

Question

The mother and stepfather engaged in multiple acts, including wire fraud (via PayPal transactions and phone communications), mail fraud (if any documents were sent via mail), and potentially obstruction of justice (through false statements in legal proceedings). A "pattern of racketeering activity" under RICO requires at least two predicate acts of racketeering activity within a 10-year period, as defined in 18 U.S.C. § 1961(1), such as wire fraud, mail fraud, or obstruction of justice. If the described actions meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, and if they are related and continuous, they could satisfy the "pattern of racketeering activity" requirement under RICO.

Answer (U.S. Federal)

Short response

The mother and stepfather's alleged acts of wire fraud (via PayPal transactions and phone communications), mail fraud (via mailed documents), and obstruction of justice (through false statements in legal proceedings) could satisfy the "pattern of racketeering activity" requirement under RICO if these acts meet the statutory definitions and show relatedness and continuity. These predicate acts fall within the specifically enumerated offenses in [18 U.S.C. § 1961](#)(1) and, if at least two such acts occurred within a 10-year period as part of a related and continuous criminal activity, they would establish the pattern necessary for RICO liability.

Summary

The [Racketeer Influenced and Corrupt Organizations Act](#) (RICO) was designed to combat organized criminal enterprises by providing both criminal penalties and civil remedies for patterns of racketeering activity. To establish a RICO violation, it must be demonstrated that a person engaged in a "pattern of racketeering activity," which requires at least two acts of racketeering activity within a 10-year period. The actions attributed to the mother and stepfather—wire fraud through PayPal transactions and phone communications, mail fraud through documents sent via mail, and obstruction of justice through false statements in legal proceedings—are all specifically listed as "racketeering activity" under [18 U.S.C. § 1961](#)(1).

For these actions to constitute a "pattern of racketeering activity" under RICO, they must not only meet the statutory definitions of the respective predicate acts but must also be related and continuous. The relatedness requirement is satisfied when the acts have "the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics." Continuity can be established by showing either a "closed period of repeated conduct" or "past conduct that by its nature projects into the future with a threat of repetition." If the

actions described meet these criteria, they would satisfy the "pattern of racketeering activity" requirement under RICO, potentially subjecting the mother and stepfather to RICO liability.

Background and Relevant Law

Legislation

The [Racketeer Influenced and Corrupt Organizations Act](#) (RICO), codified at 18 U.S.C. §§ 1961-1968, establishes both criminal penalties and civil causes of action for acts performed as part of an ongoing criminal organization. The statute was enacted to combat organized crime, but its application has expanded considerably beyond that original purpose.

At the heart of RICO is the concept of a "pattern of racketeering activity." The statute defines this term in [18 U.S.C. § 1961](#)(5) as requiring "at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity." [18 U.S.C. § 1961](#)(5) (2025).

"Racketeering activity" is defined in [18 U.S.C. § 1961](#)(1) to include numerous federal and state offenses. Particularly relevant to this analysis are the following predicate acts:

1. Mail Fraud ([18 U.S.C. § 1341](#)): [18 U.S.C. § 1961](#)(1)(B) (2025) includes as racketeering activity "any act which is indictable under... section 1341 (relating to mail fraud)."
2. Wire Fraud ([18 U.S.C. § 1343](#)): [18 U.S.C. § 1961](#)(1)(B) (2025) includes as racketeering activity "any act which is indictable under... section 1343 (relating to wire fraud)."
3. Obstruction of Justice (18 U.S.C. §§ 1503, 1512): [18 U.S.C. § 1961](#)(1)(B) (2025) includes as racketeering activity "any act which is indictable under... section 1503 (relating to obstruction of justice)," and other obstruction-related statutes.

The substantive prohibition in RICO is found in [18 U.S.C. § 1962](#), which makes it unlawful, among other things, 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).

To understand whether the mother and stepfather's actions satisfy the "pattern of racketeering activity" requirement under RICO, we need to examine the elements of the alleged predicate acts and the requirements for establishing a pattern.

Mail Fraud ([18 U.S.C. § 1341](#))

The mail fraud statute prohibits using the mail in furtherance of a scheme to defraud:

[18 U.S.C. § 1341](#) (2025) provides: "Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises... for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier... shall be fined under this title or imprisoned not more than 20 years, or both."

Wire Fraud ([18 U.S.C. § 1343](#))

Similarly, the wire fraud statute prohibits using wire communications in furtherance of a scheme to defraud:

[18 U.S.C. § 1343](#) (2025) states: "Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both."

Obstruction of Justice ([18 U.S.C. § 1512](#))

The obstruction of justice statute includes various provisions related to tampering with witnesses, victims, or informants:

[18 U.S.C. § 1512](#) (2025) provides: "Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to... hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense... shall be fined under this title or imprisoned not more than 20 years, or both."

Case Law

The Supreme Court and lower courts have interpreted the "pattern of racketeering activity" requirement in several significant cases.

In [H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\)](#), the Supreme Court explained that RICO "imposes criminal and civil liability upon persons who engage in certain 'prohibited activities,' each of which is defined to include, as a necessary element, proof

of a 'pattern of racketeering activity,' § 1962. 'Racketeering activity' means 'any act or threat involving' specified state-law crimes, any 'act' indictable under specified federal statutes, and certain federal 'offenses.' § 1961(1). A 'pattern' requires 'at least two acts of racketeering activity' within a 10-year period. § 1961(5)."

The Court in [H.J. Inc.](#) further clarified that establishing a pattern requires showing both that the predicate acts are related and that they amount to or pose a threat of continued criminal activity. The Court stated that predicate acts are related when they "embrace[] criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events." [H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 240, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\)](#).

In [United States v. Turkette, 452 U.S. 576, 101 S.Ct. 2524, 69 L.Ed.2d 246 \(1981\)](#), the Supreme Court explained: "In order to secure a conviction under RICO, the Government must prove both the existence of an 'enterprise' and the connected 'pattern of racketeering activity.'... The pattern of racketeering activity is, on the other hand, a series of criminal acts as defined by the statute. [18 U.S.C. § 1961\(1\)](#)... The latter is proved by evidence of the requisite number of acts of racketeering committed by the participants in the enterprise." It's important to note that Turkette was abrogated by [Lane v. United States, 474 U.S. 438, 106 S.Ct. 725, 88 L.Ed.2d 814 \(1986\)](#), but the abrogation related to misjoinder issues rather than the fundamental explanation of RICO's requirements, so this aspect of Turkette remains valid precedent.

Lower courts have further elaborated on the requirements for establishing a pattern of racketeering activity. In [Julsonnet v. TopHills Inc., Civil Action 22-10767-RGS \(D. Mass. Feb 13, 2024\)](#), the court noted: "Proof of a predicate act alone is insufficient to generate civil RICO liability; the Julsonnets must also prove a pattern of racketeering activity by showing both continuity and relatedness of the predicate acts. See [Giuliano v. Fulton, 399 F.3d 381, 386-387 \(1st Cir. 2005\)](#). They may show continuity by proving either a 'closed period of repeated conduct' that 'amounted to... continued criminal activity' or 'past conduct that by its nature projects into the future with a threat of repetition.' [H.J. Inc. v. Nw. Bell Tel. Co., 492 U.S. 229, 237, 241 \(1989\)](#). Predicate acts are related when they 'embrace[] criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events.'"

In [Tashjian v. Deutsche Bank, CIVIL ACTION NO. 19-cv-40074-DHH \(D. Mass. Feb 23, 2021\)](#), the court emphasized: "To plead a 'pattern' of 'racketeering activity,' a plaintiff must set forth well-pled allegations of conduct violating specified federal or state statutes. Racketeering acts include... violations of certain federal statutes, such as the mail and wire fraud statutes. See [18 U.S.C. § 1961\(1\)](#). A 'pattern of racketeering activity' requires at least two acts of racketeering activity' within ten years of each other. [18 U.S.C. § 1961\(5\)](#). However, even where parties committed two acts of racketeering in a ten-year period, the racketeering acts do not qualify as a

'pattern' unless they meet a 'continuity' requirement. See *Home Orthopedics Corp. v. Rodriguez*, 781 F.3d 521, 528 (1st Cir. 2015). To satisfy this mandate, a plaintiff must plead facts showing that racketeering acts are 'related, and that they amount to or pose a threat of continued criminal activity.'"

Regarding the specific predicate acts of mail and wire fraud, the court in [U.S. v. International Longshoremen's Ass'n, 518 F.Supp.2d 422 \(E.D. N.Y. 2007\)](#) explained: "The essential elements of a mail [or wire] fraud violation are (1) a scheme to defraud, (2) money or property [as the object of the scheme], and (3) use of the mails [or wires] to further the scheme... In RICO cases, 'allegations of predicate mail and wire fraud acts should state the contents of the communications, who was involved, where and when they took place, and explain why they were fraudulent.'"

The specificity needed for mail and wire fraud claims in RICO cases is important. As suggested in [Chapter 4. Elements of Cause of Action](#), "Mail and wire fraud are the two most frequently alleged predicate acts... Under mail and wire fraud statutes, every mail or wire communication allegedly in furtherance of the fraudulent scheme is a separate violation, even individual communications that are not themselves fraudulent."

Analysis

Establishing the Predicate Acts

To determine whether the mother and stepfather's actions satisfy the "pattern of racketeering activity" requirement under RICO, we must first assess whether their actions meet the definitions of the alleged predicate acts.

Wire Fraud (PayPal Transactions and Phone Communications)

For wire fraud under [18 U.S.C. § 1343](#), three elements must be established: (1) a scheme to defraud or to obtain money or property by means of false pretenses, representations, or promises, (2) intent to defraud, and (3) use of interstate wire communications in furtherance of the scheme. [18 U.S.C. § 1343](#) (2025).

The PayPal transactions and phone communications referenced in the question would likely satisfy the "wire communication" element of wire fraud if they involved interstate transmissions, which PayPal transactions typically do. As explained in [U.S. v. International Longshoremen's Ass'n, 518 F.Supp. 2d 422 \(E.D. N.Y. 2007\)](#), the key elements are "a scheme to defraud, (2) money or property [as the object of the scheme], and (3) use of the mails [or wires] to further the scheme."

If the mother and stepfather used PayPal transactions or phone communications as part of a scheme to defraud and with the intent to defraud, these actions could constitute wire fraud. Each PayPal transaction or phone call made in furtherance of the scheme would be a separate act of

wire fraud. As noted in [Chapter 4. Elements of Cause of Action](#), "every mail or wire communication allegedly in furtherance of the fraudulent scheme is a separate violation, even individual communications that are not themselves fraudulent."

Mail Fraud (Documents Sent via Mail)

For mail fraud under [18 U.S.C. § 1341](#), the elements are similar to those of wire fraud, but involve the use of mail rather than wire communications: (1) a scheme to defraud or to obtain money or property by means of false pretenses, representations, or promises, (2) intent to defraud, and (3) use of the mail in furtherance of the scheme. [18 U.S.C. § 1341](#) (2025).

If the mother and stepfather sent documents via mail as part of a fraudulent scheme, each mailing would constitute a separate act of mail fraud. The mailings need not themselves contain false statements; they need only be in furtherance of the fraudulent scheme.

Obstruction of Justice (False Statements in Legal Proceedings)

For obstruction of justice under [18 U.S.C. § 1512](#), the elements include: (1) knowingly engaging in misleading conduct toward another person, (2) with intent to influence, delay, or prevent testimony in an official proceeding, or to cause or induce any person to withhold testimony or documents from an official proceeding. [18 U.S.C. § 1512](#) (2025).

If the mother and stepfather made false statements in legal proceedings with the intent to obstruct justice or influence the proceedings, these actions could constitute obstruction of justice. Each instance of making false statements with the requisite intent would be a separate act of obstruction.

Establishing a Pattern of Racketeering Activity

Having established that the mother and stepfather's actions could constitute predicate acts under RICO, we must next determine whether these acts form a "pattern of racketeering activity."

Numerical Requirement

As a threshold matter, RICO requires "at least two acts of racketeering activity" within a 10-year period. [18 U.S.C. § 1961](#)(5) (2025). If the mother and stepfather committed multiple acts of wire fraud, mail fraud, or obstruction of justice within a 10-year period, this numerical requirement would be satisfied.

Relatedness Requirement

The Supreme Court in [H.J. Inc.](#) established that predicate acts are related when they "embrace[] criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events."

[H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 240, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\).](#)

If the mother and stepfather's acts of wire fraud, mail fraud, and obstruction of justice were part of a common scheme or had similar purposes, victims, or methods, they would likely satisfy the relatedness requirement. For instance, if the PayPal transactions, phone communications, mailed documents, and false statements in legal proceedings were all aimed at defrauding the same victim or achieving the same criminal objective, they would be related.

As explained in [U.S. v. Welch, 656 F.2d 1039 \(5th Cir. 1981\)](#), "the two or more predicate crimes must be related to the affairs of the enterprise but need not otherwise be related to each other." This suggests that even if the individual acts of wire fraud, mail fraud, and obstruction of justice were not directly related to each other, they could still form a pattern if they were related to a common enterprise or scheme.

Continuity Requirement

The continuity requirement can be satisfied by showing either "a closed period of repeated conduct" or "past conduct that by its nature projects into the future with a threat of repetition." [H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 241, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\).](#)

If the mother and stepfather engaged in multiple acts of wire fraud, mail fraud, or obstruction of justice over a substantial period, this would likely satisfy the "closed period of repeated conduct" form of continuity. Alternatively, if their conduct suggested a threat of future criminal activity, this would satisfy the "threat of repetition" form of continuity.

As noted in [Julsonnet v. TopHills Inc., Civil Action 22-10767-RGS \(D. Mass. Feb 13, 2024\)](#), plaintiffs "may show continuity by proving either a 'closed period of repeated conduct' that 'amounted to... continued criminal activity' or 'past conduct that by its nature projects into the future with a threat of repetition.'"

Application to the Mother and Stepfather's Actions

Based on the given information, the mother and stepfather engaged in multiple acts that could constitute wire fraud (PayPal transactions and phone communications), mail fraud (documents sent via mail), and obstruction of justice (false statements in legal proceedings).

If at least two of these acts occurred within a 10-year period, they would satisfy the numerical requirement for a pattern of racketeering activity. If these acts were related by having common purposes, victims, or methods, they would satisfy the relatedness requirement. And if these acts occurred over a substantial period or suggested a threat of future criminal activity, they would satisfy the continuity requirement.

Given that multiple types of potential predicate acts are alleged (wire fraud, mail fraud, and obstruction of justice), it appears likely that the numerical requirement would be met. The relatedness and continuity requirements would depend on the specific facts of the case, such as the timing and nature of the acts, their relationship to each other, and whether they were part of a common scheme.

Exceptions and Caveats

While the mother and stepfather's actions could potentially satisfy the "pattern of racketeering activity" requirement under RICO, there are several important caveats to consider.

First, merely establishing predicate acts is insufficient for RICO liability. As stated in [Tashjian v. Deutsche Bank, CIVIL ACTION NO. 19-cv-40074-DHH \(D. Mass. Feb 23, 2021\)](#), "even where parties committed two acts of racketeering in a ten-year period, the racketeering acts do not qualify as a 'pattern' unless they meet a 'continuity' requirement."

Second, in addition to proving a pattern of racketeering activity, RICO requires the existence of an "enterprise." As explained in [United States v. Turkette, 452 U.S. 576, 583, 101 S.Ct. 2524, 69 L.Ed.2d 246 \(1981\)](#), "the Government must prove both the existence of an 'enterprise' and the connected 'pattern of racketeering activity.'" The enterprise is "an entity, for present purposes a group of persons associated together for a common purpose of engaging in a course of conduct." It is "proved by evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit." While *Turkette* was abrogated on other grounds by *Lane v. United States*, its explanation of RICO's enterprise requirement remains valid.

Third, for wire fraud and mail fraud, the fraudulent scheme must be aimed at obtaining money or property. As stated in [U.S. v. International Longshoremen's Ass'n, 518 F.Supp.2d 422 \(E.D. N.Y. 2007\)](#), the essential elements include "money or property [as the object of the scheme]." If the mother and stepfather's scheme did not involve money or property, the wire fraud and mail fraud predicates might not apply.

Fourth, allegations of mail and wire fraud in RICO cases require specificity. As noted in [U.S. v. International Longshoremen's Ass'n, 518 F.Supp.2d 422 \(E.D. N.Y. 2007\)](#), "allegations of predicate mail and wire fraud acts should state the contents of the communications, who was involved, where and when they took place, and explain why they were fraudulent." Without such specificity, the claims might fail.

Finally, establishing RICO liability requires showing that the defendants conducted or participated in the conduct of an enterprise's affairs through the pattern of racketeering activity. As stated in [18 U.S.C. § 1962\(c\) \(2025\)](#), 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." If the mother

and stepfather's actions were not connected to an enterprise engaged in interstate or foreign commerce, RICO might not apply.

Conclusion

Based on the provided information and relevant legal authorities, the mother and stepfather's actions—including wire fraud (via PayPal transactions and phone communications), mail fraud (via documents sent by mail), and obstruction of justice (through false statements in legal proceedings)—could potentially satisfy the "pattern of racketeering activity" requirement under RICO if:

1. At least two acts of racketeering activity occurred within a 10-year period;
2. These acts were related by having common purposes, results, participants, victims, or methods; and
3. These acts demonstrated continuity, either through a closed period of repeated conduct or a threat of future criminal activity.

Wire fraud, mail fraud, and obstruction of justice are all specifically enumerated as predicate acts under [18 U.S.C. § 1961](#)(1). Each PayPal transaction, phone communication, mailed document, or false statement made as part of a fraudulent scheme or to obstruct justice could constitute a separate predicate act.

As emphasized in [Nutrition Distribution LLC v. Custom Nutraceuticals LLC, 194 F.Supp.3d 952 \(D. Ariz. 2016\)](#), "pleading a pattern of racketeering activity requires the plaintiff to allege that the defendant participated in at least two acts that were chargeable under the enumerated federal statutes. The plaintiff must adequately plead the elements of each predicate act, satisfying the pleading standard that would apply if the predicate act were a stand-alone claim."

If the mother and stepfather's actions meet these requirements, they could constitute a "pattern of racketeering activity" under RICO, potentially subjecting them to both criminal penalties and civil liability under the RICO statute. However, as noted in the exceptions and caveats section, establishing RICO liability requires more than just proving a pattern of racketeering activity—it also requires proving the existence of an enterprise and showing that the defendants conducted the enterprise's affairs through the pattern of racketeering activity.

In conclusion, if the mother and stepfather's acts of wire fraud, mail fraud, and obstruction of justice meet the statutory definitions of these offenses and demonstrate relatedness and continuity, they could satisfy the "pattern of racketeering activity" requirement under RICO, making the mother and stepfather potentially liable under the RICO statute.

Legal Authorities

[Wisdom v. First Midwest Bank, of Poplar Bluff, 167 F.3d 402 \(8th Cir. 1999\)](#)

U.S. Court of Appeals — Eighth Circuit

Extract

Section 1962(c) of the RICO Act makes it 'unlawful for any person employed by or associated with any enterprise engaged in ... interstate ... commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity.' ... The pattern element 'requires at least two acts of racketeering activity.' 18 U.S.C. § 1961(5); see also *H.J. Inc. v. Northwestern Bell Tel. Co.*, 492 U.S. 229, 237-38, 109 S.Ct. 2893, 106 L.Ed.2d 195 (1989). However, a mere allegation of two or more acts is insufficient to state a RICO claim; the predicate acts must be related and must 'amount to or pose a threat of continued criminal activity.'

Summary

Mere allegations of acts are insufficient; they must show continuity and a threat of ongoing criminal activity. This supports the proposition by outlining the legal framework necessary to establish a RICO claim based on wire fraud, mail fraud, or obstruction of justice.

[U.S. v. Teitler, 802 F.2d 606 \(2nd Cir. 1986\)](#)

U.S. Court of Appeals — Second Circuit

Extract

Appellant Jay Teitler was convicted of conspiring to conduct the affairs of an enterprise through a pattern of racketeering activity in violation of the Racketeer Influenced and Corrupt Organizations Act, (RICO), 18 U.S.C. Sec. 1962(d) (1982), and of one count of mail fraud in violation of 18 U.S.C. Sec. 1341 (1982). ... Appellants, along with others, were charged in an indictment alleging twenty-nine 'acts of racketeering'--including twenty-eight mail fraud violations, *id.* Sec. 1341, and one count of obstruction of justice, *id.* Sec. 1503. ... A pattern of racketeering activity is committed if the Defendant committed at least two of the racketeering acts charged against him or her in the indictment.... In addition [to proving two racketeering acts], the government must prove beyond a reasonable doubt that the predicate acts constituted part of a larger pattern of activity that characterized each Defendant's conduct of or participation in the affairs of the law firm. That is to say, the predicate acts must have been connected with each other by some common scheme, plan or motive so as to constitute a pattern and not merely a series of disconnected acts.

Summary

The case of *U.S. v. Teitler* provides a precedent for understanding how a pattern of racketeering activity can be established under RICO. It highlights

that at least two predicate acts, such as mail fraud or obstruction of justice, must be proven and that these acts must be part of a larger, connected scheme. This directly supports the proposition that if the mother and stepfather's actions meet these criteria, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[Ashland Oil, Inc. v. Arnett, 875 F.2d 1271 \(7th Cir. 1989\)](#)

U.S. Court of Appeals — Seventh Circuit

Extract

A pattern of racketeering activity 'requires at least two acts of racketeering activity, one of which occurred after [October 15, 1970] and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity.' 18 U.S.C. Sec. 1961(5). 'Racketeering activity,' in turn, includes any act or threat 'chargeable' under certain state laws (including arson), and any act 'indictable' under a number of enumerated federal criminal statutes (including wire and mail fraud, and bankruptcy fraud). 18 U.S.C. Sec. 1961(1).

Summary

The court outlines the statutory requirements for a "pattern of racketeering activity" under RICO, which includes at least two acts of racketeering activity within a 10-year period. The passage also clarifies that racketeering activity includes acts indictable under federal statutes such as wire and mail fraud. This directly supports the proposition that if the mother's and stepfather's actions meet these criteria, they could constitute a pattern of racketeering activity under RICO.

[D'Addario v. Geller, 264 F.Supp.2d 367 \(E.D. Va. 2003\)](#)

U.S. District Court — Eastern District of Virginia

Extract

Title 18 U.S.C. § 1962(c) provides that '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.' According to 18 U.S.C. § 1961, racketeering must involve the commission of two or more predicate acts, including mail fraud and obstruction of justice... Plaintiff alleges multiple predicate acts of mail fraud and at least one predicate act of obstruction of justice committed by defendant Geller in allegedly making false statements to this court... The RICO statute itself requires 'at least two' instances of racketeering activity. 18 U.S.C. § 1961(5). Two acts are

necessary but not sufficient to establish a pattern of racketeering activity. *Sedima*, 473 U.S. at 496 n. 14, 105 S.Ct. 3275. In *H.J., Inc. v. Northwestern Bell Tel. Co.*, 492 U.S. 229, 109 S.Ct. 2893, 106 L.Ed.2d 195 (1989), the Supreme Court held that a 'pattern' requires a showing of a relationship between the predicate acts and a threat of continued criminal activity.

Summary

Statutory requirements for a RICO violation, specifically the need for at least two predicate acts of racketeering activity, such as mail fraud and obstruction of justice. It also emphasizes the necessity of a relationship between these acts and a threat of continued criminal activity to establish a "pattern." This directly supports the proposition that if the mother's and stepfather's actions meet these criteria, they could constitute a pattern of racketeering activity under RICO.

[U.S. v. Welch, 656 F.2d 1039 \(5th Cir. 1981\)](#)

U.S. Court of Appeals — Fifth Circuit

Extract

Engaging in a 'pattern of racketeering activity' requires at least two acts of racketeering within a ten-year period. Finally, racketeering activity is expressly defined to include only certain types of conduct, including acts indictable under 18 U.S.C.A. § 1511... The gravamen of the offense described in 18 U.S.C. § 1962(c) is the conduct of an enterprise's affairs through a pattern of racketeering activity. Thus, the Act does require a type of relatedness: the two or more predicate crimes must be related to the affairs of the enterprise but need not otherwise be related to each other.

Summary

The court in *U.S. v. Welch* discusses the requirements for establishing a "pattern of racketeering activity" under RICO. It specifies that at least two acts of racketeering within a ten-year period are required, and these acts must be related to the affairs of the enterprise. This supports the proposition that if the mother's and stepfather's actions meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, and if they are related and continuous, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[*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), 18 U.S.C. §§ 1961-1968, which is directed at 'racketeering activity'—defined in § 1961(1) to encompass, inter alia, acts 'indictable' under specific federal criminal provisions, including mail and wire fraud—provides in § 1964(c) for a private civil action to recover treble damages by any person injured in his business or property 'by reason of a violation of section 1962.' Section 1962(c) prohibits conducting or participating in the conduct of an enterprise 'through a pattern of racketeering activity.' ... Under the Court's opinion today, two fraudulent mailings or uses of the wires occurring within 10 years of each other might constitute a 'pattern of racketeering activity,' § 1961(5), leading to civil RICO liability. ... The definition of 'pattern' may thus logically be interpreted as meaning that the presence of the predicate acts is only the beginning: something more is required for a 'pattern' to be proved. ... The legislative history supports the view that two isolated acts of racketeering activity do not constitute a pattern. As the Senate Report explained: 'The target of [RICO] is thus not sporadic activity. The infiltration of legitimate business normally requires more than one 'racketeering activity' and the threat of continuing activity to be effective. It is this factor of continuity plus relationship which combines to produce a pattern.'

Summary

RICO defines "racketeering activity" to include acts indictable under federal criminal provisions such as mail and wire fraud. The statute requires at least two acts of racketeering within a 10-year period to establish a "pattern of racketeering activity." However, the presence of two acts alone is not sufficient; there must be a continuity and relationship between the acts to form a pattern. This interpretation supports the proposition that if the mother's and stepfather's actions meet the statutory definitions and demonstrate continuity and relationship, they could satisfy the RICO requirements.

[Sedima, S.P.R.L. v. Imrex Co., Inc., 741 F.2d 482 \(2nd Cir. 1984\)](#)

U.S. Court of Appeals — Second Circuit

Extract

Two of the RICO counts allege that the fraudulent purchase orders, invoices and credit memoranda constitute a pattern of racketeering activity, the predicate acts being separate and numerous violations of the Mail Fraud Act, 18 U.S.C. Sec. 1341 (1982) and the Wire Fraud Act, 18 U.S.C. Sec. 1343 (1982)... It is helpful to look back to the definition in section 1961(1) of 'racketeering activity,' since we are referred to section 1962 by way of section 1964(c), and section 1962(a) makes 'a pattern of racketeering activity' 'unlawful' in certain circumstances... The 'racketeering activity' acts under subparagraph (B) include 'any act which is indictable under' certain provisions of federal law including mail fraud and wire fraud, in addition to

other typical organized crime activities (emphasis supplied)... 18 U.S.C. Sec. 1961(5) provides: (5) 'pattern of racketeering activity' requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity....

Summary

Requirements for establishing a "pattern of racketeering activity" under RICO, specifically referencing the need for at least two predicate acts of racketeering activity, such as mail fraud and wire fraud, within a 10-year period. This directly supports the proposition that if the mother's and stepfather's actions meet these criteria, they could satisfy the RICO requirements.

[U.S. v. International Longshoremen's Ass'n, 518 F.Supp.2d 422 \(E.D. N.Y. 2007\)](#)

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

Extract

A substantial number of, the predicate acts alleged in the Amended Complaint are asserted to be violations of the federal mail and wire fraud statutes, 18 U.S.C. §§ 1341, 1343. As the Second Circuit has repeatedly recognized, '[t]he essential elements of a mail [or wire] fraud violation are (1) a scheme to defraud, (2) money or property [as the object of the scheme], and (3) use of the mails [or wires] to further the scheme.' ... In RICO cases, 'allegations of predicate mail and wire fraud acts should state the contents of the communications, who was involved, where and when they took place, and explain why they were fraudulent.'

Summary

The essential elements of mail and wire fraud under 18 U.S.C. §§ 1341, 1343 are outlined, which are necessary to establish these acts as predicate offenses under RICO. The passage also emphasizes the need for specificity in pleading these fraud claims, which is crucial for establishing a "pattern of racketeering activity" under RICO. This supports the proposition by providing the legal framework and requirements for proving mail and wire fraud as part of a RICO claim.

[United States v. Turkette, 452 U.S. 576, 101 S.Ct. 2524, 69 L.Ed.2d 246 \(1981\)](#)

U.S. Supreme Court

Extract

In order to secure a conviction under RICO, the Government must prove both the existence of an 'enterprise' and the connected 'pattern of racketeering activity.' The enterprise is an entity, for present purposes a group of persons associated together for a common purpose of engaging in a course of conduct. The pattern of racketeering activity is, on the other hand, a series of criminal acts as defined by the statute. 18 U.S.C. § 1961(1) (1976 ed., Supp. III). The former is proved by evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit. The latter is proved by evidence of the requisite number of acts of racketeering committed by the participants in the enterprise.

Summary

The U.S. Supreme Court in *United States v. Turkette* clarified the requirements for a RICO violation. Specifically, it emphasized that a RICO conviction requires proof of both an "enterprise" and a "pattern of racketeering activity." The passage explains that the enterprise can be a group of individuals associated for a common purpose, and the pattern of racketeering activity involves a series of criminal acts as defined by the statute. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, and if they are related and continuous, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[Boyle v. United States, 129 S.Ct. 2237, 173 L.Ed.2d 1265, 556 U.S. 938, 77 USLW 4474 \(2009\)](#)

U.S. Supreme Court

Extract

RICO 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.' 18 U.S.C. § 1962(c) (emphasis added). ... The statute defines 'enterprise' to include 'any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' § 1961(4).

Summary

The passage from "*Boyle v. United States*" clarifies that RICO makes it unlawful to participate in an enterprise's affairs through a pattern of racketeering activity. It also defines what constitutes an "enterprise" under RICO, which can include informal associations. This supports the proposition by establishing that if the mother and stepfather's actions meet the criteria

for wire fraud, mail fraud, or obstruction of justice, and if these actions are part of a pattern of racketeering activity, they could potentially be liable under RICO.

[Goren v. New Vision Intern., Inc., 156 F.3d 721 \(7th Cir. 1998\)](#)

U.S. Court of Appeals — Seventh Circuit

Extract

Allegations of fraud, however, are subject to the heightened pleading standard of Federal Rule of Civil Procedure 9(b), which requires a plaintiff to plead 'all averments of fraud ... with particularity.' Rule 9(b) is of course applicable to allegations of fraud in a civil RICO complaint. See *Vicom, Inc. v. Harbridge Merchant Servs., Inc.*, 20 F.3d 771, 777 (7th Cir.1994); *Midwest Grinding Co. v. Spitz*, 976 F.2d 1016, 1020 (7th Cir.1992). Accordingly, a RICO plaintiff 'must, at a minimum, describe the predicate acts [of fraud] with some specificity and state the time, place, and content of the alleged communications perpetrating the fraud.' *Midwest Grinding*, 976 F.2d at 1020.

Summary

For a RICO claim involving fraud, the plaintiff must meet a heightened pleading standard by describing the predicate acts of fraud with specificity, including the time, place, and content of the alleged fraudulent communications. This is relevant to the proposition because it outlines the necessary legal framework and requirements for establishing a pattern of racketeering activity involving fraud under RICO.

[Inc v. Northwestern Bell Telephone Company, 492 U.S. 229, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\)](#)

U.S. Supreme Court

Extract

The Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961-1968, which is Title IX of the Organized Crime Control Act of 1970 (OCCA), imposes criminal and civil liability upon persons who engage in certain 'prohibited activities,' each of which is defined to include, as a necessary element, proof of a 'pattern of racketeering activity,' § 1962. 'Racketeering activity' means 'any act or threat involving' specified state-law crimes, any 'act' indictable under specified federal statutes, and certain federal 'offenses.' § 1961(1). A 'pattern' requires 'at least two acts of racketeering activity' within a 10-year period. § 1961(5).

Summary

These acts can include wire fraud, mail fraud, or obstruction of justice, which are relevant to the proposition. The passage also emphasizes that the acts must be related and continuous, aligning with the proposition's requirement for a "pattern of racketeering activity."

[U.S. v. Palumbo Bros., Inc., 145 F.3d 850 \(7th Cir. 1998\)](#)

U.S. Court of Appeals — Seventh Circuit

Extract

In Count 1, the United States charges the defendants with a substantive RICO offense, in violation of 18 U.S.C. § 1962(c). The indictment identifies 23 predicate acts, including: (1) acts of mail and wire fraud, in violation of 18 U.S.C. §§ 1341 and 1343... Count 1 of the indictment charges the defendants with a substantive RICO offense and alleges 23 predicate acts to establish their pattern of racketeering activity... Separate violations of other federal and state criminal statutes are the predicate acts upon which a pattern of racketeering activity is created. Those predicate acts involve conduct that is otherwise 'chargeable' or 'indictable' and violations that are 'punishable' pursuant to independent criminal statutes, and RICO specifically identifies mail fraud as a predicate act for liability. 18 U.S.C. § 1961(1).

Summary

Requirements for a RICO offense, specifically the need for predicate acts such as mail and wire fraud. It highlights that a pattern of racketeering activity can be established through multiple predicate acts, which are chargeable under federal statutes. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[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). ... Before a RICO plaintiff can allege a 'pattern of racketeering activity,' he must plead instances of 'racketeering activity' or 'predicate

acts.' *Grove Holding Corp. v. First Wis. Nat'l Bank of Sheboygan*, 803 F.Supp. 1486, 1501 (E.D. Wis. 1992). A list of acts that constitute racketeering activity can be found at 18 U.S.C. § 1961(1).

Summary

The passage explains the requirements for a RICO violation, specifically the need for a "pattern of racketeering activity," which includes at least two predicate acts as defined in 18 U.S.C. § 1961(1). This directly supports the proposition that if the actions of the mother and stepfather meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, they could satisfy the RICO requirement. The passage also emphasizes the need for these acts to be related and continuous, aligning with the proposition's criteria.

[Torwest DBC, Inc. v. Dick, 810 F.2d 925 \(10th Cir. 1987\)](#)

U.S. Court of Appeals — Tenth Circuit

Extract

A violation of section 1962(c) thus 'requires (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.' *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 105 S.Ct. 3275, 3285, 87 L.Ed.2d 346 (1985). RICO defines racketeering activity as, inter alia, any act that is indictable under 18 U.S.C. Sec. 1341 (mail fraud) or 18 U.S.C. Sec. 1343 (wire fraud). See 18 U.S.C. Sec. 1961(1)(B). RICO also states that a 'pattern of racketeering activity' requires at least two acts of racketeering activity.

Summary

This pattern requires at least two acts of racketeering activity, which can include wire fraud and mail fraud, as defined under 18 U.S.C. § 1961(1). This directly supports the proposition that if the mother and stepfather's actions meet these definitions and are related and continuous, they could satisfy the RICO pattern requirement.

[Gott v. Simpson, 745 F.Supp. 765 \(D. Me. 1990\)](#)

U.S. District Court — District of Maine

Extract

RICO states that a 'pattern of racketeering activity requires at least two acts of racketeering activity.' 18 U.S.C. § 1961(5). To establish the requisite pattern, Plaintiffs 'must show that the racketeering predicates are related, and that they amount to or pose a threat of continued criminal activity.' H.J.

Inc. v. Northwestern Bell Tel. Co., ___ U.S. ___, 109 S.Ct. 2893, 2900, 106 L.Ed.2d 195 (1989) (emphasis in original).

Summary

For a RICO claim to be valid, there must be at least two acts of racketeering activity that are related and pose a threat of continued criminal activity. This aligns with the proposition that the mother and stepfather's actions, if they meet the statutory definitions and are related and continuous, could satisfy the "pattern of racketeering activity" requirement under RICO.

[Nutrition Distribution LLC v. Custom Nutraceuticals LLC, 194 F.Supp.3d 952 \(D. Ariz. 2016\)](#)

U.S. District Court — District of Arizona

Extract

RICO makes it unlawful for 'any person employed by or associated with any enterprise engaged in...interstate or foreign commerce, to conduct or participate...in the conduct of such enterprise's affairs through a pattern of racketeering activity.' 18 U.S.C. § 1962(c). 'Racketeering activity' includes any of several listed crimes 'which is chargeable under State law and punishable by imprisonment for more than one year,' as well as any act chargeable under one of several enumerated federal statutes. § 1961(1). A 'pattern of racketeering activity' requires at least two acts of racketeering activity, which must be 'related' and 'amount to or pose a threat of continued criminal activity.' ... Pleading a pattern of racketeering activity requires the plaintiff to allege that the defendant participated in at least two acts that were chargeable under the enumerated federal statutes. The plaintiff must adequately plead the elements of each predicate act, satisfying the pleading standard that would apply if the predicate act were a stand-alone claim.

Summary

These acts must be chargeable under federal statutes listed in § 1961(1), such as wire fraud, mail fraud, or obstruction of justice. The passage also emphasizes the need for the plaintiff to adequately plead the elements of each predicate act with particularity.

[Lockhart v. Deluca](#)

U.S. District Court — Eastern District of Michigan

Extract

The Racketeering Influenced and Corrupt Organizations Act, or RICO, was enacted to curb 'racketeering activity,' which it defines as any act

'chargeable' under several generically described state criminal laws, any act 'indictable' under numerous specific federal criminal provisions, including mail and wire fraud, and any 'offense' involving bankruptcy or securities fraud or drug-related activities that is 'punishable' under federal law." 18 U.S.C. § 1961(1); see also *Sedima, S.P.R.L. v. Imrex Co., Inc.*, 473 U.S. 479, 481-82 (1985).

Summary

The RICO Act defines "racketeering activity" to include acts indictable under federal criminal provisions such as mail and wire fraud. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of wire fraud, mail fraud, or obstruction of justice, they could be considered as predicate acts under RICO. The passage also references the requirement of a "pattern of racketeering activity," which aligns with the proposition's mention of needing at least two predicate acts within a 10-year period.

[Arizona Premium Finance, Inc. v. Bielli, 77 F.Supp.2d 341 \(E.D. N.Y. 1999\)](#)

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

Extract

To establish such a pattern of racketeering activity, 'a plaintiff must plead at least two predicate acts, show that the acts are related and that they amount to, or pose a threat of, continuing criminal activity.' *H.J. Inc. v. Northwestern Bell Telephone Co.*, 492 U.S. 229, 239, 109 S.Ct. 2893, 106 L.Ed.2d 195 (1989). RICO is aimed at 'racketeering activity,' which the statute defines, in relevant part, as certain acts indictable under Federal law, including mail and wire fraud, and violations of the Hobbs Act. 18 U.S.C. § 1961(1)(B). A 'pattern' requires at least two acts of 'racketeering activity,' occurring within ten years of each other. See 18 U.S.C. § 1961(5).

Summary

To establish a RICO violation, a plaintiff must demonstrate at least two predicate acts of racketeering activity that are related and pose a threat of continued criminal activity. The passage specifically mentions mail and wire fraud as examples of such predicate acts, which aligns with the proposition that the mother and stepfather's actions could constitute a pattern of racketeering activity if they meet these criteria.

[Julsonnet v. TopHills Inc., Civil Action 22-10767-RGS \(D. Mass. Feb 13, 2024\)](#)

U.S. District Court — District of Massachusetts

Extract

RICO makes it unlawful for “any person employed by or associated with any enterprise engaged in. .. 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,” or to conspire to do so. 18 U.S.C. § 1962(c), (d); see also Id. § 1964(c) (creating a private right of action to “[a]ny person injured in his business or property by reason of a violation of [the criminal RICO provisions]”). The statute defines “racketeering activity” broadly “to include a host of so-called predicate acts.” *Bridge v. Phoenix Bond & Indem. Co.*, 553 U.S. 639, 647 (2008). As relevant here, racketeering activity includes “any act or threat involving. .. extortion” and “any act which is indictable under” the federal mail fraud and wire fraud statutes, 18 U.S.C. §§ 1341 (mail fraud), 1343 (wire fraud). 18 U.S.C. § 1961(1). Proof of a predicate act alone is insufficient to generate civil RICO liability; the Julsonnets must also prove a pattern of racketeering activity by showing both continuity and relatedness of the predicate acts. See *Giuliano v. Fulton*, 399 F.3d 381, 386-387 (1st Cir. 2005). They may show continuity by proving either a “closed period of repeated conduct” that “amounted to. .. continued criminal activity” or “past conduct that by its nature projects into the future with a threat of repetition.” *H.J. Inc. v. Nw. Bell Tel. Co.*, 492 U.S. 229, 237, 241 (1989). Predicate acts are related when they “embrace[] criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events.”

Summary

Requirements for establishing a RICO claim, specifically the need for a pattern of racketeering activity, which includes predicate acts such as wire fraud and mail fraud. It explains that these acts must be related and continuous to satisfy the RICO requirements. This directly supports the proposition that if the mother's and stepfather's actions meet these criteria, they could constitute a pattern of racketeering activity under RICO.

[Tashjian v. Deutsche Bank, CIVIL ACTION NO. 19-cv-40074-DHH \(D. Mass. Feb 23, 2021\)](#)

U.S. District Court — District of Massachusetts

Extract

To plead a 'pattern' of 'racketeering activity,' a plaintiff must set forth well-pled allegations of conduct violating specified federal or state statutes. Racketeering acts include... violations of certain federal statutes, such as the mail and wire fraud statutes. See 18 U.S.C. § 1961(1). A 'pattern of racketeering activity' requires at least two acts of racketeering activity' within ten years of each other. 18 U.S.C. § 1961(5). However, even where parties committed two acts of racketeering in a ten-year period, the

racketeering acts do not qualify as a 'pattern' unless they meet a 'continuity' requirement. See *Home Orthopedics Corp. v. Rodriguez*, 781 F.3d 521, 528 (1st Cir. 2015). To satisfy this mandate, a plaintiff must plead facts showing that racketeering acts are 'related, and that they amount to or pose a threat of continued criminal activity.'

Summary

Requirements for establishing a "pattern of racketeering activity" under RICO, which includes committing at least two acts of racketeering activity within a ten-year period. These acts must be related and pose a threat of continued criminal activity. The passage specifically mentions mail and wire fraud as examples of racketeering acts under 18 U.S.C. § 1961(1), which are relevant to the proposition. The passage also emphasizes the need for continuity, which aligns with the proposition's requirement for related and continuous actions.

[Portionpac Chemical Corp. v. Sanitech Systems, 217 F.Supp.2d 1238 \(M.D. Fla. 2002\)](#)

U.S. District Court — Middle District of Florida

Extract

Congress designed the Federal Racketeering Influenced and Corrupt Organizations Act (RICO), Title 18, United States Code, Section 1961, et seq. as a flexible tool to fight organized crime. As such, it makes the following activities unlawful: (a) investing income derived, directly or indirectly, from a pattern of racketeering activity through collection of an unlawful debt in any enterprise which affects interstate commerce; (b) acquiring or maintaining an interest in any enterprise which affects interstate commerce through a pattern of racketeering activity or through collection of an unlawful debt; (c) conducting or participating in the affairs of any enterprise which affects interstate commerce through a pattern of racketeering activity or collection of an unlawful debt; or (d) conspiring to violate any of the provisions of Section 1962(a)-(c). 18 U.S.C. § 1962.

'Racketeering activities' covers a wide range of federal and state crimes, including acts that are 'chargeable' under several generically described state criminal laws, any act 'indictable' under numerous specific federal criminal provisions, including mail and wire fraud, and any 'offense' involving bankruptcy or securities fraud or drug-related activities that [are] 'punishable' under federal law. *Sedima, S.P.R.L. v. Imrex Co. Inc.*, 473 U.S. 479, 482, 105 S.Ct. 3275, 87 L.Ed.2d 346 (1985) (quoting 18 U.S.C. § 1961(1)). To engage in a 'pattern of racketeering activity,' the defendant must have participated in 'at least two acts of racketeering activity, one of which occurred after the effective date of [RICO] and the last of which occurred within ten years (excluding any term of imprisonment) after the commission of a prior act of racketeering activity.' 18 U.S.C. § 1961(5).

Summary

Elements required to establish a "pattern of racketeering activity" under RICO, which includes committing at least two acts of racketeering activity, such as wire fraud or mail fraud, within a ten-year period. This directly supports the proposition that if the mother and stepfather's actions meet these criteria, they could be considered as engaging in a pattern of racketeering activity under RICO.

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

Extract

As used in this chapter- 'racketeering activity' means ... (B) any act which is indictable under any of the following provisions of title 18, United States Code: ... section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), ... section 1503 (relating to obstruction of justice), ... 'pattern of racketeering activity' requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

Summary

The definition of "racketeering activity" under 18 U.S.C. § 1961 includes acts such as mail fraud, wire fraud, and obstruction of justice. The statute also specifies that a "pattern of racketeering activity" requires at least two acts of racketeering activity within a 10-year period. This directly supports the proposition that if the mother and stepfather's actions meet these definitions and are related and continuous, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[18 U.S.C. § 1343 18 U.S.C. § 1343 Fraud By Wire, Radio, Or Television](#)

Extract

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both.

Summary

The passage from 18 U.S.C. § 1343 defines wire fraud as a scheme to defraud or obtain money or property through false pretenses, using wire communications in interstate or foreign commerce. This aligns with the proposition that the mother and stepfather's actions, if they involved fraudulent PayPal transactions or phone communications, could constitute wire fraud. Wire fraud is a predicate act under RICO, and if combined with other acts like mail fraud or obstruction of justice, it could establish a pattern of racketeering activity.

[18 U.S.C. § 1341 18 U.S.C. § 1341 Frauds and Swindles](#)

Extract

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises... for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier... shall be fined under this title or imprisoned not more than 20 years, or both.

Summary

18 U.S.C. § 1341 defines mail fraud as involving any scheme to defraud or obtain money or property through false pretenses, where the execution of the scheme involves sending or delivering items via mail or interstate carriers. This statute is relevant to the proposition because it provides the legal basis for considering mail fraud as a predicate act under RICO. If the mother and stepfather's actions involved sending fraudulent documents or communications through mail or carriers, it could constitute mail fraud, thus supporting the pattern of racketeering activity under RICO.

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

Extract

Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to... hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense... shall be fined under this title or imprisoned not more than 20 years, or both.

Summary

18 U.S.C. § 1512 outlines actions that constitute obstruction of justice, such as using intimidation or misleading conduct to prevent communication to law enforcement about a federal offense. This aligns with the proposition that obstruction of justice could be a predicate act under RICO if the actions are related and continuous.

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

Extract

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.

Summary

Legal basis for considering their actions as part of a broader pattern of illegal activity affecting interstate commerce.

[Racketeer influenced and corrupt organizations.](#)

**American Criminal Law Review - Georgetown University Law Center -
Bourgeois, Richard L., Jr. - 2000-03-22**

Extract

RICO, it reasoned, provides an additional sanction for patterns of violations of statutes such as the mail fraud statute... The predicate acts may also be acts indictable under federal law, including... wire fraud; mail fraud;... obstruction of justice;... (36.) See *Goren v. New Vision Int'l, Inc.*, 156 F.3d 721, 728-729 (4th Cir. 1998) (holding that a higher standard must be held when the two predicate acts alleged are mail or wire fraud); *Schultz v. Rhode Island Hosp. Trust Nat'l Bank*, 94 F.3d 721, 731 (1st Cir. 1996) (stating 'while two predicate acts are necessary to form a RICO `pattern' they may not be sufficient unless they are both `related' and `amount to or pose a threat of continued criminal activity' (quoting *H.J., Inc.*, 492 U.S. at 239-40)).

Summary

The passage explains that RICO provides an additional sanction for patterns of violations of statutes like the mail fraud statute. It also lists wire fraud, mail fraud, and obstruction of justice as predicate acts under federal law that can be used to establish a RICO violation. Furthermore, it highlights the

requirement that the predicate acts must be related and pose a threat of continued criminal activity to satisfy the RICO pattern requirement. This directly supports the proposition that the described actions, if they meet these criteria, could satisfy the "pattern of racketeering activity" requirement under RICO.

[Chapter Five: The Racketeer Influenced and Corrupt Organizations \(RICO\) Statute, 18 U.S.C. §§ 1961-1968](#)

Business Torts Litigation. Fifth Edition - American Bar Association - Robert W. Dibert

Extract

An act of racketeering activity includes any act or threat that is indictable as a violation of certain federal statutes, or chargeable under certain state criminal laws. Here, the plaintiff contends that defendant engaged in [describe the RICO violations that are alleged]... 18 U.S.C. § 1961(1) identifies the RICO predicate 'acts of racketeering activity.' The most commonly charged RICO predicate acts are mail fraud and wire fraud, 18 U.S.C. §§ 1341, 1343... The plaintiff has charged the defendant with mail [wire] fraud as a predicate act under RICO. Under 18 U.S.C. § 1341 [1343], a person who has devised or intended to devise a scheme or artifice to defraud, or to obtain money or property by means of false or fraudulent pretenses, representations, or promises, and who uses the mails [or interstate wire communications] to execute or attempt to execute the scheme or artifice to defraud, has committed mail [wire] fraud... A pattern of racketeering activity requires at least two acts of racketeering activity within ten years of each other... Those acts must be related to each other, and must also amount to, or pose a threat of, continuing criminal activity.

Summary

The RICO statute defines acts of racketeering activity to include mail and wire fraud, which are relevant to the proposition. The passage explains the elements required to establish mail or wire fraud as predicate acts under RICO. It also clarifies that a pattern of racketeering activity requires at least two related acts within a ten-year period, which aligns with the proposition's requirement for a pattern of racketeering activity.

[RICO - the rejection of an economic motive requirement.](#)

**Journal of Criminal Law and Criminology - Northwestern University,
School of Law - Randolph, Jennifer G. - 1995-03-22**

Extract

Section 1961(1) of RICO defines certain offenses and acts considered racketeering activity; these offenses are referred to as RICO predicate acts. 18 U.S.C. [sections] 1961 (1988)... section 1341 (relating to mail fraud), section 1343 (relating to wire fraud)...

Summary

List of offenses that are considered predicate acts under RICO, including mail fraud and wire fraud. This directly supports the proposition that if the mother and stepfather's actions meet the definitions of these offenses, they could be considered part of a "pattern of racketeering activity" under RICO. The context of the passage is a legal analysis of RICO's requirements, which is applicable to any case involving potential RICO violations.

[Racketeer Influenced and Corrupt Organizations Act.](#)

American Criminal Law Review - Georgetown University Law Center - Bailey, Lisa Pritchard - 1999-06-22

Extract

The first element of RICO requires two or more predicate acts of 'racketeering activity.'(28) ... Under [sections] 1961(1), the term 'racketeering activity' includes a broad assortment of state and federal crimes. ... The predicate acts may also be acts indictable under federal law, including ... wire fraud; mail fraud; ... obstruction of justice; ... 18 U.S.C. [sections] 1961(1)(A).

Summary

RICO requires at least two predicate acts of racketeering activity, which can include wire fraud, mail fraud, and obstruction of justice. These acts are defined under 18 U.S.C. § 1961(1), and if they occur within a 10-year period and are related and continuous, they can establish a "pattern of racketeering activity." This directly supports the proposition that the described actions could meet the RICO requirements if they fit these definitions.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Argust, Corey P. - 2010-03-22

Extract

RICO applies only where the commission of two predicate acts constitutes a 'pattern of racketeering activity.' ... These include acts relating to: ... mail fraud; wire fraud; ... obstruction of justice; ... 18 U.S.C. [section] 1961(1)(A), (B)); ... *United States v. Palumbo Bros.*, 145 F.3d 850, 862-63 (7th Cir. 1998) (holding RICO charges were not preempted by NLRA when predicate acts consisted of wire and mail fraud, including the mailing of false employee time sheets).

Summary

RICO requires at least two predicate acts of racketeering activity, such as wire fraud, mail fraud, or obstruction of justice, to establish a "pattern of racketeering activity." The passage confirms that these acts are recognized under RICO and that a formal conviction of these acts is not necessary for RICO liability. This supports the proposition that the described actions could meet the statutory definitions and satisfy the RICO requirements if they are related and continuous.

[Chapter 4. Elements of Cause of Action](#)

Civil RICO: A Definitive Guide. Fifth Edition - American Bar Association - Gregory P. Joseph

Extract

Mail and wire fraud are the two most frequently alleged predicate acts. The mail fraud statute, 18 U.S.C. § 1341, prohibits any person from knowingly causing the use of the mails—or, since 1994, private carrier services like FedEx—'for the purpose of executing' any 'scheme or artifice to defraud.' The actual violation is the mailing, which must relate to the underlying fraudulent scheme... Under mail and wire fraud statutes, every mail or wire communication allegedly in furtherance of the fraudulent scheme is a separate violation, even individual communications that are not themselves fraudulent.

Summary

Mail and wire fraud are recognized as predicate acts under RICO. Each act of mailing or wire communication in furtherance of a fraudulent scheme is considered a separate violation. This supports the proposition that multiple acts of wire and mail fraud could establish a "pattern of racketeering activity" if they are related and continuous.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Holt, Michael W. - 2009-03-22

Extract

RICO applies only where the commission of two predicate acts constitutes a 'pattern of racketeering activity.' (47) While the statutory definition of 'pattern of racketeering activity' requires at least two acts of racketeering that occur within ten years of each other, (48) proof of such acts, without more, may not suffice to establish a RICO violation. (49) ... RICO claims predicated on mail and wire fraud. In *Bridge v. Phoenix Bond & Indemnity Co.*, (317) the Supreme Court held that there is no requirement that plaintiffs in such actions show, either as an element of their claim or as a prerequisite to establishing proximate cause, that they relied on the defendant's alleged misrepresentations. (318) ... These include acts relating to: bribery; sports bribery; counterfeiting; theft from an interstate shipment; embezzlement from pension and welfare funds; extortionate credit transactions; fraud and related activity in connection with identification documents; fraud and related activity in connection with access devices; transmission of gambling information; mail fraud; wire fraud; financial institution fraud; unlawful procurement of citizenship or nationalization; reproduction of naturalization or citizenship papers; sale of naturalization or citizenship papers; obscene matter; obstruction of justice; obstruction...

Summary

Requirements for establishing a "pattern of racketeering activity" under RICO, which includes the commission of at least two predicate acts within a ten-year period. It specifically mentions mail fraud, wire fraud, and obstruction of justice as predicate acts under 18 U.S.C. § 1961(1). The passage also clarifies that reliance on misrepresentations is not required for RICO claims predicated on mail and wire fraud, which is relevant to the proposition that the mother and stepfather's actions could meet the statutory definitions of these crimes.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Douglass, Sean M. - 2011-03-22

Extract

RICO applies only where the commission of two predicate acts constitutes a 'pattern of racketeering activity.' (48) While the statutory definition of 'pattern of racketeering activity' requires at least two acts of racketeering that occur within ten years of each other, (49) proof... These include acts relating to: bribery; sports bribery; counterfeiting; theft from an interstate shipment; embezzlement from pension and welfare funds; extortionate credit transactions; fraud and related activity in connection with identification documents; fraud and related activity in connection with

access devices; transmission of gambling information; mail fraud; wire fraud; financial institution fraud; unlawful procurement of citizenship or nationalization; reproduction of naturalization or citizenship papers; sale of naturalization or citizenship papers; obscene matter; obstruction of justice; obstruction of criminal investigations; obstruction of state or local law enforcement; tampering with a witness, victim, or an informant; retaliating against a witness, victim, or an informant; false statements in the application for and use...

Summary

RICO requires at least two predicate acts of racketeering activity within a 10-year period. The passage lists wire fraud, mail fraud, and obstruction of justice as examples of such predicate acts. This directly supports the proposition that if the mother and stepfather's actions meet these definitions and are related and continuous, they could satisfy the "pattern of racketeering activity" requirement under RICO.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Sacks, Michele - 2005-03-22

Extract

RICO applies only where the commission of two predicate acts constitutes a 'pattern of racketeering activity.' ... These acts include ... mail fraud; wire fraud; ... obstruction of justice; ...

Summary

RICO requires at least two predicate acts of racketeering activity within a 10-year period. The passage specifically lists mail fraud, wire fraud, and obstruction of justice as examples of such predicate acts. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of these crimes, they could satisfy the "pattern of racketeering activity" requirement under RICO.

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

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

Extract

A violation of § 1962(c), the section on which Sedima relies, requires (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity. The plaintiff must allege each of the elements to state a claim. They are all equally essential components, and the complaint will fail if any one of

them is not adequately pleaded. In particular, RICO claims based on mail or wire fraud must comport with Federal Rule of Civil Procedure 9(b)'s requirement that allegations involving fraud be pleaded with particularity. ... To establish a § 1962(c) RICO claim, the following elements must be proven:

- Enterprise: A structured group of individuals associated for a common purpose.
- Pattern of racketeering activity: At least two acts of racketeering, as specified within the statute, within 10 years.
- Conduct: Directly or indirectly conducting the enterprise's affairs through racketeering.
- Injury: An injury to business or property due to the racketeering activity.

Summary

Essential elements required to establish a RICO claim under § 1962(c), which includes proving a pattern of racketeering activity through at least two predicate acts such as wire fraud or mail fraud. It also emphasizes the need for these acts to be related and continuous, aligning with the proposition's requirements for establishing a pattern of racketeering activity. The passage further highlights the necessity of pleading these elements with particularity, especially in cases involving fraud.

[RECONCEIVING COERCION-BASED CRIMINAL DEFENSES.](#)

**Journal of Criminal Law and Criminology - Northwestern University,
School of Law - Galoob, Stephen R. - 2022-03-22**

Extract

The inquiry here is meant to invoke the 'pattern of racketeering activity' element of the Racketeer Influenced and Corrupt Organizations Act (RICO). The Organized Crime Control Act (1970), which includes RICO, provides that 'criminal conduct forms a pattern if it embraces criminal acts that have the same or similar purposes, results, participants, victims, or methods of commission, or otherwise are interrelated by distinguishing characteristics and are not isolated events.' The Supreme Court characterized this requirement as a 'relationship' element and held that the statute further requires a 'continuity' element, 'referring either to a closed period of repeated conduct, or to past conduct that by its nature projects into the future with a threat of repetition.'

Summary

The passage provides a detailed explanation of what constitutes a "pattern of racketeering activity" under RICO. It highlights the need for criminal acts to have similar purposes, results, participants, victims, or methods of commission, and to be interrelated by distinguishing characteristics. Additionally, it emphasizes the requirement of a "relationship" and "continuity" element, which aligns with the proposition that the described actions, if related and continuous, could satisfy the RICO requirement.

[H. Rept. 104-22 - Criminal Alien Deportation Improvements Act of 1995, 1995-02-06](#)

Congressional Committee Reports

Extract

Section 1961(1) of title 18, United States Code, is amended—... section 1341 (relating to mail fraud), section 1343 (relating to wire fraud), ... 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 lists various offenses, including mail fraud, wire fraud, and obstruction of justice, as predicate acts under the RICO statute. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of these offenses, they could constitute a "pattern of racketeering activity" under RICO.

[Ex. Rept. 109-18 - United Nations Convention against Corruption \(treaty Doc. 109-6\), 2006-08-30](#)

Congressional Committee Reports

Extract

be punishable under various Federal criminal theories, including but not limited to the honest services, wire, and mail fraud statutes (18 U.S.C. 1341, 1343, and 1346), depending upon the facts of a given case... the honest services, wire, and mail fraud statutes (18 U.S.C. 1341, 1343, and 1346) could be used to prosecute trading in influence for Federal, State, and local officials... The conduct described in article 21 could be punishable under various Federal criminal theories, including but not limited to mail and wire fraud, antitrust violations, conspiracy, and securities fraud, depending upon the facts of a given case.

Summary

These statutes are applicable to a wide range of fraudulent activities, which aligns with the proposition that such acts could constitute a "pattern of racketeering activity" under RICO if they meet the statutory definitions and are related and continuous.

[Blanchard v. Exelis Sys. Corporation/Vectrus Sys. Corp.](#)

USDOL Administrative Review Board Decisions

Extract

The RICO statute defines 'racketeering activity' to include specified, criminal offences (both federal and state) known in RICO jurisprudence as 'predicates.' A minimum of two predicate offences committed within 10 years of each other are necessary to constitute a 'pattern of racketeering' action in violation of RICO.

Summary

The RICO statute requires at least two predicate offenses within a 10-year period to establish a "pattern of racketeering activity." The passage confirms that wire fraud and mail fraud are included as predicate offenses under RICO. This directly supports the proposition that if the actions of the mother and stepfather meet the statutory definitions of these offenses, they could satisfy the RICO requirements.

[Blanchard v. Exelis Sys. Corp.](#)

USDOL Administrative Review Board Decisions

Extract

The RICO statute defines 'racketeering activity' to include specified, criminal offences (both federal and state) known in RICO jurisprudence as 'predicates.' A minimum of two predicate offences committed within 10 years of each other are necessary to constitute a 'pattern of racketeering' action in violation of RICO.

Summary

The RICO statute requires at least two predicate offenses within a 10-year period to establish a pattern of racketeering activity. The passage confirms that wire fraud and mail fraud are included as predicate offenses under RICO. This directly supports the proposition that if the mother and stepfather's actions meet the statutory definitions of these offenses, they could satisfy the pattern of racketeering activity requirement under RICO.

[RICO: A Primer](#)

Extract

The heart of a RICO case is the existence of a pattern of racketeering activity. Under the statute, 'racketeering activity' includes a host of offenses. Section 1961 defines the phrase to include any crime listed in subdivisions

A, B, C, D, E, F, or G of section 1961. Among other things, 'racketeering activities' include 'any act which is indictable under' a list of federal criminal statutes. The list covers an expansive range of violations, for example, violations of the Hobbs Act, 18 U.S.C. ' 1951 (extortion); 18 U.S.C. ' 1341 (mail fraud) and 1343 (wire fraud)... Mail and wire fraud are the most common predicate acts... A 'pattern' may exist where any combination of two or more offenses occurred within a period of time.

Summary

The passage explains that a RICO case requires a pattern of racketeering activity, which includes offenses like mail and wire fraud. It also clarifies that a pattern can be established with two or more offenses within a certain period, emphasizing the flexibility in defining a pattern. This directly supports the proposition that the described actions could meet the RICO requirements if they involve wire fraud, mail fraud, or obstruction of justice.

[SCOTUS Resolves Circuit Split On How To Assess Domestic Injury Under RICO](#)

Extract

In 2020, Sagin filed a civil RICO action in the Central District of California against Yegiazaryan, CMB Monaco, and others. Id. at 4 n.1. Notably, 'RICO provides a private right of action to '[a]ny person injured in his business or property by reason of a violation of' RICO's substantive provisions.' Id. at 4 (quoting 18 U. S. C. '1964(c)). Smagin alleged that the defendants, led by Yegiazaryan, impeded Smagin's collection of the California Judgment 'through a pattern of wire fraud and other RICO predicate racketeering acts, including witness tampering and obstruction of justice.' Id.

Summary

The passage discusses a civil RICO action where the plaintiff alleged a pattern of racketeering activity, including wire fraud and obstruction of justice, to impede the collection of a judgment. This aligns with the proposition that a pattern of racketeering activity under RICO can include acts like wire fraud and obstruction of justice, supporting the idea that such acts can form the basis of a RICO claim if they are related and continuous.

[RICO: A Primer](#)

Extract

The heart of a RICO case is the existence of a pattern of racketeering activity. Under the statute, 'racketeering activity' includes a host of offenses. Section 1961 defines the phrase to include any crime listed in subdivisions A, B, C, D, E, F, or G of section 1961. Among other things, 'racketeering

activities' include 'any act which is indictable under' a list of federal criminal statutes. The list covers an expansive range of violations, for example, violations of the Hobbs Act, 18 U.S.C. ' 1951 (extortion); 18 U.S.C. ' 1341 (mail fraud) and 1343 (wire fraud); 18 U.S.C. ' 1831 (economic espionage); 18 U.S.C. ' 1832 (theft of trade secrets); 18 U.S.C. ' 1952 (Travel Act); 18 U.S.C. ' 1956, 1957 (money laundering); and 18 U.S.C. ' 2318-2320 (copyright infringement). Mail and wire fraud are the most common predicate acts.

Summary

The RICO statute requires a pattern of racketeering activity, which includes offenses such as mail fraud and wire fraud. These are explicitly listed as predicate acts under 18 U.S.C. § 1961. The passage confirms that mail and wire fraud are common predicate acts, supporting the proposition that if the mother and stepfather's actions meet the definitions of these offenses, they could form a pattern of racketeering activity under RICO.

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

Extract

Second, to prove most types of RICO claims, the plaintiff must plead that the defendant committed some qualifying criminal action, the most common of which is mail, wire or securities fraud... Third, the plaintiff must plead a pattern of racketeering activity for most RICO claims. If the alleged conduct occurred once or twice, or was not continuous, it cannot form a pattern of conduct sufficient to support a RICO claim.

Summary

For a RICO claim to be valid, the plaintiff must demonstrate that the defendant engaged in qualifying criminal actions, such as mail or wire fraud. Additionally, there must be a pattern of racketeering activity, which requires more than isolated incidents. The passage supports the proposition by outlining the necessity of proving these elements, which align with the actions described in the proposition.

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

Extract

Second, to prove most types of RICO claims, the plaintiff must plead that the defendant committed some qualifying criminal action, the most common of which is mail, wire or securities fraud... Third, the plaintiff must plead a pattern of racketeering activity for most RICO claims. If the alleged conduct

occurred once or twice, or was not continuous, it cannot form a pattern of conduct sufficient to support a RICO claim.

Summary

For a RICO claim to be valid, the plaintiff must demonstrate that the defendant engaged in qualifying criminal actions, such as mail or wire fraud, and that these actions form a pattern of racketeering activity. The passage supports the proposition by confirming that wire and mail fraud are common predicate acts under RICO, and that a pattern of such activity is necessary to establish a RICO claim. This aligns with the proposition's assertion that the mother's and stepfather's actions could meet the statutory definitions and satisfy the pattern requirement if they are related and continuous.

This memo was compiled by Vincent AI based on vLex materials available as of June 10, 2025. [View full answer on vLex](#)