

Question

Under what statutes should a father seek relief for obstruction of justice for filing fraudulent pleadings and documents in a RICO suit against his spouse, his spouse's grandmother, and his spouse's stepfather?

Answer (U.S. Federal)

Short response

A father seeking relief for obstruction of justice for filing fraudulent pleadings and documents in a RICO suit against family members should primarily rely on [18 U.S.C. § 1503](#) (obstruction of justice), [18 U.S.C. § 1512](#) (tampering with documents), and [18 U.S.C. § 1519](#) (falsification of records), which can serve as predicate acts for a civil RICO claim under [18 U.S.C. § 1964](#), potentially entitling him to treble damages and attorney's fees.

Summary

When confronting fraudulent pleadings and documents filed in a RICO lawsuit against family members, a father can pursue relief through several federal statutes addressing obstruction of justice. The primary statutes include [18 U.S.C. § 1503](#) (obstruction of justice), [18 U.S.C. § 1512](#) (tampering with witnesses, victims, or informants), and [18 U.S.C. § 1519](#) (falsification of records in federal investigations). These statutes can serve as predicate acts for a civil RICO claim under [18 U.S.C. § 1962](#), which prohibits conducting an enterprise's affairs through a pattern of racketeering activity, with civil remedies available under [18 U.S.C. § 1964](#).

To establish a viable claim, the father must demonstrate that the defendants engaged in a pattern of racketeering activity by committing at least two predicate acts involving the filing of fraudulent documents, which caused injury to his business or property. If successful, he could recover treble damages, costs, and attorney's fees under [18 U.S.C. § 1964\(c\)](#). Additionally, Federal Rule of Civil Procedure 11 may provide an alternative avenue for sanctions against parties filing fraudulent pleadings, though this would not offer the same substantial remedies as a RICO claim.

Background and Relevant Law

Legislation

The RICO Statutory Framework

The Racketeer Influenced and Corrupt Organizations Act (RICO) provides both criminal penalties and civil remedies for certain prohibited activities. The civil RICO provisions are particularly relevant to a father seeking relief

for obstruction of justice through fraudulent pleadings in a lawsuit against family members.

Under [18 U.S.C. § 1962](#)(c), it is unlawful for "any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity." [18 U.S.C. § 1962](#)(c) (2025). Additionally, [18 U.S.C. § 1962](#)(d) prohibits conspiracy to violate the other provisions of § 1962. [18 U.S.C. § 1962](#)(d) (2025).

The civil remedy provision of RICO, codified at [18 U.S.C. § 1964](#)(c), states: "Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee..." [18 U.S.C. § 1964](#) (2025). This provision creates a powerful incentive for victims of racketeering activity to bring civil suits by allowing for treble damages and attorney's fees.

Predicate Acts for RICO Claims

For a successful RICO claim, the plaintiff must demonstrate a "pattern of racketeering activity," which requires at least two acts of "racketeering activity" as defined in [18 U.S.C. § 1961](#)(1). Importantly, this definition includes several forms of obstruction of justice, which are particularly relevant to the filing of fraudulent pleadings and documents:

1. **[18 U.S.C. § 1503 - Obstruction of Justice](#):** This statute makes it unlawful to "corruptly, or by threats or force, or by any threatening letter or communication, influence[], obstruct[], or impede[], or endeavor[] to influence, obstruct, or impede, the due administration of justice." [18 U.S.C. § 1503](#) (2025). Filing fraudulent pleadings and documents in a legal proceeding could constitute an attempt to corruptly obstruct or impede the due administration of justice.
2. **[18 U.S.C. § 1512 - Tampering With a Witness, Victim, Or an Informant](#):** This statute prohibits corrupting, altering, destroying, or concealing documents with the intent to impair their integrity or availability for use in an official proceeding. Specifically, it states: "Whoever corruptly alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both." [18 U.S.C. § 1512](#) (2025).
3. **[18 U.S.C. § 1519 - Destruction, Alteration, Or Falsification of Records](#):** This statute addresses falsification of records with the intent to obstruct justice. It provides: "Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede,

obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both." [18 U.S.C. § 1519](#) (2025).

The definition of "misleading conduct" under [18 U.S.C. § 1515](#) is also relevant, as it includes "knowingly making a false statement" and "with intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity." [18 U.S.C. § 1515](#) (2025).

Additional Relevant Statutes

While the following statutes are supplementary to the primary ones discussed above, they may still be relevant to a comprehensive strategy:

1. **[18 U.S.C. § 1621 - Perjury](#)**: This statute prohibits willfully making false statements under oath, which could apply if the fraudulent pleadings and documents involved sworn statements. [18 U.S.C. § 1621](#) (2025).
2. **[18 U.S.C. § 1623 - False Declarations Before Grand Jury Or Court](#)**: This statute specifically addresses false material declarations made under oath in court proceedings. [18 U.S.C. § 1623](#) (2025).
3. **[18 U.S.C. § 1505 - Obstruction of Proceedings Before Departments, Agencies, and Committees](#)**: This statute addresses obstruction of proceedings before federal departments, agencies, and committees. [18 U.S.C. § 1505](#) (2025).
4. **[Federal Rule of Civil Procedure 11](#)**: While not a statute, Rule 11 provides a mechanism for seeking sanctions against parties who file pleadings, motions, or other papers for improper purposes. [28 U.S.C. r. 11](#) (2025).

Case Law

The case law provides important guidance on how courts interpret and apply the RICO statutory framework in the context of obstruction of justice claims.

Elements of a Civil RICO Claim

Courts have consistently recognized that to establish a civil RICO claim, a plaintiff must demonstrate: "(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity (5) causing injury to plaintiff's business or property." [Simms v. Schwab, CASE NO. 3:19-cv-5642 BHS \(W.D. Wash. Aug 09, 2019\)](#).

In [Hemi Grp., LLC v. City of N.Y., 130 S.Ct. 983, 559 U.S. 1, 175 L. Ed. 2d 943 \(2010\)](#), the Supreme Court explained that RICO "provides a private cause of action for '[a]ny person injured in his business or property by

reason of a violation of section 1962 of this chapter'" and that section 1962(c) "makes it 'unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate ... commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity.'"

Pattern of Racketeering Activity

A "pattern of racketeering activity" requires at least two predicate acts of racketeering activity. [Troyer v. Hershberger, CASE NO. 5:11cv2536 \(N.D. Ohio Feb 14, 2012\)](#). These predicate acts must be among those listed in [18 U.S.C. § 1961\(1\)](#), which includes obstruction of justice.

In [Royal Food Products, Inc. v. Buckeye Union Ins. Co., 985 F.2d 561 \(6th Cir. 1993\)](#), the court identified several statutes that have "possible relevance" to establishing racketeering activity: "(1) [18 U.S.C. § 1503](#) (obstruction of justice); (2) [18 U.S.C. § 1512](#) (tampering with a witness, victim, or an informant); (3) 18 U.S.C. § 1513 (retaliating against a witness, victim, or an informant); and (4) 18 U.S.C. § 1957 (engaging in monetary transactions and property derived from specified unlawful activity)."

Similarly, in [Smith v. Aldridge, No. 3:17-cv-01485-HZ \(D. Or. Mar 22, 2018\)](#), the court noted that the "indictable federal acts are wide-ranging and include, for purposes of this opinion, obstruction of justice under 18 U.S.C. §§ 1503 and 1512."

Obstruction of Justice as a Predicate Act

The case law confirms that obstruction of justice can serve as a predicate act for a RICO claim. In [Gadberry v. Kuenzel](#) (U.S. District Court — Eastern District of Missouri, 2024-09-16), the court discussed a RICO claim where the plaintiff alleged predicate acts including "perjury and related false statements under 18 USC §§ 1621 and 1623 ... tampering pursuant to 18 USC §§ 1512(a)(1)(A), 1512(b)(2)(B), and 1512(c)(1)(2); obstruction pursuant to 18 USC § 1505; ... offenses against the administration of justice under § 575.500 (false affidavit) and under § 575.060 (false declaration)."

In [United States v. Fineman, 434 F.Supp. 189 \(E.D. Pa. 1977\)](#), the court noted that obstruction of a criminal investigation in violation of 18 U.S.C. § 1510 can be charged alongside RICO violations based on "alleged attempts to hinder the F.B.I. Investigation."

Civil Remedies Under RICO

The civil remedies provided by RICO are substantial. In [Saine v. AIA, INC., 582 F.Supp. 1299 \(D. Colo. 1984\)](#), the court explained that the civil remedies section of RICO "provides for a private right of action for treble damages: Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States District Court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

Analysis

Application of RICO's Civil Remedy Provisions

For a father seeking relief for obstruction of justice through the filing of fraudulent pleadings and documents in a RICO suit against family members, the most direct path would be to assert a civil RICO claim under [18 U.S.C. § 1964\(c\)](#), based on violations of § 1962(c) or (d).

To succeed, he would need to demonstrate:

1. **The existence of an enterprise:** The enterprise could be alleged to consist of his spouse, the spouse's grandmother, and the spouse's stepfather, who are associated in fact for the purpose of obstructing justice in the legal proceedings.
2. **A pattern of racketeering activity:** This would require showing at least two acts of racketeering activity, which could include multiple instances of filing fraudulent pleadings or documents. These acts would need to be related and demonstrate continuity, either through repeated acts over a substantial period or the threat of continued criminal activity.
3. **Predicate acts of obstruction of justice:** The most relevant predicate acts would likely be violations of:
 - a. [18 U.S.C. § 1503](#) (obstruction of justice): The father would need to show that the defendants "corruptly... endeavor[ed] to influence, obstruct, or impede, the due administration of justice" by filing fraudulent pleadings and documents. The term "corruptly" implies a specific intent to obstruct justice, which could be inferred from the deliberate filing of documents known to be false.
 - b. [18 U.S.C. § 1512](#) (tampering with documents): If the defendants altered or falsified documents for use in the RICO suit, this could constitute a violation of § 1512, specifically subsection (c), which prohibits corruptly altering, destroying, mutilating, or concealing documents with the intent to impair their integrity or availability for use in an official proceeding.
 - c. [18 U.S.C. § 1519](#) (falsification of records): This statute directly addresses the falsification of documents with the intent to obstruct or influence a federal case, which would encompass the filing of fraudulent pleadings in a RICO suit.
4. **Injury to business or property:** The father would need to demonstrate that he suffered an injury to his business or property as a result of the racketeering activity. This could include financial losses, such as increased legal fees, or damage to property interests that are the subject of the litigation.

Specific Application of Obstruction of Justice Statutes

18 U.S.C. § 1503 - Obstruction of Justice

This statute is particularly applicable to situations where a party files fraudulent pleadings and documents in a legal proceeding. The act of submitting false information to a court with the intent to influence the outcome of the case would likely constitute an endeavor to "corruptly... influence, obstruct, or impede, the due administration of justice." [18 U.S.C. § 1503](#) (2025).

The statute's broad language covers a wide range of conduct aimed at obstructing the judicial process. In the context of a RICO suit, the filing of fraudulent pleadings could be seen as an attempt to derail or improperly influence the legal proceedings, which is exactly what § 1503 prohibits.

18 U.S.C. § 1512 - Tampering With Documents

Section 1512 specifically addresses the alteration, destruction, or concealment of documents for use in an official proceeding. Subsection (c) (1) prohibits corruptly altering, destroying, mutilating, or concealing documents with the intent to impair their integrity or availability for use in an official proceeding, while subsection (c)(2) more broadly prohibits otherwise obstructing, influencing, or impeding any official proceeding. [18 U.S.C. § 1512](#) (2025).

If the defendants created or submitted fraudulent documents, or altered genuine documents for submission to the court, this would likely constitute a violation of § 1512(c). The statute's focus on the integrity and availability of documents makes it particularly relevant to cases involving fraudulent pleadings.

18 U.S.C. § 1519 - Falsification of Records

Section 1519 addresses the falsification of documents with the intent to obstruct or influence a federal case. It prohibits knowingly falsifying or making a false entry in any document with the intent to impede, obstruct, or influence the proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11. [18 U.S.C. § 1519](#) (2025).

This statute is directly relevant to the filing of fraudulent pleadings and documents in a federal case, which would include a RICO suit. The act of knowingly creating or submitting false documents to the court would constitute a violation of § 1519.

Proving a Pattern of Racketeering Activity

To establish a pattern of racketeering activity, the father would need to show at least two predicate acts of obstruction of justice within a ten-year period. These acts could include separate instances of filing fraudulent pleadings or

documents, each of which could constitute a violation of § 1503, § 1512, or § 1519.

The father would also need to demonstrate that these acts were related and continuous, meaning they were part of a common scheme or plan and posed a threat of continued criminal activity. This could be established by showing that the defendants engaged in a pattern of submitting false information to the court over time, with the ongoing intent to obstruct the judicial process.

As explained in [Sundquist v. Hultquist, Cause No. 1:20-CV-275-HAB \(N.D. Ind. Sep 09, 2020\)](#), RICO is "concerned with eradicating organized, long-term, habitual criminal activity." Therefore, isolated instances of filing fraudulent documents might not be sufficient to establish a pattern of racketeering activity. The father would need to show that the defendants' conduct was part of a broader scheme to obstruct justice through ongoing fraudulent activities.

Establishing Injury to Business or Property

To recover under RICO's civil remedy provision, the father must demonstrate that he was "injured in his business or property by reason of a violation of section 1962." [18 U.S.C. § 1964\(c\) \(2025\)](#).

In [Chevron Corp. v. Donziger, 974 F. Supp. 2d 362 \(S.D. N.Y. 2014\)](#), the court confirmed that RICO "explicitly provides a cause of action for '[a]ny person injured in his business or property by reason of a violation of' the RICO statute." This injury could include increased legal costs due to the need to address fraudulent pleadings, damage to business relationships or reputation resulting from false allegations, or financial losses associated with the litigation.

It's important to note that emotional distress or other non-economic damages are typically not recoverable under RICO, as the statute specifically limits recovery to injuries to "business or property." Therefore, the father would need to focus on concrete, quantifiable financial losses.

Alternative or Supplementary Avenues for Relief

While a civil RICO claim would provide the most substantial remedies, including treble damages and attorney's fees, the father might also consider other avenues for relief:

1. **Federal Rule of Civil Procedure 11:** Rule 11 allows for sanctions against parties who file pleadings, motions, or other papers for improper purposes, such as harassment or causing unnecessary delay. [28 U.S.C. r. 11 \(2025\)](#). These sanctions can include monetary penalties and orders to pay attorney's fees. While not as substantial as RICO's treble damages, Rule 11 sanctions might be easier to obtain if the full elements of a RICO claim cannot be established.
2. **18 U.S.C. § 1621 (Perjury) and § 1623 (False Declarations):** If the fraudulent pleadings and documents involved sworn statements under

oath, the father might seek relief under the federal perjury statutes. [18 U.S.C. § 1621](#) (2025) and [18 U.S.C. § 1623](#) (2025). While these statutes primarily provide for criminal penalties rather than civil remedies, they could still form the basis of predicate acts for a RICO claim.

3. **[18 U.S.C. § 1505](#)**: If the fraudulent pleadings were submitted in a proceeding before a federal department, agency, or committee, § 1505 might apply. [18 U.S.C. § 1505](#) (2025). Like the other obstruction statutes, a violation of § 1505 could serve as a predicate act for a RICO claim.

Exceptions and Caveats

Heightened Pleading Requirements

One significant challenge in bringing a civil RICO claim is the heightened pleading requirement. As noted in [Simms v. Schwab, CASE NO. 3:19-cv-5642 BHS \(W.D. Wash. Aug 09, 2019\)](#), when a RICO claim is based on predicate acts involving fraud, the plaintiff "has a heightened burden to plead fraud with particularity" under Federal Rule of Civil Procedure 9(b). This means the father would need to "state the time, place, and specific content of the false representations as well as the identities of the particular parties to the misrepresentation."

This heightened pleading standard makes it more difficult to survive a motion to dismiss, as general allegations of fraudulent conduct will not suffice. The father would need to provide specific details about each instance of fraudulent pleadings or documents, including when and how they were submitted, their content, and the identities of those responsible for their creation and submission.

Requirement of Injury to Business or Property

As discussed earlier, RICO's civil remedy provision requires an injury to "business or property." This limitation can be significant in cases where the primary harm is non-economic, such as emotional distress or harm to personal relationships.

In [Beck v Prupis, 529 U.S. 494, 120 S.Ct. 1608, 146 L.Ed.2d 561 \(2000\)](#), the Supreme Court further clarified that "injury caused by an overt act that is not an act of racketeering or otherwise wrongful under RICO does not give rise to a cause of action under §1964(c) for a violation of §1962(d)." This means that the injury must be caused by a predicate act of racketeering, not just any act in furtherance of the conspiracy.

Therefore, if the father's injuries are primarily emotional or relational, or if they stem from acts that are not themselves predicate acts under RICO, he might not be able to recover under § 1964(c).

Complexity and Burden of RICO Claims

As noted in the secondary material "SCOTUS Clarified RICO's Domestic Injury Requirement," civil RICO claims are "a longshot claim with heavy burdens and discouraging odds." The article highlights the "exacting requirements to establish a RICO enterprise, a pattern of racketeering activity and the elements of specifically-enumerated predicate acts," as well as the "heightened specificity requirements of Rule 9" for fraud-based claims.

Given these challenges, the father should carefully consider whether he can meet all the elements of a RICO claim before pursuing this avenue of relief. If the fraudulent pleadings and documents were isolated incidents rather than part of a pattern, or if the father's injuries are primarily non-economic, other legal remedies might be more appropriate.

Conclusion

A father seeking relief for the filing of fraudulent pleadings and documents in a RICO suit against his spouse, his spouse's grandmother, and his spouse's stepfather has several statutory bases for his claims. The most powerful remedy would be a civil RICO claim under [18 U.S.C. § 1964\(c\)](#), based on predicate acts of obstruction of justice under § 1503, tampering with documents under § 1512, and/or falsification of records under § 1519.

To succeed on such a claim, the father would need to demonstrate:

1. The existence of an enterprise involving the defendants;
2. A pattern of racketeering activity through at least two related and continuous acts of obstruction of justice;
3. Injury to his business or property as a result of the racketeering activity; and
4. A causal connection between the predicate acts and his injuries.

If successful, the father could recover treble damages, costs, and attorney's fees under § 1964(c), which would provide substantial relief for the harm caused by the fraudulent pleadings and documents.

Alternatively, or in addition to a RICO claim, the father might seek relief under Federal Rule of Civil Procedure 11, which provides for sanctions against parties who file pleadings for improper purposes. While not as substantial as RICO's treble damages, Rule 11 sanctions might be easier to obtain if the full elements of a RICO claim cannot be established.

Overall, the father has several statutory avenues for seeking relief for obstruction of justice through fraudulent pleadings and documents, with a civil RICO claim under § 1964(c) offering the most substantial potential remedies. However, he should be aware of the heightened pleading requirements and other challenges associated with RICO claims, and carefully consider whether he can meet all the necessary elements before pursuing this avenue of relief.

Legal Authorities

[Beck v Prupis, 529 U.S. 494, 120 S.Ct. 1608, 146 L.Ed.2d 561 \(2000\)](#)

U.S. Supreme Court

Extract

Held: Injury caused by an overt act that is not an act of racketeering or otherwise wrongful under RICO does not give rise to a cause of action under §1964(c) for a violation of §1962(d). To determine what it means to be 'injured _ by reason of' a 'conspir[acy],' this Court must look to the common law of civil conspiracy. At common law, it was widely accepted that a plaintiff could bring suit for civil conspiracy only if he had been injured by an act that was itself tortious. When Congress adopted RICO, it incorporated this principle. As at common law, a civil conspiracy plaintiff cannot bring suit under RICO based on injury caused by any act in furtherance of a conspiracy that might have caused the plaintiff injury.

Summary

The passage from Beck v Prupis clarifies that for a RICO claim under §1964(c) related to a conspiracy under §1962(d), the injury must be caused by an act that is independently wrongful under RICO, such as an act of racketeering. Filing fraudulent pleadings and documents, if not considered racketeering acts, may not independently support a RICO claim. The passage emphasizes the need for the act causing injury to be tortious or wrongful under RICO, aligning with common law principles of civil conspiracy.

[Hemi Grp., LLC v. City of N.Y., 130 S.Ct. 983, 559 U.S. 1, 175 L. Ed. 2d 943 \(2010\)](#)

U.S. Supreme Court

Extract

RICO provides a private cause of action for '[a]ny person injured in his business or property by reason of a violation of section 1962 of this chapter.' 18 U.S.C. § 1964(c). Section 1962, in turn, contains RICO's criminal provisions. Specifically, § 1962(c), which the City invokes here, makes it 'unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate ... commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity.' '[R]acketeering activity' is defined to include a number of so-called predicate acts, including the two at issue in this case—mail and wire fraud. See § 1961(1).

Summary

Statutory framework for bringing a RICO claim, which includes demonstrating injury to business or property due to a violation of section 1962. Section 1962(c) makes it unlawful to conduct an enterprise's affairs through a pattern of racketeering activity, which includes predicate acts like mail and wire fraud. This is relevant to the question as it provides the legal basis for seeking relief under RICO for fraudulent activities, which could include filing fraudulent pleadings and documents.

[Sedima v. Imrex Company, Inc, 473 U.S. 479, 105 S.Ct. 3275, 87 L.Ed.2d 346 \(1985\)](#)

U.S. Supreme Court

Extract

The Racketeer Influenced and Corrupt Organizations Act (RICO), Pub.L. 91-452, Title IX, 84 Stat. 941, as amended, 18 U.S.C. §§ 1961-1968, provides a private civil action to recover treble damages for injury 'by reason of a violation of' its substantive provisions. 18 U.S.C. § 1964(c).

Summary

The passage from the Sedima v. Imrex Company, Inc case provides insight into the use of the RICO statute for private civil actions. It specifically mentions that 18 U.S.C. § 1964(c) allows for a private civil action to recover treble damages for injuries caused by a violation of RICO's substantive provisions. This is relevant to the question as it suggests that the father could potentially seek relief under the RICO statute if he can demonstrate that the fraudulent pleadings and documents constitute a violation of RICO's provisions, such as mail or wire fraud.

[Chevron Corp. v. Donziger, 974 F. Supp. 2d 362 \(S.D. N.Y. 2014\)](#)

U.S. District Court — Southern District of New York

Extract

RICO explicitly provides a cause of action for '[a]ny person injured in his business or property by reason of a violation of' the RICO statute.

Summary

The RICO statute provides a cause of action for any person injured in their business or property due to a RICO violation. This suggests that if the father can demonstrate that he was injured in his business or property by the

fraudulent pleadings and documents filed in the RICO suit, he may seek relief under the RICO statute.

[Royal Food Products, Inc. v. Buckeye Union Ins. Co., 985 F.2d 561 \(6th Cir. 1993\)](#)

U.S. Court of Appeals — Sixth Circuit

Extract

Defendants argue, however, that a 'pattern of racketeering activity' must be shown to impose civil or criminal RICO liability upon its violators, and that plaintiff has failed to allege facts which constitute a 'pattern' under the RICO statutes. However, before the pattern requirement is considered, 'racketeering activity' must be presented. 18 U.S.C. § 1961. The district court found, and we agree, that only four sections have possible relevance to this case: (1) 18 U.S.C. § 1503 (obstruction of justice); (2) 18 U.S.C. § 1512 (tampering with a witness, victim, or an informant); (3) 18 U.S.C. § 1513 (retaliating against a witness, victim, or an informant); and (4) 18 U.S.C. § 1957 (engaging in monetary transactions and property derived from specified unlawful activity).

Summary

The passage identifies specific statutes that are relevant to RICO claims, particularly in the context of obstruction of justice and related activities. The statutes mentioned include 18 U.S.C. § 1503 for obstruction of justice, which directly pertains to the question of seeking relief for obstruction of justice. The passage also highlights the necessity of demonstrating a "pattern of racketeering activity" under RICO, which is crucial for establishing a claim. The context of the passage is a legal case that discusses the requirements for a RICO claim, making it relevant to the question.

[United States v. Fineman, 434 F.Supp. 189 \(E.D. Pa. 1977\)](#)

U.S. District Court — Eastern District of Pennsylvania

Extract

The first two counts charge violations of the Racketeer Influenced and Corrupt Organizations Act ('RICO'), 18 U.S.C. § 1961 et seq. Count I charges a violation of § 1962(c), which provides: '(c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity. . . .' Count II charges a violation of § 1962(d), conspiracy to commit the violation of Subsection (c). Counts III, IV, and V charge mail fraud in violation of 18 U.S.C. § 1341. Count VI

charges the defendant with obstructing a criminal investigation in violation of 18 U.S.C. § 1510 on the basis of alleged attempts to hinder the F.B.I. Investigation.

Summary

Obstruction of justice can be charged under 18 U.S.C. § 1510, which is pertinent to the father's situation if fraudulent pleadings and documents were used to obstruct justice.

[West v. Sun Trust Mortg., CIVIL ACTION NO. 18-3778 \(E.D. Pa. Sep 26, 2018\)](#)

U.S. District Court — Eastern District of Pennsylvania

Extract

West also vaguely contends that the defendants violated RICO. The federal civil RICO statute provides that '[a]ny person injured in his business or property by reason of a violation of section 1962 of this chapter[, which prohibits racketeering activity,] may sue therefor in any appropriate United States district court. . .' 18 U.S.C. § 1964(c). Section 1962 provides, in relevant part: (c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity. .. (d) it shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

Summary

Elements required to state a civil RICO claim, which includes conduct of an enterprise through a pattern of racketeering activity. This is relevant to the question as it involves filing fraudulent pleadings and documents, which could be considered racketeering activity if they meet the criteria outlined in the statute.

[Simms v. Schwab, CASE NO. 3:19-cv-5642 BHS \(W.D. Wash. Aug 09, 2019\)](#)

U.S. District Court — Western District of Washington

Extract

RICO expressly provides for a private right of action for violations of 18 U.S.C. § 1962(c). See 18 U.S.C. § 1964(c). The elements of a civil RICO claim are: '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity. .. (5) causing injury to plaintiff's business or property.' ... A 'pattern of racketeering activity' requires at least two

predicate acts of racketeering activity. See 18 U.S.C. § 1961(5). ... Moreover, although it is unclear the precise foundation for plaintiff's RICO claims, to the extent that he alleges bank, wire, and/or mail fraud as predicate acts, plaintiff has a heightened burden to plead fraud with particularity. See Fed. R. Civ. P. 9(b). Plaintiff must state the time, place, and specific content of the false representations as well as the identities of the particular parties to the misrepresentation.

Summary

The RICO statute, specifically 18 U.S.C. § 1962(c), provides a private right of action for civil claims. The elements required to establish a civil RICO claim include conduct of an enterprise through a pattern of racketeering activity that causes injury to the plaintiff's business or property. The passage also highlights the necessity of pleading fraud with particularity, as required by Federal Rule of Civil Procedure 9(b), which is relevant when alleging predicate acts such as bank, wire, or mail fraud.

[Gadberry v. Kuenzel](#)

U.S. District Court — Eastern District of Missouri

Extract

Plaintiff purports to allege a RICO claim against Defendants. Section 1962 of the RICO Act makes it 'unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.' ... To demonstrate a RICO violation, the plaintiff must show '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.' ... For predicate acts of racketeering, Plaintiff alleges Defendants committed perjury and related false statements under 18 USC §§ 1621 and 1623 ... tampering pursuant to 18 USC §§ 1512(a)(1)(A), 1512(b)(2)(B), and 1512(c)(1)(2); obstruction pursuant to 18 USC § 1505; ... offenses against the administration of justice under § 575.500 (false affidavit) and under § 575.060 (false declaration).

Summary

Necessary elements to demonstrate a RICO violation, including conduct, enterprise, pattern, and racketeering activity. It also lists specific statutes that can be considered as predicate acts of racketeering, such as perjury under 18 USC §§ 1621 and 1623, tampering under 18 USC §§ 1512, and obstruction under 18 USC § 1505. These statutes are relevant for seeking relief for obstruction of justice in the context of a RICO suit.

[Givens v. Loeffler, Civil Action 2:19-cv-617 \(S.D. Ohio Apr 22, 2019\)](#)

U.S. District Court — Southern District of Ohio

Extract

A plaintiff seeking to advance a civil RICO claim 'must plead the following elements: '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.' Further, any such claim must allege an illicit agreement 'to participate directly or indirectly in the affairs of an enterprise through the commission of two or more predicate crimes.' Finally, a plaintiff advancing a civil RICO claim must allege injury to business or property. See 18 U.S.C. § 1964(c).

Summary

Necessary elements to advance a civil RICO claim, which includes demonstrating conduct of an enterprise through a pattern of racketeering activity, an illicit agreement to participate in the enterprise through predicate crimes, and an injury to business or property. This is relevant to the question as it provides the statutory framework under which a father could seek relief for obstruction of justice in a RICO suit.

[Smith v. Aldridge, No. 3:17-cv-01485-HZ \(D. Or. Mar 22, 2018\)](#)

U.S. District Court — District of Oregon

Extract

The acts chargeable under state law are limited to 'any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical... punishable by imprisonment for more than one year.' Id. The indictable federal acts are wide-ranging and include, for purposes of this opinion, obstruction of justice under 18 U.S.C. §§ 1503 and 1512.

Summary

Obstruction of justice can be considered a predicate act under the RICO statute. Specifically, 18 U.S.C. §§ 1503 and 1512 are mentioned as federal statutes that define obstruction of justice, which can be used in a RICO claim. This is relevant to the question as it provides the specific statutes under which a father could seek relief for obstruction of justice in a RICO suit.

[Troyer v. Hershberger, CASE NO. 5:11cv2536 \(N.D. Ohio Feb 14, 2012\)](#)

U.S. District Court — Northern District of Ohio

Extract

Plaintiff includes several claims under the Racketeer Influenced and Corrupt Organizations Act ('RICO'). RICO provides a private right of action for '[a]ny person injured in his business or property by reason of a violation of [18 U.S.C. § 1962].' In turn, Section 1962 states in relevant part: A 'pattern of racketeering activity' requires at least two acts of 'racketeering activity' which are set forth in Section 1961(1). 18 U.S.C. § 1961(5). To prove a Defendant violated Section 1962(c), it is necessary for the Plaintiff to prove the Defendant committed two predicate offenses. To violate Section 1962(d), a Defendant must conspire with another person who commits two acts of racketeering activity.

Summary

To seek relief under RICO for fraudulent pleadings and documents, the plaintiff must demonstrate a violation of 18 U.S.C. § 1962. This requires proving a pattern of racketeering activity, which involves at least two acts of racketeering as defined in 18 U.S.C. § 1961(1). The passage also clarifies that for a Section 1962(c) violation, two predicate offenses must be proven, and for a Section 1962(d) violation, a conspiracy to commit two acts of racketeering must be shown.

[Greene v. Wci Holdings Corp., 956 F.Supp. 509 \(S.D. N.Y. 1997\)](#)

U.S. District Court — Southern District of New York

Extract

Title 18, United States Code, Section 1964(c) provides the basis for a civil RICO cause of action. It provides: Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee. 18 U.S.C. § 1964(c). Accordingly, to pursue a civil RICO claim, a plaintiff must establish a violation of Title 18, United States Code, Section 1962 (the 'RICO statute'). The RICO statute in relevant part provides: (c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt. 18 U.S.C. § 1962(c).

Summary

Requirements for a civil RICO claim, which includes showing injury to business or property due to the RICO violation. This is relevant to the father's situation if he can demonstrate such a pattern and injury.

[Saine v. AIA, INC., 582 F.Supp. 1299 \(D. Colo. 1984\)](#)

U.S. District Court — District of Colorado

Extract

The civil remedies section of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961-1968 (RICO) provides for a private right of action for treble damages: Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States District Court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee.

Summary

The passage from the Saine v. AIA, INC. case provides insight into the civil remedies available under the RICO statute, specifically 18 U.S.C. § 1961-1968. It states that any person injured in their business or property due to a violation of section 1962 can sue in a U.S. District Court and recover threefold the damages sustained, along with the cost of the suit and reasonable attorney's fees. This is relevant to the question as it outlines the potential relief available under RICO for fraudulent activities, which could include filing fraudulent pleadings and documents.

[Sundquist v. Hultquist, Cause No. 1:20-CV-275-HAB \(N.D. Ind. Sep 09, 2020\)](#)

U.S. District Court — Northern District of Indiana

Extract

The Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. §§ 1961-1968, makes it unlawful 'to conduct' an 'enterprise's affairs through a pattern of racketeering activity,' where 'racketeering' is defined as behavior that violates certain enumerated federal statutes or state laws addressing specific topics and bearing specific penalties. 18 U.S.C. §§ 1962(c); 1961(1). RICO is a 'unique cause of action that is concerned with eradicating organized, long-term, habitual criminal activity.' ... When Congress enacted RICO, it chose to supplement criminal enforcement of its provision by providing that '[a]ny person injured in his business or property' by a RICO violation may seek treble damages and attorney's fees. 18 U.S.C. § 1964(c); ... Before a RICO plaintiff can allege a 'pattern of racketeering activity,' he must plead instances of 'racketeering activity' or 'predicate acts.' ... A list of acts that constitute racketeering activity can be found at 18 U.S.C. § 1961(1). Plaintiff's Amended Complaint alleges two of the identified acts: bribery and mail fraud.

Summary

The Racketeer Influenced and Corrupt Organizations Act (RICO), codified at 18 U.S.C. §§ 1961-1968, provides a statutory framework for addressing organized, long-term, habitual criminal activity. The statute allows individuals injured in their business or property by a RICO violation to seek treble damages and attorney's fees. To establish a RICO claim, a plaintiff must demonstrate a pattern of racketeering activity, which includes specific predicate acts such as bribery and mail fraud. The passage highlights the importance of pleading these predicate acts with particularity under Rule 9(b) of the Federal Rules of Civil Procedure.

[18 U.S.C. § 1512](#) [18 U.S.C. § 1512 Tampering With a Witness, Victim, Or an Informant](#)

Extract

Whoever corruptly alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

Summary

18 U.S.C. § 1512 addresses actions that corruptly alter, destroy, or conceal documents with the intent to impair their integrity or availability in an official proceeding. This statute is relevant to the question as it pertains to the obstruction of justice through fraudulent pleadings and documents in a legal proceeding, such as a RICO suit.

[18 U.S.C. § 1961](#) [18 U.S.C. § 1961 Definitions](#)

Extract

As used in this chapter- ... section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), ...

Summary

The passage from 18 U.S.C. § 1961 provides definitions related to racketeering activity under the RICO Act. It specifically lists obstruction of justice (section 1503) as a type of racketeering activity. This indicates that

obstruction of justice can be considered a predicate offense in a RICO suit. Therefore, if a father is seeking relief for obstruction of justice due to fraudulent pleadings and documents in a RICO suit, he can reference section 1503 as part of the racketeering activity under the RICO statutes.

[18 U.S.C. § 1519](#) [18 U.S.C. § 1519](#) Destruction, Alteration, Or Falsification of Records In Federal Investigations and Bankruptcy

Extract

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

Summary

18 U.S.C. § 1519 addresses the falsification of records with the intent to obstruct justice in federal investigations or cases. This statute is relevant to the question as it directly pertains to the act of filing fraudulent pleadings and documents, which could be considered an attempt to impede or obstruct a federal investigation or case, such as a RICO suit.

[18 U.S.C. § 1964](#) [18 U.S.C. § 1964](#) Civil Remedies

Extract

Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee, except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section 1962.

Summary

18 U.S.C. § 1964 provides civil remedies for individuals injured in their business or property due to a violation of section 1962, which deals with RICO violations. This statute allows for the recovery of treble damages and attorney's fees. The passage specifically mentions that it does not apply to fraud in the purchase or sale of securities, but this exception does not affect the general applicability to other types of fraud or obstruction of justice within the context of a RICO suit.

[18 U.S.C. § 1503 18 U.S.C. § 1503 Influencing Or Injuring Officer Or Juror Generally](#)

Extract

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate, in the discharge of his duty, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, magistrate judge, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be punished as provided in subsection (b).

Summary

18 U.S.C. § 1503 addresses the obstruction of justice by corruptly influencing, intimidating, or impeding any juror or officer in the discharge of their duties. This statute is relevant to the question as it provides a basis for seeking relief in cases where fraudulent pleadings and documents are filed with the intent to obstruct justice. The statute outlines the punishment for such offenses, which can include imprisonment and fines.

[18 U.S.C. § 1962 18 U.S.C. § 1962 Prohibited Activities](#)

Extract

(a) It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce... (b) It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce... (c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt... (d)

It shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

Summary

18 U.S.C. § 1962 outlines prohibited activities related to racketeering and the operation of enterprises affecting interstate or foreign commerce. The statute makes it unlawful to engage in or conspire to engage in activities involving a pattern of racketeering. This is relevant to the question as it involves a RICO suit, which is based on allegations of racketeering activity.

[28 U.S.C. r. 11 28 U.S.C. r. 11 Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions](#)

Extract

In General. If, after notice and a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the court may impose an appropriate sanction on any attorney, law firm, or party that violated the rule or is responsible for the violation... A motion for sanctions must be made separately from any other motion and must describe the specific conduct that allegedly violates Rule 11(b)... The sanction may include nonmonetary directives; an order to pay a penalty into court; or, if imposed on motion and warranted for effective deterrence, an order directing payment to the movant of part or all of the reasonable attorney's fees and other expenses directly resulting from the violation.

Summary

Rule 11 of the Federal Rules of Civil Procedure provides a mechanism for seeking sanctions against parties or attorneys who file pleadings, motions, or other papers for improper purposes, such as harassment or causing unnecessary delay. This rule is applicable in federal civil cases and allows for sanctions if the court determines that the rule has been violated. The sanctions can include monetary penalties or orders to pay attorney's fees and other expenses. This is relevant to the question as it provides a potential avenue for seeking relief if fraudulent pleadings and documents have been filed in a RICO suit.

[18 U.S.C. § 1515 18 U.S.C. § 1515 Definitions For Certain Provisions; General Provision](#)

Extract

the term 'misleading conduct' means-(A) knowingly making a false statement; (B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false

impression by such statement; (C) with intent to mislead, knowingly submitting or inviting reliance on a writing or recording that is false, forged, altered, or otherwise lacking in authenticity; (D) with intent to mislead, knowingly submitting or inviting reliance on a sample, specimen, map, photograph, boundary mark, or other object that is misleading in a material respect; or (E) knowingly using a trick, scheme, or device with intent to mislead;

Summary

The definition of "misleading conduct" under 18 U.S.C. § 1515 includes knowingly making false statements or submitting false documents with the intent to mislead. This is directly relevant to the question of filing fraudulent pleadings and documents, as such actions could be considered "misleading conduct" under this statute. The statute provides a basis for seeking relief for obstruction of justice in cases where fraudulent documents are filed in an official proceeding, such as a RICO suit.

[18 U.S.C. § 1621](#) [18 U.S.C. § 1621](#) Perjury Generally

Extract

Whoever- having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed, is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true; or in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall, except as otherwise expressly provided by law, be fined under this title or imprisoned not more than five years, or both.

Summary

18 U.S.C. § 1621 addresses the crime of perjury, which involves making false statements under oath. This statute is relevant to the question because filing fraudulent pleadings and documents in a legal proceeding, such as a RICO suit, could involve perjury if the false statements were made under oath. The statute provides for penalties including fines and imprisonment for up to five years.

[18 U.S.C. § 1623](#) [18 U.S.C. § 1623](#) False Declarations Before Grand Jury Or Court

Extract

Whoever under oath (or in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code) in any proceeding before or ancillary to any court or grand jury of the United States knowingly makes any false material declaration or makes or uses any other information, including any book, paper, document, record, recording, or other material, knowing the same to contain any false material declaration, shall be fined under this title or imprisoned not more than five years or, if such proceedings are before or ancillary to the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review established by section 103 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 501803), imprisoned not more than ten years, or both.

Summary

18 U.S.C. § 1623 addresses the issue of making false material declarations under oath in any proceeding before or ancillary to any U.S. court or grand jury. This statute is relevant to the question as it provides a legal basis for addressing fraudulent pleadings and documents if they involve false declarations made under oath. The statute outlines penalties for such actions, including fines and imprisonment, which could be applicable in the context of a RICO suit if false declarations were made.

[18 U.S.C. § 1505](#) [18 U.S.C. § 1505](#) Obstruction of Proceedings Before Departments, Agencies, and Committees

Extract

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress- Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both.

Summary

18 U.S.C. § 1505 addresses obstruction of justice in the context of proceedings before U.S. departments, agencies, and committees. It criminalizes actions that corruptly influence, obstruct, or impede the administration of law in such proceedings. This statute could potentially be relevant if the fraudulent pleadings and documents in the RICO suit are seen as attempts to obstruct justice in a federal proceeding.

[Civil Rico: A Tool of Advocacy](#)

The Brief - American Bar Association - 2024-01-01

Extract

Civil RICO can be utilized by institutions, corporations, banks, brokerage firms, and a bevy of other individuals and associations as plaintiffs and by defendants as counterclaims. The civil RICO cause of action is created by 18 U.S.C. § 1964(c), which provides: 'Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee'

Summary

Foundational understanding of who may bring a civil RICO claim and the potential relief available, which is relevant to the father's situation if he can demonstrate injury to his business or property due to the alleged fraudulent activities.

[PAYORS, PLAYERS, AND PROXIMATE CAUSE.](#)

Notre Dame Law Review - University of Notre Dame Law School - Crusey, Elisabeth F. - 2022-05-01

Extract

RICO is not just a tool for government control over organized crime. It is also a remedial statute for civil matters. (31) It 'authorize[s]... criminal or civil remedies on conduct already criminal, when performed in a specified fashion' as delineated by the statute. (32) Section 1962 provides civil remedies for four types of conduct: (1) using income derived from a pattern of racketeering activity (33) to acquire an interest in an enterprise; (2) acquiring or maintaining an interest in an enterprise through a pattern of racketeering activity; (3) conducting the affairs of an enterprise through a pattern of racketeering activity; and (4) conspiring to commit any of these offenses. (34) Today, Congress urges courts to construe RICO liberally from the 'perspective of the victim, not the perpetrator.' (35) A private civil right of action in [section] 1964 provides that '[a]ny person injured in his business or property by reason of a violation of section 1962... may sue.' (36) Notably, a successful plaintiff under [section] 1964 is entitled to treble damages and the cost of the suit, including attorney fees. (37)

Summary

The passage explains that RICO is applicable not only to organized crime but also to civil matters where there is a pattern of racketeering activity. It outlines the types of conduct that can be addressed under RICO, such as using income from racketeering to acquire an interest in an enterprise or conducting an enterprise's affairs through racketeering. It also highlights that individuals injured in their business or property due to a RICO violation can seek relief under section 1964, which includes treble damages and attorney fees.

[Matter of \[Name redacted\]](#)

Decisions of the Administrative Appeals Office AAO

Extract

Under 18 U.S.C. § 1505, obstruction of proceedings before departments, agencies, and committees occurs when: <blockquote>Whoever, with intent to avoid, evade, prevent, or obstruct compliance, in whole or in part, with any civil investigative demand duly and properly made under the Antitrust Civil Process Act, willfully withholds, misrepresents, removes from any place, conceals, covers up, destroys, mutilates, alters, or by other means falsifies any documentary material, answers to written interrogatories, or oral testimony, which is the subject of such demand; or attempts to do so or solicits another to do so; or Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before</blockquote>

Summary

18 U.S.C. § 1505 addresses obstruction of proceedings before federal entities. This statute is relevant when someone willfully falsifies documents or otherwise obstructs compliance with a civil investigative demand. The statute's applicability to federal proceedings makes it relevant to the question of seeking relief for obstruction of justice in a RICO suit, which is a federal matter.

[RICO: A Primer](#)

Extract

The Racketeer Influenced and Corrupt Organizations Act (RICO) was enacted in 1970. Although RICO provides for both civil remedies and criminal penalties, the number of civil RICO claims far outstrips the number of criminal RICO cases brought each year. RICO provides for a civil action

against persons engaged in a 'pattern of racketeering activity' or 'collection of an unlawful debt.' A successful plaintiff may recover treble damages, costs, and attorneys' fees. ... There are four separate and distinct RICO violations set out in section 1962: (a) acquiring or operating an enterprise using racketeering proceeds; (b) controlling an enterprise using racketeering activities; (c) conducting the affairs of an enterprise using racketeering activities; and (d) conspiring to so acquire, control, or conduct.

Summary

Types of violations under section 1962, which include acquiring, controlling, conducting, or conspiring to engage in racketeering activities. This is relevant to the question as it provides the statutory basis for seeking relief in a RICO suit.

[RICO: A Primer](#)

Extract

The Racketeer Influenced and Corrupt Organizations Act ("RICO") was enacted in 1970. Although RICO provides for both civil remedies and criminal penalties, the number of civil RICO claims far outstrips the number of criminal RICO cases brought each year. RICO provides for a civil action against persons engaged in a "pattern of racketeering activity" or "collection of an unlawful debt." A successful plaintiff may recover treble damages, costs, and attorneys' fees. RICO is, however, an intricate, complex statutory regime with numerous potential pitfalls. Yet a civil RICO claim involves several standard, key issues. We address several of those fundamental issues below.

Summary

N overview of the RICO statute, which allows for civil action against individuals engaged in a pattern of racketeering activity. It highlights that RICO provides both civil remedies and criminal penalties, and a successful plaintiff in a civil RICO case may recover treble damages, costs, and attorneys' fees. This is relevant to the question as it outlines the potential relief available under RICO for fraudulent activities, which could include filing fraudulent pleadings and documents.

[Defending Civil RICO Claims: A Defense Plan Should Be In Every Business's Arsenal](#)

Extract

Congress passed the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. Sections 1961-68, over 51 years ago with the intent to close the gap in the criminal prosecution of organized crime. ... RICO is not

a simple statute. It pertains to conduct associated with an 'enterprise' and 'a pattern racketeering activity.' An enterprise is an individual or legal entity, or a union or group of individuals associated in fact although not a legal entity, while a pattern of racketeering activity requires long-term, organized conduct to violate state and federal laws. There are four types of activities outlawed by RICO, and claims under Section 1962(c) are the most commonly asserted: * Section 1962(a) prohibits a person from investing in an enterprise any income derived from a pattern of racketeering activity; * Section 1962(b) prohibits a person from using a pattern of racketeering activity to acquire or maintain control over an enterprise; * Section 1962(c) prohibits a person from conducting the affairs of an enterprise through a pattern of racketeering; and * Section 1962(d) prohibits a person from conspiring to violate Sections 1962(a), (b), or (c).

Summary

The RICO statute, specifically 18 U.S.C. Sections 1961-68, outlines the types of activities that are prohibited under RICO, including conducting an enterprise through a pattern of racketeering activity and conspiring to violate these provisions. This information is relevant to understanding the legal framework under which a plaintiff might seek relief for fraudulent pleadings and documents in a RICO suit.

[SCOTUS Clarified RICO's Domestic Injury Requirement, Did Not Create New Civil Right Of Action For Enforcing Arbitration Awards](#)

Extract

Post-Smagin, civil RICO remains a longshot claim with heavy burdens and discouraging odds. Smagin neither changes the complex substantive standards applicable to civil RICO claims nor increases a plaintiff's chances of prevailing on the merits of such claims. Instead, the Supreme Court merely confirmed that foreign plaintiffs can meet the domestic injury requirement, which is but one of the many requirements needed to substantiate a civil RICO claim. Would-be plaintiffs still must overcome highly-burdensome challenges inherent in civil RICO claims, including exacting requirements to establish a RICO enterprise, a pattern of racketeering activity and the elements of specifically-enumerated predicate acts. When claims are fraud-based (most civil RICO theories are), the heightened specificity requirements of Rule 9 of the Federal Rules of Civil Procedure compound each of these burdens.

Summary

Civil RICO claims are complex and challenging to pursue. The passage highlights the burdensome nature of establishing a RICO enterprise, a pattern of racketeering activity, and the specificity required for fraud-based claims under Rule 9 of the Federal Rules of Civil Procedure. This information

is relevant to understanding the challenges a father might face in seeking relief under RICO statutes for fraudulent pleadings and documents.

This memo was compiled by Vincent AI based on vLex materials available as of June 13, 2025. [View full answer on vLex](#)