds indicative of dogfighting activities. Dogfighters may possess certain dogs for the sole purpose of breeding. Additionally, a dog may lack scarring for a variety of reasons, including its fighting prowess, because it has yet to be fought (either because it is too young or because its handler had yet to find an appropriate match for the dog's sex and weight), or because it is being used exclusively for breeding purposes.

63. Consistent with dogs possessed and/or trained for participation in an animal fighting venture, the Hanson Defendant Dogs were found restrained or housed separately. Seven out of nine dogs were found in locked cages or crate-like housing structures. One dog (USM-007) was found wearing a thick collar and was chained to the ground to prevent it from getting loose and attacking other dogs in the yard. This dog displayed aggressive behavior during the warrant execution (*i.e.*, bit animal handler) and subsequent veterinary intake. Aggressive behavior is not uncommon in dogs involved in an animal fighting venture. One female dog (USM-001) was found unrestrained in a separate area of the residence.

64. Two of the Hanson Defendant Dogs tested positive for anaplasma, a bacterial tickborne disease (USM-002 and USM-009); three tested positive for Lyme disease (USM-005, USM-007, and USM-009); one tested positive for giardia, a diarrhea-causing parasite (USM-008); and one tested positive for the presence of toxocara canis ova, the eggs of a parasitic roundworm

(USM-004). All dogs had dirty ears and long nails. One dog (USM-009) had a dead and infected dewclaw on the front left paw that required antibiotics.

65. None of the Hanson Defendant Dogs appeared spayed or neutered, which is common among dogs involved in an animal fighting venture.

66. In sum, the condition in which the Hanson Defendant Dogs were found was not consistent with that of pet dogs of a comparable age.

67. Additionally, a number of items commonly associated with an illegal dogfighting operation were observed at and/or seized from the Hanson Residence. For example:

- a. Veterinary supplies. Dogfighters often attempt to mend the injuries of their dogs rather than seek veterinary attention, which may raise suspicion regarding the cause of injuries. Thus, it is common to find veterinary supplies where dogs involved in dogfighting are being kept. Dogfighters often keep and administer medications intended for use on other species. Agents seized the following from the Hanson Residence:
  - i. Several types of antibiotics, including sulfadimethoxine, metronidazole (expired), cefazolin, azithromycin, and cefpodoxime;
  - ii. Several types of deworming medication, including pyrantel pamoate suspension (expired), injectable ivermectin for cattle and swine, and fenbendazole for goats;
  - iii. Wound care materials, including alcohol prep pads, iodine solution, chlorhexidine solution, and surgical forceps;
  - iv. Medical supplies, including syringes, intravenous kits, and hemoglobin test kits;

- v. Several types of fertility medications, including injectable pregnyl, a prescription medication used to cause ovulation and treat infertility in women and increase sperm count in men; injectable progesterone, a female reproductive hormone; injectable oxytocin for horses, cows, swine, and sheep (expired), a hormone that manages the female and male reproductive systems; and injectable melanotan II (expired), an experimental synthetic peptide hormone that increases sexual arousal;
- vi. Several types of steroids, including injectable dexamethasone for cows and horses (expired), a corticosteroid and immunosuppressant; prednisone (expired), a corticosteroid; and winstrol (expired), an anabolic steroid;
- vii. Doses of vaccines against canine distemper, adenovirus type 2, parainfluenza, and parvovirus (expired); and Lyme disease (expired);
- viii. Painkillers, including tramadol and injectable dipyrone;
- ix. Several nutritional supplements, including high calorie nutritional gel for puppies; injectable vitamin B-12 (expired), liquid B-12 for chickens; and canine exercise supplements for weight gain, tissue development, and stamina;
- x. Injectable bacteriostatic water, used to dilute or dissolve medications;
- xi. Toltrazuril for horses (expired), a treatment for coccidiosis;
- xii. Atovaquone suspension (expired), used to treat pneumonia;
- xiii. Injectable bupivacaine (expired), a local anesthetic;
- xiv. Erythromycin ophthalmic ointment for humans, a treatment for eye infections;

- xv. Injectable enerselen (expired), a muscular stimulant;
  - xvi. Gabapentin, an anticonvulsant seizure treatment and pain reliever; and
  - xvii. Lactated Ringer's injection, a solution used to replace water and electrolyte loss in patients with blood loss and/or low blood pressure;
- b. Issues of *Sporting Dog Journal*, *Bulldog Review*, and other magazines chronicling the results of dogfights and advertising various fighting dogs and kennels;
  - c. Various informational and instructional books on dogfighting (*e.g.*, "The Pit Bull Bible," "The World of Fighting Dogs," and "As the Son of a Dog Man . . . I Smell Blood");
  - d. DVDs and/or CD-ROMs containing interviews with dogfighters and prior issues of the *American Game Dog Times*;
  - e. Various "keep" regimens, found in correspondence, notebooks, published booklets, and on a whiteboard, prescribing a dog's training and diet in preparation for a fight;
  - f. American Dog Breeders Association Pedigree Certificates and Registration Certificates, which dogfighters use to establish bloodlines and market their dogs;
  - g. Printouts of fighting dog pedigrees from the database "Peds Online";
  - h. Records, including veterinary invoices and certifications, dog licenses, and purchase receipts;
  - i. Flirt poles, which dogfighters use to entice a dog to chase a stimulus;
  - j. Several treadmills, slat mills, and carpet mills, which dogfighters use to condition dogs to build stamina and muscle;
  - k. A jenny mill, which dogfighters use to develop a dog's endurance and musculature by enticing the animal to run on a circular track;

- l. A live rabbit which dogfighters use in conjunction with treadmills to increase a dog's interest in the training exercise;
- m. Break sticks, which dogfighters use to force open a dog's bite onto another dog's body, specifically at the termination of a fight or while training;
- n. A dog bite sleeve, which dogfighters wear to protect their arms from bites while handling fighting dogs at the termination of a fight or while training;
- o. Digital hanging scales, which dogfighters use to weigh their dogs for matches;
- p. Disposable skin staplers, which dogfighters use to attempt to close wounds resulting from dogfights;
- q. Breeding stand, which dogfighters use to restrain female dogs during breeding;
- r. Kennels and crates, used to house dogs individually;
- s. Invoices and other communications from veterinary clinics concerning dog semen storage;
- t. Ribbons and a trophy from events sponsored by the Massachusetts American Pit Bull Terrier Club and the American Dog Breeders Association, a registry for pit bull-type dogs; and
- u. Dog collars, including one leather collar embossed with the text "GR CH ALPO" (i.e., "Grand Champion Alpo") and one leather collar with a metal plate engraved with the text "International Champion Gold Day."

## **II. Townsend Defendant Dogs**

68. On June 7, 2023, Special Agents of USDA-OIG, with the assistance of other federal and local law enforcement, executed a federal search warrant at the Townsend Residence. During

the execution of the warrant, agents observed evidence indicating that the Townsend Defendant Dogs had been involved in organized dogfighting.

69. The following dog exhibited scarring or other injuries:

- a. USM-002 (including scarring on the face and under the chin, as well as on the front left leg, front right paw, and both hind legs).

70. It is not uncommon for dogs possessed for the purpose of participation in a dogfighting venture to lack scarring and wounds indicative of dogfighting activities. Dogfighters may possess certain dogs for the sole purpose of breeding. Additionally, a dog may lack scarring for a variety of reasons, including its fighting prowess, because it has yet to be fought, (either because it is too young or because its handler had yet to find an appropriate match for the dog's sex and weight), or because it is being used exclusively for breeding purposes.

71. Morrissey maintained several chain-link outdoor enclosures on his property used to separately house the dogs. Morrissey also maintained locking kennels inside the home and heavy metal chains staked to the ground outside the home to restrain and separately house the dogs.

72. Three of the Townsend Defendant Dogs tested positive for anaplasma, a bacterial tickborne disease (USM-001, USM-002, and USM-005); one dog tested positive for ringworm (USM-001); and one dog tested positive for giardia, diarrhea-causing parasite (USM-005). All dogs had dirty ears and long nails.

73. None of the Townsend Defendant Dogs appeared spayed or neutered, which is common among dogs involved in an animal fighting operation.

74. In sum, the condition in which the Townsend Defendant Dogs were found was not consistent with that of pet dogs of a comparable age.

75. Additionally, a number of items commonly associated with an illegal dogfighting operation were observed at and/or seized from the Townsend Residence. For example:

- a. Veterinary supplies. Dogfighters often attempt to mend the injuries of their dogs rather than seek veterinary attention, which may raise suspicion regarding the cause of injuries. Thus, it is common to find veterinary supplies where dogs involved in dogfighting are being kept. Agents seized the following from the Townsend Residence:
  - i. Several types of antibiotics, including amoxicillin, penicillin (expired), metronidazole, and clindamycin;
  - ii. Prednisone (expired), a corticosteroid;
  - iii. Rimadyl, a pain reliever;
  - iv. Canine deworming medication;
  - v. Wound care materials, including blood controlling spray, medicated ointments, antimicrobial wound care solution, and eye wash; and
  - vi. A scalpel.
- b. Issues of *Sporting Dog Journal*, the *American Game Dog Times*, and other magazines chronicling the results of dogfights and advertising various fighting dogs and kennels;
- c. Various informational and instructional books on dogfighting (*e.g.*, “The Book of the American Pit Bull Terrier,” “The World of Fighting Dogs,” and “The *American Game Dog Times* Book of Interviews”);
- d. A business card for “Council Rock Kennels,” which includes the contact information for “Steven John Morrissey”;

- e. Certificate issued by the American Dog Breeders Association certifying that a dog owned by Morrissey has achieved the title of “Champion”;
- f. American Dog Breeders Association Pedigree Certificates and Registration Certificates, which dogfighters use to establish bloodlines and market their dogs;
- g. Old Family Red Nose Registry Pedigree Certificates and Registration Certificates, which dogfighters use to establish bloodlines and market their dogs;
- h. Certificate for Kennel Registration of “Old Smoke’s Kennels” issued by the American Dog Breeders Association and identifying “Steven J. Morrissey” as the kennel owner;
- i. DVDs and/or CD-ROMs containing prior issues of the *American Game Dog Times* and a detailed “keep” titled the “Dogman 2000 Conditioning Program” developed by known dogfighter “Fat Bill”;
- j. Several items of memoranda signed by known dogfighter “Fat Bill,” including a printed copy of the Dogman 2000 Conditioning Program and various dogfighting magazines and books;
- k. Veterinary invoices;
- l. Purchase correspondence and receipts for various dogs;
- m. Nursing bottles, which dogfighters and breeders use to feed newborn pups;
- n. Ribbons and trophies from events sponsored by the Massachusetts and East Coast American Pit Bull Terrier Club, the Mid Florida American Pit Bull Terrier Association, the Tri-State American Pit Bull Terrier Club, the American Dog Breeders Association, and the New England American Pit Bull Terrier Club;
- o. A slat mill, which dogfighters use to condition dogs to build stamina and muscle;
- p. A flirt pole, which dogfighters use to entice a dog to chase a stimulus;

- q. Spring poles, which dogfighters use to build a dog's jaw strength and increase aggression;
- r. Break sticks, which dogfighters use to force open a dog's bite onto another dog's body, specifically at the termination of a fight or while training;
- s. Calendars prescribing a dog's training;
- t. Various written notes on training techniques;
- u. Hanging digital scales, which dogfighters use to weigh their dogs for matches;
- v. Heavy chains, which dogfighters use to restrain a dog while building the dog's muscle;
- w. Collars, harnesses, and leashes; and
- x. A thick leather collar embossed with the text "CHBUDDY" (*i.e.*, "Champion Buddy").

76. Based on the information and allegations set forth herein, there is a factual basis to support a reasonable belief that the Government will be able to meet its burden of proof at trial to show that the Defendants *in rem* are subject to forfeiture under the provisions of 7 U.S.C. § 2156(e).

WHEREFORE, the United States of America respectfully requests:

1. That a Warrant and Monition, in the form submitted herewith, be issued to the United States Marshals Service for the District of Massachusetts, commanding it to retain custody of the Defendants *in rem* and to give notice to all interested parties to appear and show cause why the forfeiture should not be decreed;
2. That judgment of forfeiture be decreed against the Defendants *in rem*;
3. That thereafter, the Defendants *in rem* be disposed of according to law;

4. That the Court enter a judgment for costs associated with the care of the Defendants *in rem* pursuant to 7 U.S.C. § 2156(e) should any interested party file a claim for the Defendants *in rem*; and

5. For costs and all other relief to which the United States may be entitled.

Dated: March 29, 2024.

Respectfully submitted,

JOSHUA S. LEVY  
Acting United States Attorney

/s/Carol E. Head  
CAROL E. HEAD  
Assistant United States Attorney  
United States Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210

J. BRETT GROSKO  
Senior Trial Attorney  
CAITLYN COOK  
Trial Attorney  
U.S. Department of Justice  
Environment and Natural Resources Division  
Wildlife and Marine Resources Section  
4 Constitution Square  
150 M St., N.E., Ste. 3.1112  
Washington, D.C. 20001

(Grosko)  
(202) (Cook)

**VERIFICATION**

I, Kyle Bishop, hereby verify and declare, under penalty of perjury, that I am a Special Agent with the USDA-OIG and, pursuant to 28 U.S.C. § 1746, that I have read 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 my own knowledge, information, and belief.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, and my investigation of this case together with other law enforcement officers.

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

Executed this 28 day of March 2024.

  
\_\_\_\_\_  
Kyle Bishop  
Special Agent  
U.S. Department of Agriculture  
Office of Inspector General

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Civil Action No.: 24-cv-
v.	)	
	)	
13 PIT BULL-TYPE DOGS,	)	
	)	
Defendants <i>in Rem</i> .	)	
	)	

**WARRANT AND MONITION**

To: The United States Marshals Service

You Are Hereby Comanded to give notice to all persons concerned that a Verified Complaint for Forfeiture *in Rem* (the “Complaint”), a copy of which is attached hereto, has been filed by the United States of America against the following defendant property, described as:

1. The Defendants *in rem* seized from [REDACTED] Hanson, Massachusetts are as follows:

- a. USM-001: a blonde, female pit bull-type dog;
- b. USM-002: a white and red, male pit bull-type dog;
- c. USM-004: a red, underweight male pit bull type-dog;
- d. USM-005: a red, male pit bull-type dog;
- e. USM-006: a fawn, female pit bull-type dog;
- f. USM-007: a red, male pit bull-type dog;
- g. USM-008: a red, underweight male pit bull-type dog; and
- h. USM-009: a red, underweight male pit bull-type dog.

2. The Defendants *in rem* seized from [REDACTED] Townsend, Massachusetts are as follows:

- a. USM-001: a red brindle, underweight female pit bull-type dog;
- b. USM-002: a blonde and white, male pit bull-type dog;
- c. USM-003: a white and fawn, very thin female pit bull-type dog;
- d. USM-004: a red, male pit bull-type dog; and
- e. USM-005: a red brindle, male pit bull-type dog.

(collectively, the “Defendant Property”).

This Court has found probable cause for forfeiture of the Defendant Property. Accordingly, you are hereby directed to serve, and give notice of the Complaint by:

- (1) Publishing notice of the United States’ intent to forfeit the Defendant Cryptocurrency via the government website, [www.forfeiture.gov](http://www.forfeiture.gov), for thirty (30) consecutive calendar days; and
- (2) Serving a copy of this Warrant and Monition, together with a copy of the Complaint to:

JOHN MURPHY

████████████████████  
Hanson, MA 02341

STEVEN MORRISSEY

████████████████████  
Townsend, MA 01469

TIFFANY LANE

████████████████████  
Hanson, MA 02341

CHRISTINE MORRISSEY

████████████████████  
Townsend, MA 01469

by certified mail, postage prepaid and return receipt requested, or by serving such copies on the above-listed parties by hand, or by any other reasonable means, such as electronic service.

You Are Further Commanded to arrest, attach, inspect, and retain the Defendant Property in your custody until further order of this Court.

You Are Further Commanded to give due notice by appropriate service of process, as provided herein, to all persons who claim an interest of the Defendant Property or assert that the Defendant Property should not be condemned or disposed of pursuant to the prayer of the Complaint. Upon

execution of this process, you are directed further to file the execution in this Court with your return thereon.

ALL CLAIMS TO THE DEFENDANT PROPERTY MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON ASSISTANT UNITED STATES ATTORNEY CAROL E. HEAD, UNITED STATES ATTORNEY'S OFFICE, ASSET RECOVERY UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN SIXTY (60) DAYS AFTER THE FIRST DAY OF PUBLICATION ON THE OFFICIAL GOVERNMENT FORFEITURE WEBSITE OR WITHIN THIRTY-FIVE (35) DAYS AFTER RECEIPT OF ACTUAL NOTICE, WHICHEVER IS EARLIER. ALL ANSWERS TO THE COMPLAINT MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS AND SERVED UPON ASSISTANT UNITED STATES ATTORNEY CAROL E. HEAD, UNITED STATES ATTORNEY'S OFFICE, ASSET RECOVERY UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210, WITHIN TWENTY-ONE (21) DAYS AFTER THE FILING OF THE CLAIM. CLAIMS MUST BE FILED IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL PROCEDURE, SUPPLEMENTAL RULES FOR ADMIRALTY OR MARITIME AND ASSET FORFEITURE CLAIMS.

THE PROCEDURES FOR FILING A PETITION FOR REMISSION OR MITIGATION ARE SET FORTH IN 28 CODE OF FEDERAL REGULATIONS, PART 9. IN ADDITION TO THE PROCEDURES MANDATED BY THOSE REGULATIONS, A COPY OF ANY PETITION FOR REMISSION OR MITIGATION SHOULD BE ADDRESSED TO THE ATTORNEY GENERAL; SHALL BE SWORN TO BY THE PETITIONER, OR BY THE

PETITIONER'S ATTORNEY UPON INFORMATION BELIEF, SUPPORTED BY THE CLIENT'S SWORN NOTICE OF REPRESENTATION PURSUANT TO 28 U.S.C. § 1746, AS SET FORTH IN 28 C.F.R. § 9.9(g); AND SHOULD BE SUBMITTED TO THE ATTENTION OF ASSISTANT UNITED STATES ATTORNEY MATTHEW M. LYONS, UNITED STATES ATTORNEY'S OFFICE, ASSET RECOVERY UNIT, 1 COURTHOUSE WAY, SUITE 9200, BOSTON, MASSACHUSETTS 02210.

Robert M. Farrell, Clerk  
U.S. District Court

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_, 2024

APPROVED AND SO ORDERED:

\_\_\_\_\_  
United States District Judge

Date: \_\_\_\_\_, 2024

CIVIL COVER SHEET

JS 44 (Rev. 12/12)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Carol E. Head, Assistant U.S. Attorney, U.S. Attorney's Office 1 Courthouse Way, Suite 9200, Boston, MA 02210

DEFENDANTS 13 PIT BULL-TYPE DOGS

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Motor Vehicle, Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 7 U.S.C. § 2156; 7 U.S.C. § 2156(e) Brief description of cause: forfeiture of 13 dogs pursuant to the Animal Welfare Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE William G. Young DOCKET NUMBER 24-CR-10074-WGY

DATE 03/29/2024 SIGNATURE OF ATTORNEY OF RECORD /s/ Carol E. Head

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) United States of America v. 13 Pit Bull-Type Dogs

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

- I. 160, 400, 410, 441, 535, 830\*, 835\*, 850, 891, 893, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 110, 130, 190, 196, 370, 375, 376, 440, 442, 443, 445, 446, 448, 470, 751, 820\*, 840\*, 895, 896, 899.
- III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 367, 368, 371, 380, 385, 422, 423, 430, 450, 460, 462, 463, 465, 480, 490, 510, 530, 540, 550, 555, 560, 625, 690, 710, 720, 740, 790, 791, 861-865, 870, 871, 890, 950.

\*Also complete AO 120 or AO 121. for patent, trademark or copyright cases.

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?

YES  NO

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES  NO

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES  NO

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES  NO

7. Do all of the parties in this action, excluding governmental agencies of the United States and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).

YES  NO

A. If yes, in which division do all of the non-governmental parties reside?

Eastern Division  Central Division  Western Division

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division  Central Division  Western Division

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)

YES  NO

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Carol E. Head, Assistant United States Attorney

ADDRESS 1 Courthouse Way, Suite 9200, Boston, MA 02210

TELEPHONE NO. [REDACTED]