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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH	
STATE OF UTAH, <p style="text-align: center;">Plaintiff</p> v. TWO THOUSAND SEVEN-HUNDRED AND SEVENTY-FIVE DOLLARS IN US CURRENCY IN GOLDEN WEST CREDIT UNION ACCOUNT ENDING IN 1106; SIX- HUNDRED FOURTEEN DOLLARS AND THIRTY-FIVE CENTS FROM PAYPAL ACCOUNT ENDING IN 4469; TWO HUNDRED SIXTY-SIX DOLLARS FROM TILL; ALL PROPERTY SET OUT IN THE INVENTORY ATTACHED HERETO AS EXHIBIT A; <p style="text-align: center;">Defendants.</p>	COMPLAINT FOR CIVIL FORFIETURE (VERIFIED) Case No. 180906356 Judge: Kara Pettit

PARTIES, JURISDICTION AND VENUE

1. Petitioner is the State of Utah, by and through the Utah Attorney General's Office.

2. Petitioner is charged with the enforcement of Utah's Criminal Code pursuant to Utah Code Ann. § 67-5-1 and performed an investigation pursuant to Utah Code Ann. § 77-22-2 with respect to various pawn shops in Salt Lake County and Utah County.
3. On June 19, 2018, pursuant to warrants issued by the Third District Court, special agents of the Utah Attorney General's Office seized two thousand seven-hundred and seventy-five dollars (\$2,775.00) in US currency in a Golden West Credit Union account ending in 1106, as referenced in the caption.
4. On June 19, 2018, pursuant to warrants issued by the Third District Court, special agents of the Utah Attorney General's Office with help from local law enforcement, searched the premises of Big Dog Pawn & Jewelry of Murray, Inc., a Utah corporation (hereinafter "Big Dog Pawn"), located at 6610 South State Street, Murray, Utah and seized two hundred and sixty-six dollars (\$266.00) from the till and the personal property listed in Exhibit A, as referenced in the caption.
5. Big Dog Pawn was notified of the intent to forfeit by e-mail on July 18, 2018 and an Acceptance of Service was received on July 19, 2018, as set forth in Exhibit B.
6. Defendant "All property set out in the inventory attached hereto as Exhibit A" is property and currency seized from the business premises of 6610 South State Street, Murray, Utah. A warrant authorizing seizure of this property was served on June 19, 2018, at 6610 South State Street, Murray, Utah.
7. The following business entities may have an interest in the subject property sought to be forfeited and were duly served with notice of intent to forfeit on or about July 19, 2018:

- a. Home Depot Group U.S.A., Inc., a corporation organized under the laws of the State of Delaware (hereinafter “Home Depot”), with its principal place of business in Atlanta, Georgia;
- b. Lowe’s Companies, Inc., a corporation organized under the laws of the State of North Carolina and operating under the d.b.a. of Lowe’s Home Improvement (hereinafter “Lowe’s”), with its principal place of business in Mooresville, North Carolina;
- c. Cabela’s, Inc., a corporation organized under the laws of Delaware and operating under the d.b.a. of Cabela’s (hereinafter “Cabela’s”), with its principal place of business in Sidney, Nebraska;
- d. Dick’s Sporting Goods, Inc., a corporation organized under the laws of Delaware and operating under the d.b.a. of Dick’s Sporting Goods (hereinafter “Dick’s”), with its principal place of business in Coraopolis, Pennsylvania;
- e. Target Corporation, a corporation organized under the laws of Minnesota and operating under the d.b.a. of Target (hereinafter “Target”), with its principal place of business in Minneapolis, Minnesota;
- f. Walmart Stores, Inc., a corporation organized under the laws of Delaware and operating under the d.b.a. of Wal-Mart (hereinafter “Wal-Mart”), with its principal place of business is Bentonville, Arkansas;
- g. Shopko Stores Operating Co., LLC, a limited liability company organized under the laws of Delaware and operating under the d.b.a. of Shopko (hereinafter “Shopko”), with its principal place of business is Green Bay, Wisconsin;

- h. Harbor Freight Tools USA, Inc., a corporation organized under the laws of California and operating under the d.b.a. of Harbor Freight Tools (hereinafter “Harbor Freight”), with its principal place of business is Calabasas, California;
- i. Kroger Co. is a corporation organized under the laws of Ohio and operating under the d.b.a. of Smith’s Food and Drug Center (hereinafter “Smith’s”), with its principal place of business is in Cincinnati, Ohio;
- j. Guitar Center, Inc., a corporation organized under the laws of Delaware and operating under the d.b.a. of Guitar Center (hereinafter “Guitar Center”), with its principal place of business is in Westlake Village, California; and
- k. CVS Caremark Corporation, a corporation organized under the laws of Delaware and operating under the d.b.a. of CVS Pharmacy (hereinafter “CVS”), with its principal place of business is in Woonsocket, Rhode Island; and
- l. Sportsman’s Warehouse Holdings, Inc., a corporation organized under the laws Delaware and operating under the d.b.a. of Sportsman’s Warehouse (hereinafter “Sportsman’s Warehouse”), with its principal place of business is in Midvale, Utah.
- m. Genuine Parts Company, a corporation organized under the laws of Georgia and operating under the d.b.a. of Napa Auto Parts of Midvale, Napa Auto Parts of Salt Lake City, Napa Auto Parts of Ogden, and Napa Auto Parts of Kearns (collectively hereinafter “Napa Auto Parts”), with its principal place of business in Atlanta, Georgia, may have an interest in the subject property sought to be forfeited and was duly served with notice of intent to forfeit on or about August 23, 2018.

8. The principal place of business for Big Dog Pawn is 6610 South State Street, Murray, Utah. As such and given that the seized property is within the boundary of Salt Lake County, venue is proper with the above court pursuant to Utah Code Ann. §§ 78B-3-305, 307.
9. This is an *in rem* action for forfeiture of property, pursuant to Utah Code Ann. § 24-4-101 et seq., and jurisdiction is proper with the above entitled court, pursuant to Utah Code Ann. § 78A-5-102.

NATURE OF THE CASE AND RELEVANT FACTS

Basic Information and Legal Grounds

10. Big Dog Pawn is a Utah corporation that was formed on September 8, 2011, according to the State of Utah Department of Commerce records. (*See* attached Exhibit C.)
11. Monte McKee is Big Dog Pawn's registered principal, registered agent, director, and president, according to Utah Department of Commerce, Division of Corporation records.
12. Kelli A. Carpenter is Big Dog Pawn's registered principal, director, vice president, secretary, and treasurer, according to Utah Department of Commerce, Division of Corporation records.
13. Pawnshops and Secondhand Dealers are regulated by the State of Utah under the Pawnshop and Secondhand Merchandise Transaction Information Act (Utah Code Ann. § 13-32a-101 et seq.).
14. Under this act pawnshops and secondhand dealers are defined and their activities when purchasing items from individuals, or loaning money to individuals based on property pledged to them as collateral are regulated.

15. Big Dog Pawn is a pawnshop operated by a pawnbroker according to the definitions provided in Utah Code Ann. § 13-32a-101.
16. A person commits theft if he receives, retains, or disposes of the property of another knowing that it has been stolen, or believing that it probably has been stolen, or who conceals, sells, withholds or aids in concealing, selling, or withholding the property from the owner, knowing the property to be stolen, intending to deprive the owner of it. Utah Code Ann. § 76-6-408(1).
17. Said knowledge or belief is presumed in the case of an actor who:
 - a. is found in possession or control of other property stolen on a separate occasion;
 - b. has received other stolen property within the year preceding the receiving offense charged;
 - c. or is a pawnbroker or person who has or operates a business dealing in or collecting used or secondhand merchandise or personal property, or an agent, employee, or representative of a pawnbroker or person who buys, receives, or obtains property and fails to require the seller or person delivering the property to:
 - i. certify, in writing, that he has the legal rights to sell the property;
 - ii. provide a legible print, preferably the right thumb, at the bottom of the certificate next to his signature; and
 - iii. provide at least one positive form of identification. Utah Code Ann. § 76-6-408(2).
18. A person commits the offense of money laundering who: (a) transports, receives, or acquires the property which is in fact proceeds of the specified unlawful activity, knowing

that the property involved represents the proceeds of some form of unlawful activity; (b) makes proceeds of unlawful activity available to another by transaction, transportation, or other means, knowing that the proceeds are intended to be used for the purpose of continuing or furthering the commission of specified unlawful activity; (c) conducts a transaction knowing the property involved in the transaction represents the proceeds of some form of unlawful activity with the intent: (i) to promote the unlawful activity; (ii) to conceal or disguise the nature, location, source, ownership, or control of the property; or (iii) to avoid a transaction reporting requirement under this chapter or under federal law; or (d) knowingly accepts or receives property which is represented to be proceeds of unlawful activity.

19. Property that has been used to facilitate the commission of a federal or state criminal offense and any proceeds of criminal activity is subject to forfeiture. Utah Code Ann. § 24-4-102(1).

Big Dog Pawn's History of Receiving Stolen Property

20. Big Dog Pawn previously has been found in possession of stolen property on other occasions¹, including but not limited to the following:

¹ Although now statutorily codified, the Utah Supreme Court long ago recognized that being in possession of stolen property on other, unrelated occasions was admissible on the issue of intent stating in *State v. Zeman*, 63 Utah 422, 22 P. 465, 466-67 (1924):

(1) It is immaterial whether in the other instances a knowing possession is shown. It is the mere fact of the repeated possession of other stolen goods that lessens the chances of innocence. (2) It is immaterial that the other goods were similar in kind to those charged, or were received from the same person. On the contrary, the greater the variety of goods *467 and of the sources they came from, the more striking the coincidence, and the more difficult to believe the explanation is an innocent one. (3) It is immaterial whether the other possessions occurred before or after the possession charged; it is the multiplication of instances that affects our belief, and not the time of their occurrence, provided the time is not so distant as to be accountable for on the theory of chance acquisition.”

These conclusions are supported by numerous cases. See e.g., *Buechert v. State*, 165 Ind. 523, 76 N. E. 111, 6 Ann. Cas. 914; *State v. Cohen*, 254 Mo. 437, 162 S. W. 216, Ann. Cas. 1915C, 86; *Commonwealth v. McGarvey*, 158 Ky.

- (a) Cordless impact driver pawned/purchased February 14, 2018; Brigham City Police Department case 17-B02208.
- (b) Wedding ring, with an owner's value of approx. \$5,000.00, pawned/purchased for \$200.00 on March 24, 2012; Third District Court Case no. 121907686.
- (c) Coin collection and snow blower; snow blower valued at approx. \$600; pawned [*sic* purchased] for \$160.00 on November 24, 2014; Third District Court (West Jordan) case no. 151905211.
- (d) Honda generator, valued at approx. \$170, pawned [*sic* purchased] for \$46.00 on November 28, 2014; Third District Court (West Jordan) case no 151905211.
- (e) Coin collection pawned [*sic* purchased] for \$14.00 on November 28, 2014; Third District Court (West Jordan) case no 151905211.
- (f) New chain saw, valued at \$399.99, pawned [*sic* purchased] on August 2, 2016 for \$100.00; Third District Court (West Jordan) case no. 161402744.
- (g) Golf clubs, valued at approx. \$106.00, pawned [*sic* purchased] for \$70.00 on July 28, 2017; Third District Court (West Jordan) case no. 181901016.
- (h) Paintball gun pawned [*sic* purchased] on July 1, 2014; Tooele City Police Case no. 2014-006848; Murray City Police Department, incident no. 14C014571.

570, 165 S. W. 973; *Jeffries v. United States*, 7 Ind. T. 47, 103 S. W. 761; *State v. Baker*, 84 W. Va. 151, 99 S. E. 252; *State v. Boyd*, 195 Iowa, 1091, 191 N. W. 84.

(i) Camera, valued at approx. \$350, and zoom lens, bought for \$140.00 on October 13, 2015; Murray City incident no. 15C019278; Third District Court case nos. 161903814 and 161908301.

(j) Seamer pawned [*sic* purchased] for \$300 on May 1, 2017; Woods Cross Police Department case no. X17-00594; Murray City Police case no. 17C010356; Third District Case no.171906504.

Suspicious Sales of New Products on eBay

21. eBay.com is an online “commerce platform” that provides individuals and companies an internet-based marketplace to sell goods and services.
22. PayPal is a service utilized to receive and make payments for purchases through the eBay platform.
23. Big Dog Pawn advertised on their own webpage that they sold products on eBay.com and their webpage previously included a link to an eBay.com account, using user name bdpofmurray.
24. Big Dog Pawn utilized a PayPal account ending in 4469 to transact and receive proceeds for business conducted through eBay.
25. eBay employs several investigators to monitor their website for criminal activity.
26. When a company selling on eBay is identified as a second-hand dealer or pawn shop selling a significant volume of product, and they list over ten (10) percent of their products as new, eBay investigators may monitor their activity and report it to law enforcement.
27. Big Dog Pawn’s eBay account produced a total of \$289,691.88 in sales from January 1, 2015 through May 28, 2018, according to a report by obtained from eBay.

28. Big Dog Pawn's "new-in-the-box" sales accounted for thirty-seven (37) percent, or \$106,867.35, of Big Dog Pawn's eBay sales from January 1, 2015 through May 28, 2018.

Suspicious In-Store Transactions

29. According to the Statewide Central Pawn Database, the following individuals were found to regularly conduct suspicious transactions at Big Dog Pawn:

a. Dylan Lloyd:

- i. From January 3, 2017 through May 6, 2018, Lloyd sold or pawned 484 items.
- ii. 200 of the 484 items were sold or pawned to Big Dog Pawn.
- iii. Many of the 200 sales to Big Dog Pawn occurred on consecutive days.
- iv. Multiple items were sold in almost all sales transactions.
- v. Most of the items Lloyd sold were tools and sporting goods.
- vi. Dylan Lloyd has not reported any employment since 2016, according to the Utah Department of Workforce Services' records.

b. Casey Hunsaker

- i. From January 3, 2017 through May 6, 2018, Hunsaker sold or pawned 175 items.
- ii. 82 of the 175 items were sold or pawned to Big Dog Pawn.
- iii. Most of the items Hunsaker sold were tools and jewelry.
- iv. Hunsaker's criminal history includes three convictions for retail theft and convictions for possession of a controlled substance, according to Utah Criminal Justice Information System records.

- v. Casey Hunsaker reported an income of \$3,928.00 during the fourth quarter of 2017 and has not reported any employment for the first quarter of 2018, according to the Utah Department of Workforce Services' records.
- c. Ryan Smith:
- i. From January 6, 2017 through August 17, 2017, Smith sold or pawned a total of 104 items.
 - ii. 51 of the 104 items were sold or pawned to Big Dog Pawn.
 - iii. Most of the items Smith sold were tools and jewelry.
 - iv. Smith's criminal history includes three convictions for retail theft, according to Utah Criminal Justice Information System records.
 - v. Ryan Smith has no work history reported since 2013, according to the Department of Workforce Services' records.

Undercover Sales of "New-in-the-box" Product

30. From March 15, 2018 through May 31, 2018, undercover investigators (hereinafter "UC") with the Utah Attorney General's Office conducted six (6) sales transactions of "new-in-the-box" items with Big Dog Pawn.
- a. On March 15, 2018, a UC sold six (6) new-in-the-box identical saw blades to Big Dog Pawn.
 - i. The UC entered Big Dog Pawn, contacted the store clerks, presented the six (6) new saw blades, and offered them up for sale.
 - ii. The investigator presented driver's license which listed his residence as the local homeless shelter, located at 210 S Rio Grande Street.

- iii. One of the clerks completed the paperwork and gave the UC \$5.00 per saw as agreed.
 - iv. Each saw blade is individually sold at Home Depot for approximately \$21.97, according to <https://www.homedepot.com>.
 - v. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
 - vi. Neither clerk asked the UC how the saw blades were acquired.
 - vii. Neither clerk asked the UC for a receipt or proof of purchase.
 - viii. Neither clerk asked the UC for an explanation for why the saw blades were unused.
 - ix. Neither clerk asked the UC for an explanation for why multiple new saw blades were being sold at the same time.
 - x. Neither clerk asked the UC how the property was acquired.
- b. On April 18, 2018, the first of two UC sold one (1) new Milwaukee drill impact/combo set to Big Dog Pawn.
- i. The UC entered Big Dog Pawn, contacted the store clerk, presented the new drill impact/combo set, and offered it up for sale.
 - ii. The drill impact/combo set had an anti-theft device attached to the packaging.
 - iii. When the clerk saw the anti-theft device, he initially told the UC that a receipt was needed in order to accept the item.

- iv. The clerk confirmed that Big Dog Pawn would purchase the item without a receipt if the UC removed the anti-theft device.
 - v. The UC attempted to purchase something to cut off the anti-theft device, but the clerk directed the UC to just borrow a pair of wire cutters instead.
 - vi. The UC presented a driver's license which listed his residence as the local homeless shelter located at 210 S Rio Grande Street.
 - vii. The clerk completed the paperwork and gave the UC \$100.00 as agreed.
 - viii. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
 - ix. The clerk did not require the UC to present a receipt or proof of purchase.
 - x. The clerk did not ask the UC for an explanation for why the drill impact/combo set was unused.
 - xi. The clerk did not ask the UC for an explanation for why the drill impact/combo set still had an anti-theft device attached.
 - xii. The clerk did not ask the UC how the property was acquired.
- c. On April 18, 2018 a second UC sold two (2) "new-in-the-box" same model Nest thermostats to Big Dog Pawn.
- i. The UC entered Big Dog Pawn, contacted the store clerk, presented the two (2) new Nest home security systems, and offered the security systems up for sale.

- ii. The clerk asked the UC for a receipt; the UC told the clerk that they did not have a receipt.
 - iii. The clerk did not ask any other questions.
 - iv. The UC presented a driver's license which listed a UC residence as the local homeless shelter located at 210 S Rio Grande Street.
 - v. The clerk completed the paperwork and gave the UC \$50.00 per security system.
 - vi. Each Nest thermostat is sold at Home Depot for approximately \$249 each, according to <https://www.homedepot.com>.
 - vii. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
 - viii. The clerk did not ask the UC to explain the absence of a receipt or proof of purchase.
 - ix. The clerk did not ask the UC for an explanation for why the security systems were unused.
 - x. The clerk did not ask the UC to explain why multiple new security systems were being sold at the same time.
 - xi. The clerk did not ask the UC how the property was acquired.
- d. On April 26, 2018 a UC sold two (2) "new-in-the-box" same model Milwaukee drills to Big Dog Pawn.

- i. The UC entered Big Dog Pawn, contacted the store clerk, presented the two (2) new Milwaukee drills, and offered the drills up for sale.
 - ii. The clerk asked the UC for a receipt; the UC told the clerk that they did not have a receipt.
 - iii. The clerk did not ask any other questions.
 - iv. The UC presented a driver's license which listed a UC residence as the local homeless shelter located at 210 S Rio Grande Street.
 - v. The clerk completed the paperwork and gave the UC \$65.00 per drill.
 - vi. Each Milwaukee drill is sold at Home Depot for approximately \$179.00 each, according to <https://www.homedepot.com>.
 - vii. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
 - viii. The clerk did ask the UC for a receipt or proof of purchase but proceeded with the transaction without the receipt of proof of purchase.
 - ix. The clerk did not ask the UC for an explanation for why the drills were unused.
 - x. The clerk did not ask clerk the UC how the property was acquired.
- e. On April 27, 2018 a UC sold two (2) DeWalt "new-in-the-box" same model drill/Impact Combo sets to Big Dog Pawn.
- i. The UC entered Big Dog Pawn, contacted the store clerk, presented the two (2) new double drill impact/combo sets, and offered the drills up for sale.

- ii. The UC presented a driver's license which listed a UC residence as the local homeless shelter located at 210 S Rio Grande Street.
 - iii. The clerk completed the paperwork and gave the UC \$50.00 per drill impact/combo set.
 - iv. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
 - v. The clerk offered to purchase the item for a lower amount because the UC did not have a receipt.
 - vi. The clerk did not ask the UC for an explanation for why the drill impact/combo sets were unused.
 - vii. The clerk did not ask the UC to explain why multiple new drill impact/combo sets were being sold at the same time.
 - viii. The clerk did not ask clerk the UC how the property was acquired.
- f. On May 31, 2018, a UC sold one (1) new Milwaukee Drill/Impact/Saw combo kit to Big Dog Pawn.
- i. The UC entered Big Dog Pawn, contacted the store clerk, presented the new combo kit, and offered it up for sale.
 - ii. The UC presented a driver's license which listed his residence as the local homeless shelter located at 210 S Rio Grande Street.
 - iii. The clerk completed the paperwork and gave the UC \$150.00 as agreed.

- iv. The combo kit is sold at Home Depot for approximately \$499.00, according to <https://www.homedepot.com>.
- v. Big Dog Pawn probably knew the property was stolen because it was new and therefore able to be returned to the retailer but was sold for a fraction of its retail price.
- vi. The clerk offered to purchase the item for a higher amount with a receipt, but a lower amount without a receipt.
- vii. The clerk offered to purchase the item for a lower amount because the UC did not have a receipt.
- viii. The clerk did not ask the UC for an explanation for why the combo kit was unused.
- ix. The clerk did not ask clerk the UC how the property was acquired.

31. In total, Big Dog Pawn purchased fourteen (14) “new-in-the-box” products from UC over time period of approximately two (2) months.

32. The circumstances of each of the transactions were such that Big Dog Pawn knew or believed that the subject property of the transaction probably had been stolen.

33. On or about June 18-19, 2018, warrants were signed for the search and seizure of all “new-in-the-box” items from Big Dog Pawn’s premises and seizure of all funds in all bank accounts associated with Big Dog Pawn.

34. On June 19, 2018, officers with the Utah Attorney General’s Office seized: (1) Two thousand seven-hundred and seventy-five dollars (\$2,775.00) in US currency in a Golden West Credit Union account ending in 1106; (2) Six-hundred fourteen dollars and thirty-

five cents from PayPal account ending in 4469 (received July 5, 2018); (3) Two hundred sixty-six dollars (\$266.00) from the Big Dog Pawn till; and (4) All property set out in the inventory attached hereto as Exhibit A.

35. A person commits theft if he receives, retains, or disposes of the property of another knowing that it has been stolen, or believing that it probably has been stolen, or who conceals, sells, withholds or aids in concealing, selling, or withholding the property from the owner, knowing the property to be stolen, intending to deprive the owner of it.

Utah Code Ann. § 76-6-408(1).

a. Big Dog Pawn is presumed to have had knowledge or belief that the property received was stolen, according to Utah Code Ann. § 76-6-408(2).

i. Knowledge or belief that property is stolen may be presumed in the case of an actor who is found in possession or control of other property stolen on a separate occasion. *See id.*

ii. Big Dog Pawn was found in possession or control of other property stolen on multiple separate occasions.

b. Big Dog Pawn may also be presumed to have had knowledge or belief that the property received was stolen, according to Utah Code Ann. § 76-6-408(2).

i. Knowledge or belief that property is stolen may be presumed in the case of an actor who has received other stolen property within the year preceding the receiving offense charged. *See id.*

ii. Big Dog Pawn has received other stolen property within the year preceding the receiving offense charged on at least one other occasion.

- c. Big Dog Pawn knew or should have known that the “new-in-the-box” property sold by UCs was stolen.
- d. Big Dog Pawn knew or should have known that the other items outlined in Exhibit A, presented to them as new-in-the-box, were stolen.
- e. The principals of Big Dog Pawn are using Big Dog Pawn as an enterprise for the purpose of deriving proceeds through a pattern or unlawful activity, including but not limited to, receiving stolen property as aforementioned, and that the subject property is the seized proceeds of said unlawful activity were used to further operate the enterprise, in violation of Utah Code Ann. § 76-10-1603, a second degree felony (which is further subject to enhancement pursuant to Utah Code Ann. § 76-3-203.1 to a first degree felony).
- f. The subject cash and bank account funds/proceeds of the business activity have been knowingly received as the proceeds of illegal activity in violation of Utah Code Ann. § 76-10-1903.

36. The seized property sought to be forfeited herein is property that has been used to facilitate the commission of a State criminal offense, or is the proceeds of criminal activity and as such is subject to forfeiture pursuant to Utah Code Ann. § 24-4-102.

WHEREFORE, Plaintiff prays for Judgment as follows:

- 1. Forfeiture of “Two thousand seven-hundred and seventy-five dollars in US currency in Golden West Credit Union account ending in 1106; Six-hundred fourteen dollars and thirty-five cents from PayPal account ending in 4469; Two

hundred sixty-six dollars from till; and All property set out in the inventory attached hereto as Exhibit A” for disposition and allocation pursuant to Utah Code Ann.

§ 24-4-115;

2. If this action is contested, awarding to the State its costs and attorneys’ fees pursuant to Utah Code Ann. § 78B-5-825 to the extent any claim or defense is proven to have been made or presented in bad faith; and
3. For such other and further relief as may be appropriate.

DATED this 30th day of August, 2018.

SEAN D. REYES
Utah Attorney General

/s/ Kent A. Burggraaf
KENT A. BURGGRAAF
Assistant Attorney General

VERIFICATION

STATE OF UTAH)
 :SS
COUNTY OF SALT LAKE)

James Russell, first being duly sworn, states as follows:

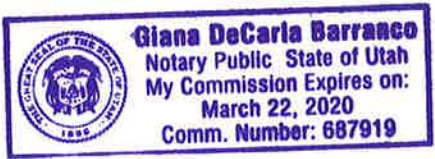
1. I am a Special Agent for the Investigation Division of the Utah Attorney General’s Office and have been assigned to work on this case involving Big Dog Pawn & Jewelry of Murray, Inc., a Utah corporation.
2. I have read the foregoing Complaint for Forfeiture and the allegations of fact contained therein are true and correct to the best of my knowledge, information and belief.

DATED this 29th day of August, 2018.



SPECIAL AGENT JAMES RUSSELL

Subscribed and sworn to before me this 29th day of August, 2018.





NOTARY PUBLIC