



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

February 2009 Grand Jury

11	UNITED STATES OF AMERICA,)	CR 09- CR09-00834
12	Plaintiff,)	<u>I N D I C T M E N T</u>
13	v.)	[16 U.S.C. §§ 470ee(b) (1) &
14	MICHAEL GLEN MALTER, and)	(d): Illegal Trafficking in
15	MALTER GALLERIES, INC.,)	Archaeological Resources; 18
16	Defendants.)	U.S.C. § 545: Receipt,
17))	Transportation, and Sale of
18))	Archaeological Materials
))	Imported Contrary to Law]

The Grand Jury charges:

COUNT ONE

(16 U.S.C. § 470ee(b) (1) & (d))

On or about October 17, 2004, in Los Angeles County, within the Central District of California, and elsewhere, defendants MICHAEL GLEN MALTER and MALTER GALLERIES, INC., did knowingly receive, offer to sell, transport, and sell approximately 261 archaeological resources, namely, Native American tools, beads, perishable materials, wooden materials, crystal materials, and

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1 bone materials, removed from public lands, namely, federal lands
2 within the Joshua Tree National Park, the Channel Islands
3 National Park, the Glen Canyon National Recreation Area, and
4 lands administered by the Bureau of Land Management within
5 California and Nevada, without authorization. The commercial
6 value of the resources involved and the cost of restoration and
7 repair of such resources exceeds the sum of \$500.

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COUNT TWO

[18 U.S.C. § 545; 19 C.F.R. §§ 12.104g(a), 148.11;

19 U.S.C. § 2606(a)]

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4 On or about October 17, 2004, in Los Angeles County, within
5 the Central District of California, and elsewhere, defendants
6 MICHAEL GLEN MALTER and MALTER GALLERIES, INC., did fraudulently
7 and knowingly receive, sell, and facilitate the transportation
8 and sale of merchandise after importation, knowing the same to
9 have been imported or brought into the United States contrary to
10 law. Specifically, defendants received, sold, and facilitated
11 the transportation and sale of archaeological materials
12 representing Prehispanic cultures of El Salvador knowing that
13 such merchandise had been imported into the United States from El
14 Salvador without being reported or declared to officials of the
15 United States Customs Service, in violation of Title 19, Code of
16 Federal Regulations, Section 148.11, and that such merchandise
17 had been imported into the United States from El Salvador without
18 certification by the government of El Salvador that such
19 exportation was not in violation of El Salvadoran laws, in
20 violation of the Title 19, United States Code, Section 2606(a),
21 and Title 19, Code of Federal Regulations, Section 12.104g(a).
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COUNT THREE

[18 U.S.C. § 545; 19 C.F.R. § 148.11]

Between on or about January 26, 2005, and February 27, 2005, in Los Angeles County, within the Central District of California, and elsewhere, defendants MICHAEL GLEN MALTER and MALTER GALLERIES, INC., did fraudulently and knowingly receive, sell, and facilitate the transportation and sale of merchandise, namely, Prehispanic ceramic vessels, after importation, knowing the same to have been imported or brought into the United States contrary to law. Specifically, defendants received, sold, and facilitated the transportation and sale of such merchandise knowing that such merchandise had been imported and brought into the United States without being reported or declared to officials of the United States Customs Service, in violation of Title 19, Code of Federal Regulations, Section 148.11.

A TRUE BILL

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Foreperson

THOMAS P. O'BRIEN
United States Attorney

Thomas P. O'Brien

CHRISTINE C. EWELL
Assistant United States Attorney
Chief, Criminal Division

JOSEPH O. JOHNS
Assistant United States Attorney
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