

Question

Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover acted together with a common goal of removing Charles Dustin Myers from his home. The individuals coordinated their actions, including preparing false documents in Oklahoma and submitting them to Texas courts. An "enterprise" under RICO includes any group of individuals associated in fact, even if not a formal organization, as long as they share a common purpose and function as a continuing unit (18 U.S.C. § 1961(4)). The coordinated actions and shared goal of the individuals suggest the existence of an enterprise under RICO.

Answer (U.S. Federal)

Short response

The coordinated actions of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover to remove Charles Dustin Myers from his home, including preparing false documents in Oklahoma and submitting them to Texas courts, strongly suggest the existence of an "enterprise" under RICO as defined in [18 U.S.C. § 1961](#)(4). The individuals' shared goal and coordinated interstate activities satisfy the broad definition of an "association-in-fact" enterprise under RICO jurisprudence, which includes any group of individuals associated together for a common purpose, even without a formal organizational structure.

Summary

The coordinated actions of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover to remove Charles Dustin Myers from his home through the preparation of false documents in Oklahoma and their submission to Texas courts establish a strong case for the existence of an "enterprise" under the Racketeer Influenced and Corrupt Organizations Act (RICO). Under [18 U.S.C. § 1961](#)(4), an "enterprise" includes "any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity." This definition has been consistently interpreted broadly by courts to include informal associations of individuals who share a common purpose and function as a continuing unit.

The case law from the U.S. District Court for the Southern District of Texas consistently supports the proposition that an association-in-fact enterprise under RICO requires evidence of: (1) a common purpose among the participants; (2) an ongoing organization, whether formal or informal; and (3) members functioning as a continuing unit, as demonstrated by a decision-making structure. The coordinated interstate activities of the three individuals—preparing false documents in Oklahoma and submitting them to Texas courts—demonstrate both the required organization and common

purpose. Their shared goal of removing Charles Dustin Myers from his home provides the unifying purpose that courts have recognized as sufficient to establish an enterprise under RICO, even without a formal structure or economic motive.

Relevant Legal Framework

Legislation

The Racketeer Influenced and Corrupt Organizations Act (RICO) provides the statutory foundation for analyzing whether the actions of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthoover constitute an "enterprise." The key provisions include:

[18 U.S.C. § 1961](#)(4) defines an "enterprise" as including "any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity." [18 U.S.C. § 1961](#)(4) (2025). This expansive definition encompasses both formal legal entities and informal associations.

[18 U.S.C. § 1962](#) establishes the prohibited activities under RICO, including: "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](#) (2025). This provision establishes the connection required between the enterprise and interstate commerce, as well as the pattern of racketeering activity.

Case Law Interpretation

Enterprise Definition and Requirements

Courts have consistently interpreted the definition of "enterprise" under RICO broadly. In [State Farm Mut. Auto. Ins. Co. v. Punjwani, CIVIL ACTION NO. H-19-1491 \(S.D. Tex. Dec 31, 2019\)](#), the court outlined that claims under RICO have three common elements: "(1) a person who engages in (2) a pattern of racketeering activity, (3) connected to the acquisition, establishment, conduct, or control of an enterprise." The court further affirmed that an enterprise "includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity."

Similarly, in [Cedra Pharmacy Houston, LLC v. UnitedHealth Grp., Inc., CIVIL ACTION NO. H-17-3800 \(S.D. Tex. Mar 07, 2019\)](#), the court noted that if a plaintiff is alleging an association-in-fact enterprise, there must be allegations and evidence demonstrating "an ongoing organization, formal or informal, and... evidence that the various associates function as a continuing unit."

Association-in-Fact Requirements

The requirements for establishing an association-in-fact enterprise were elaborated in [Allstate Ins. Co. v. Benhamou, 190 F.Supp.3d 631 \(S.D. Tex. 2016\)](#), where the court stated: "When the alleged enterprise is an association-in-fact enterprise, the plaintiff must show evidence of: (1) an existence separate and apart from the pattern of racketeering; (2) ongoing organization; and (3) members that function as a continuing unit as shown by a hierarchical or consensual, decision-making structure." The court emphasized that "alleging that association-in-fact members actively associate with one another and work cooperatively and illegally to achieve a goal is sufficient to establish plausible enterprise status."

Formal Structure Not Required

Importantly, courts have clarified that a formal structure is not required for an association-in-fact enterprise. In [Trevino v. Pechero, 592 F.Supp.2d 939 \(S.D. Tex. 2008\)](#), the court explicitly stated: "The Court is not aware of cases which indicate that the Fifth Circuit requires any sort of formal structure within an association-in-fact enterprise." This interpretation aligns with earlier precedent in [Heden v. Hill, 937 F.Supp. 1230 \(S.D. Tex. 1996\)](#), which noted that an enterprise is proved by "evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit."

Broad Interpretation of Enterprise

The breadth of the "enterprise" definition has been consistently emphasized in case law. In [Bonton v. Archer Chrysler Plymouth, Inc., 889 F.Supp. 995 \(S.D. Tex. 1995\)](#), the court stated: "RICO defines 'enterprise' very broadly... There is no restriction upon the associations embraced by the definition: an enterprise includes any union or group of individuals associated in fact." Similarly, [Mitchell Energy Corp. v. Martin, 616 F.Supp. 924 \(S.D. Tex. 1985\)](#) emphasized that "the definition of enterprise for purposes of RICO is very broad" and "does not require that the enterprises be a legal entity."

Secondary Materials

Secondary materials further support this broad interpretation. "RICO: A Primer" (2022) confirms that "courts have interpreted 'enterprise' broadly, and the definition captures both legitimate and illegitimate enterprises. The statutory list is not exhaustive but merely illustrative." "RICO: A Primer" (2022-01-31).

Another source notes that federal courts have significant discretion in recognizing a RICO enterprise: "There is no rigid standard that must be satisfied. Minimally, a RICO enterprise must be an ongoing organization, formal or informal, whose associates operate as a continuous unit." "[What can RICO not do? RICO and the non-economic intrastate enterprise that perpetrates only non-economic racketeering activity.](#)" (2009-03-22).

Analysis of the Alleged Enterprise

Common Purpose

The facts indicate that Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthoover "acted together with a common goal of removing Charles Dustin Myers from his home." This shared purpose satisfies one of the key requirements for an association-in-fact enterprise under RICO. As noted in [Allstate Ins. Co. v. Benhamou, 190 F.Supp.3d 631 \(S.D. Tex. 2016\)](#), "alleging that association-in-fact members actively associate with one another and work cooperatively and illegally to achieve a goal is sufficient to establish plausible enterprise status."

The Supreme Court's interpretation, as referenced in "[RICO - the rejection of an economic motive requirement.](#)" (1995-03-22), defines enterprise as "a group of persons associated together for a common purpose of engaging in a course of conduct," which does not require an economic motive. This broad interpretation encompasses the described activities of the three individuals who coordinated their actions toward the common goal of removing Charles Dustin Myers from his home.

Ongoing Organization

The coordinated nature of the individuals' actions suggests an ongoing organization. They "coordinated their actions, including preparing false documents in Oklahoma and submitting them to Texas courts." This level of coordination across state lines requires planning, communication, and organization, albeit potentially informal. As established in [Cedra Pharmacy Houston, LLC v. UnitedHealth Grp., Inc., CIVIL ACTION NO. H-17-3800 \(S.D. Tex. Mar 07, 2019\)](#), an association-in-fact enterprise requires "an ongoing organization, formal or informal."

The fact that the individuals prepared documents in one state (Oklahoma) and submitted them to courts in another state (Texas) indicates a level of sophistication and planning that goes beyond spontaneous action, suggesting an ongoing organization.

Functioning as a Continuing Unit

The coordination of activities across state lines—preparing false documents in Oklahoma and submitting them to Texas courts—suggests that the individuals functioned as a continuing unit throughout at least this series of actions. As noted in [Heden v. Hill, 937 F.Supp. 1230 \(S.D. Tex. 1996\)](#), an enterprise is proved by "evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit."

The collaboration required to prepare false documents and navigate the judicial systems of multiple states demonstrates a level of cohesion and continuity in the group's operations. This continuity satisfies the requirement that members of an association-in-fact enterprise "function as a

continuing unit," as required by [Allstate Ins. Co. v. Benhamou, 190 F.Supp. 3d 631 \(S.D. Tex. 2016\)](#).

Existence Separate from Pattern of Racketeering Activity

Courts have emphasized that an enterprise must exist separate and apart from the pattern of racketeering activities. As stated in [In re Enron Corp. Securities, Derivative & Frisa, 284 F.Supp.2d 511 \(S.D. Tex. 2003\)](#), the enterprise is not the pattern of racketeering activity itself.

In this case, the association of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover can be distinguished from their alleged racketeering activities (preparing false documents and submitting them to courts). Their association—formed with the goal of removing Charles Dustin Myers from his home—exists conceptually separate from the specific alleged fraudulent acts they employed to achieve that goal.

This distinction satisfies the requirement that the enterprise must have "an existence separate and apart from the pattern of racketeering," as required by [Allstate Ins. Co. v. Benhamou, 190 F.Supp.3d 631 \(S.D. Tex. 2016\)](#).

Interstate Commerce Connection

The preparation of false documents in Oklahoma and their submission to Texas courts clearly establishes an interstate connection, which is relevant to the jurisdiction of RICO under [18 U.S.C. § 1962](#). As stated in the statute, it applies to "any enterprise engaged in, or the activities of which affect, interstate or foreign commerce." [18 U.S.C. § 1962](#) (2025). The cross-state nature of the activities satisfies this jurisdictional requirement.

Potential Challenges to Enterprise Classification

Potential Argument: Lack of Formal Organization

One might argue that the three individuals lack the formal organization necessary to constitute an enterprise under RICO. However, this argument fails in light of consistent judicial interpretation that no formal structure is required. As explicitly stated in [Trevino v. Pechero, 592 F.Supp.2d 939 \(S.D. Tex. 2008\)](#), "The Court is not aware of cases which indicate that the Fifth Circuit requires any sort of formal structure within an association-in-fact enterprise."

Similarly, [Heden v. Hill, 937 F.Supp. 1230 \(S.D. Tex. 1996\)](#) emphasized that an enterprise can be "formal or informal." The coordinated interstate activities of the three individuals demonstrate sufficient organization, even if informal, to satisfy the requirements for an association-in-fact enterprise under RICO.

Potential Argument: Limited Duration of Association

Another potential challenge might be that the association of the three individuals was of limited duration and therefore does not satisfy the "continuing unit" requirement. However, the preparation of false documents and their submission to courts necessarily involves multiple steps and actions over time, suggesting a relationship of sufficient duration to satisfy the "continuing unit" requirement.

Moreover, the "continuity" requirement can be satisfied by a "closed period of repeated conduct," as noted in "[RECONCEIVING COERCION-BASED CRIMINAL DEFENSES](#)." (2022-03-22), which referenced Supreme Court precedent defining continuity as "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."

Potential Argument: Enterprise Indistinguishable from Racketeering Activity

A third potential challenge might be that the alleged enterprise is not sufficiently distinct from the pattern of racketeering activity itself. However, as discussed above, the association formed for the purpose of removing Charles Dustin Myers from his home exists conceptually separate from the specific alleged fraudulent acts employed to achieve that goal.

This distinction satisfies the requirement established in [In re Enron Corp. Securities, Derivative & Erisa](#), 284 F.Supp.2d 511 (S.D. Tex. 2003) and other cases that the enterprise must exist separate and apart from the pattern of racketeering activities.

Application of RICO Elements to the Facts

Person Element

Each of the three individuals—Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthoover—can be considered a "person" under RICO. The statute does not restrict the type of individuals who can be considered persons for RICO purposes.

Pattern of Racketeering Activity Element

While the full details of the alleged racketeering activities are not provided, the preparation of false documents and their submission to courts could potentially constitute predicate acts under RICO, such as mail fraud, wire fraud, or obstruction of justice. As noted in "[Civil Rico: A Tool of Advocacy](#)" (2024-01-01), "A 'pattern of racketeering activity' [can be shown] by pointing to at least two distinct but related predicate acts. Related predicate acts have the 'same or similar purposes, results, participants, victims, or methods.'"

The preparation of false documents in Oklahoma and their submission to Texas courts would likely constitute multiple related predicate acts with the same purpose (removing Charles Dustin Myers from his home), the same participants (the three individuals), the same victim (Charles Dustin Myers), and similar methods (preparation and submission of fraudulent documents).

Enterprise Element

As extensively analyzed above, the coordinated actions of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthroover in pursuit of their common goal of removing Charles Dustin Myers from his home strongly suggest the existence of an association-in-fact enterprise under the broad definition provided in [18 U.S.C. § 1961\(4\)](#) and consistently interpreted by courts.

Conduct Element

The individuals' preparation of false documents and their submission to courts represent active participation in the conduct of the enterprise's affairs. This satisfies the conduct element of RICO, which requires that the persons "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](#) (2025).

Conclusion

The coordinated actions of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthroover to remove Charles Dustin Myers from his home, including preparing false documents in Oklahoma and submitting them to Texas courts, strongly suggest the existence of an "enterprise" under RICO as defined in [18 U.S.C. § 1961\(4\)](#).

The evidence supports this conclusion in several ways:

1. **Common Purpose:** The individuals acted together with the shared goal of removing Charles Dustin Myers from his home, satisfying the requirement that members of an association-in-fact enterprise share a common purpose.
2. **Ongoing Organization:** The coordination required to prepare false documents in one state and submit them to courts in another demonstrates an ongoing organization, albeit potentially informal, which satisfies the requirement that an association-in-fact enterprise have an ongoing organizational structure.
3. **Functioning as a Continuing Unit:** The collaboration necessary to execute their plan across state lines indicates that the individuals functioned as a continuing unit throughout their activities, satisfying the continuity requirement for an association-in-fact enterprise.

4. **Existence Separate from Racketeering Activity:** The association formed for the purpose of removing Charles Dustin Myers from his home exists conceptually separate from the specific alleged fraudulent acts employed to achieve that goal, satisfying the requirement that the enterprise exist separate and apart from the pattern of racketeering activities.
5. **Interstate Commerce Connection:** The cross-state nature of the activities satisfies the jurisdictional requirement that the enterprise engage in or affect interstate commerce.

The consistent judicial interpretation of [18 U.S.C. § 1961](#)(4) supports a broad understanding of what constitutes an "enterprise" under RICO, including informal associations of individuals who share a common purpose and function as a continuing unit, even without a formal organizational structure or economic motive. The coordinated interstate activities of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover in pursuit of their common goal strongly suggest the existence of such an enterprise.

Legal Authorities

[Allstate Ins. Co. v. Benhamou, 190 F.Supp.3d 631 \(S.D. Tex. 2016\)](#)

U.S. District Court — Southern District of Texas

Extract

RICO defines an enterprise as 'any individual, partnership, corporation, association or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' Plambeck, 802 F.3d at 673 (quoting 18 U.S.C. § 1961(4)) (internal quotation marks omitted). Accordingly, a RICO enterprise can be either a legal entity or an association-in-fact. ... When the alleged enterprise is an association-in-fact enterprise, the plaintiff must show evidence of: (1) an existence separate and apart from the pattern of racketeering; (2) ongoing organization; and (3) members that function as a continuing unit as shown by a hierarchical or consensual, decision-making structure. ... Thus, alleging that association-in-fact members actively associate with one another and work cooperatively and illegally to achieve a goal is sufficient to establish plausible enterprise status.

Summary

Requirements for establishing such an enterprise, including a common purpose, ongoing organization, and functioning as a continuing unit. The coordinated actions and shared goal of the individuals in the proposition align with these requirements, suggesting the existence of an enterprise under RICO.

[Farmers Tex. Cnty. Mut. Ins. Co. v. 1St Choice Accident & Injury, LLC](#)

U.S. District Court — Southern District of Texas

Extract

Plambeck states: The defendants point to no binding authority that an enterprise must have a purpose besides committing racketeering activity. Instead, they assert that there must be a different purpose because a RICO enterprise cannot be the pattern of racketeering itself. But in [United States v. Turkette, 452 U.S. 576, 583 (1981)], the Court rejected a similar challenge that would have excluded from 'enterprise' those entities pursuing solely unlawful ends.

Summary

The passage from the case discusses the interpretation of what constitutes an "enterprise" under RICO. It clarifies that an enterprise does not need a separate lawful purpose and can exist solely for unlawful activities. This supports the proposition that the coordinated actions of the individuals, even if solely for unlawful purposes, can constitute an enterprise under RICO.

[Mitchell Energy Corp. v. Martin, 616 F.Supp. 924 \(S.D. Tex. 1985\)](#)

U.S. District Court — Southern District of Texas

Extract

The final argument Defendants advance on the RICO claims involve the enterprise requirement of the RICO statute. Defendants argue that Plaintiffs have failed to allege the existence of an enterprise separate from the Defendants. The Court has considered and rejected the argument that such a separate enterprise must be pled. In the Fifth Circuit, the 'definition of enterprise for purposes of RICO is very broad ...', Alcorn, 731 F.2d at 1168, and the statute does not require that the enterprises be a legal entity. 18 U.S.C. § 1961(4).

Summary

The definition of an "enterprise" under RICO is broad and does not require the enterprise to be a legal entity. This supports the proposition that a group of individuals acting with a common purpose, such as preparing false documents and submitting them to courts, can constitute an enterprise under RICO.

[Trevino v. Pechero, 592 F.Supp.2d 939 \(S.D. Tex. 2008\)](#)

U.S. District Court — Southern District of Texas

Extract

Defendant Chrysler argues that individual RICO defendants cannot constitute the RICO enterprise and that an 'association-in-fact' enterprise requires some sort of structure, but she cites only Seventh and Ninth Circuit cases for these propositions. (Doc. 38 at 3). In the Fifth Circuit, a plaintiff must distinguish between RICO persons and RICO enterprises. Abraham v. Singh, 480 F.3d 351, 357 (5th Cir.2007). The enterprise is not a pattern of racketeering activity, but must exist separate and apart from the pattern of racketeering activity in which it engages. Whelan v. Winchester Production Co., 319 F.3d 225, 229 (5th Cir.2003). The Court is not aware of cases which indicate that the Fifth Circuit requires any sort of formal structure within an association-in-fact enterprise.

Summary

Within the Fifth Circuit, an "association-in-fact" enterprise under RICO does not require a formal structure. This supports the proposition that individuals can form an enterprise if they share a common purpose and function as a continuing unit, even if they are not a formal organization. The passage also emphasizes the need to distinguish between RICO persons and enterprises, which aligns with the proposition that the individuals acted together with a common goal, suggesting the existence of an enterprise.

[Bonton v. Archer Chrysler Plymouth, Inc., 889 F.Supp. 995 \(S.D. Tex. 1995\)](#)

U.S. District Court — Southern District of Texas

Extract

RICO defines 'enterprise' very broadly. The term 'enterprise' includes 'any individual, partnership, corporation, association, or other legal entity, any union or group of individuals associated in fact although not a legal entity.' 18 U.S.C. § 1961(4). There is no restriction upon the associations embraced by the definition: an enterprise includes any union or group of individuals associated in fact. Turkette, 452 U.S. at 580, 101 S.Ct. at 2527.

Summary

Broad definition of "enterprise" under RICO, which includes any group of individuals associated in fact, even if not a legal entity. This supports the proposition that the coordinated actions and shared goal of the individuals in question could constitute an "enterprise" under RICO, as they acted together with a common purpose.

[Cedra Pharmacy Houston, LLC v. UnitedHealth Grp., Inc., CIVIL ACTION NO. H-17-3800 \(S.D. Tex. Mar 07, 2019\)](#)

U.S. District Court — Southern District of Texas

Extract

An 'enterprise' within the meaning of § 1962 'includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' 18 U.S.C. § 1961(4). If the plaintiff is alleging an association-in-fact enterprise, there must be allegations and evidence demonstrating "an ongoing organization, formal or informal, and... evidence that the various associates function as a continuing unit.' Whelan v. Winchester Prod. Co., 319 F.3d 225, 229 (5th Cir. 2003) (quoting United States v. Turkette, 101 S. Ct. 2524, 2528 (1981)).

Summary

An "enterprise" under RICO can include any group of individuals associated in fact, even if not a formal organization, as long as they share a common purpose and function as a continuing unit. This supports the proposition that the coordinated actions and shared goal of the individuals suggest the existence of an enterprise under RICO.

[Heden v. Hill, 937 F.Supp. 1230 \(S.D. Tex. 1996\)](#)

U.S. District Court — Southern District of Texas

Extract

RICO defines 'enterprise' very broadly. The term 'enterprise' includes 'any individual, partnership, corporation, association or other legal entity, any union or group of individuals associated in fact although not a legal entity.' 18 U.S.C. § 1961(4). There is no restriction upon the associations embraced by the definition: a RICO 'enterprise' can be either a legal entity or an 'association in fact' enterprise. ... An enterprise is proved by 'evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit.'

Summary

Broad definition of "enterprise" under RICO, which includes any group of individuals associated in fact, even if not a formal organization. It emphasizes that an enterprise can be informal and is demonstrated by evidence of an ongoing organization where associates function as a continuing unit. This aligns with the proposition that the individuals acted together with a common goal, suggesting the existence of an enterprise under RICO.

[Allstate Ins. Co. v. Donovan, CIVIL ACTION NO. H-12-0432 \(S.D. Tex. Jul 03, 2012\)](#)

U.S. District Court — Southern District of Texas

Extract

For purposes of civil RICO liability, 'enterprise' includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity." See 18 U.S.C. § 1961(4). Thus, a RICO enterprise can be either a legal entity or an association-in-fact. *In re Burzynski*, 989 F.2d at 743. Regardless of whether the enterprise is alleged to be a legal entity or an association-in-fact, '[t]he 'enterprise' is not the 'pattern of racketeering activity'; it is an entity separate and apart from the pattern of [racketeering] activity in which it engages.

Summary

A RICO enterprise can be an association-in-fact, which does not need to be a formal legal entity. This supports the proposition that the individuals involved could be considered an enterprise under RICO if they acted with a common purpose and functioned as a continuing unit, even if they were not a formal organization.

[In re Enron Corp. Securities, Derivative & Erisa, 284 F.Supp.2d 511 \(S.D. Tex. 2003\)](#)

U.S. District Court — Southern District of Texas

Extract

Count VI identifies the following as RICO enterprises, either legal entities or association-in-fact enterprises: Enron Corporation; an association-in-fact enterprise comprised of the Enron Insider Defendants, the Enron ERISA Defendants, the Accounting Defendants and/or Andersen, the Attorney Defendants, the Investment Banking Defendants, and other investment banks not named as defendants in the complaint... 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.

Summary

The court recognizes association-in-fact enterprises under RICO, which do not need to be formal organizations but must share a common purpose and function as a continuing unit. This aligns with the proposition that the

individuals acted together with a common goal, suggesting the existence of an enterprise under RICO.

[State Farm Mut. Auto. Ins. Co. v. Punjwani, CIVIL ACTION NO. H-19-1491 \(S.D. Tex. Dec 31, 2019\)](#)

U.S. District Court – Southern District of Texas

Extract

Claims under RICO, 18 U.S.C. § 1962, have three common elements: '(1) a person who engages in (2) a pattern of racketeering activity, (3) connected to the acquisition, establishment, conduct, or control of an enterprise.'... An enterprise 'includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' 18 U.S.C. § 1961(4).

Summary

To establish a RICO claim, there must be a person engaged in a pattern of racketeering activity connected to an enterprise. The definition of an "enterprise" under RICO includes any group of individuals associated in fact, even if not a formal organization, as long as they share a common purpose. This directly supports the proposition that the coordinated actions and shared goal of the individuals suggest the existence of an enterprise under RICO.

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

Extract

"enterprise" includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

Summary

The definition of "enterprise" under RICO is broad and includes any group of individuals associated in fact, even if they are not a formal organization. This supports the proposition that the coordinated actions and shared goal of the individuals in question could constitute an "enterprise" under RICO, as they acted together with a common purpose.

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

Extract

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.

Summary

The passage outlines that it is unlawful for any person associated with an enterprise engaged in activities affecting interstate commerce to participate in the conduct of the enterprise's affairs through a pattern of racketeering activity. This supports the proposition by suggesting that if Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branthoover acted together with a common goal and engaged in a pattern of racketeering activity, they could be considered an "enterprise" under RICO. Their coordinated actions, such as preparing false documents and submitting them to courts, could be seen as participating in the conduct of the enterprise's affairs.

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

RICO requires that the enterprise have an economic motive, the Court defined enterprise as 'an entity,... a group of persons associated together for a common purpose of engaging in a course of conduct,' which does not require an economic motive. Thus, the Court established precedent for a liberal reading of RICO, and specifically the term 'enterprise.' ... The Court concluded that the [sections] 1961 (4) definition of enterprise as 'any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity,' does not indicate an economic motive.

Summary

The definition of "enterprise" under RICO does not require an economic motive. The Court's interpretation allows for a broad understanding of what constitutes an enterprise, including any group of individuals associated in fact for a common purpose. This supports the proposition that the coordinated actions and shared goal of the individuals in question could suggest the existence of an enterprise under RICO, even if their actions were not economically motivated.

[What can RICO not do? RICO and the non-economic intrastate enterprise that perpetrates only non-economic racketeering activity.](#)

Journal of Criminal Law and Criminology - Northwestern University, School of Law - Nisbet, Brian - 2009-03-22

Extract

Enterprise and racketeering activity, defined in [section] 1961(1) and (4) of RICO, are generous in scope. '[A]ny individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity' can constitute a RICO enterprise. Federal courts have a significant amount of discretion in recognizing a RICO enterprise. There is no rigid standard that must be satisfied. Minimally, a RICO enterprise must be an ongoing organization, formal or informal, whose associates operate as a continuous unit.

Summary

The definition of a RICO enterprise is broad and includes any group of individuals associated in fact, even if not a formal organization. The passage emphasizes that federal courts have discretion in recognizing a RICO enterprise and that there is no rigid standard, only that the enterprise must be an ongoing organization, formal or informal, whose associates operate as a continuous unit. This supports the proposition that the coordinated actions and shared goal of the individuals in question could suggest the existence of a RICO enterprise.

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

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

Extract

and any union or group of individuals associated in fact although not a legal entity." This language is expansive; the word "includes" renders the statutory list illustrative, not exhaustive. See, e.g., Boyle v. United States, 556 U.S. 938, 944 & n.2 (2009) ("The statute does not specifically define the outer boundaries of the 'enterprise' concept but states that the term 'includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' . . . This provision does not purport to set out an exhaustive definition of the term 'enterprise.'"); United States v. Huber, 603 F.2d 387 (2d Cir. 1979), cert. denied, 445 U.S. 927 (1980) ("The definition... by evidence of an ongoing organization, formal or informal, and [second] by evidence that the various associates function as a continuing unit." Third, the Turkette opinion stressed the distinction between the "enterprise" and "pattern" requirements: "The 'enterprise' is not the 'pattern of racketeering

activity,' it is an entity separate and apart from the pattern of activity in which it engages." Id. at 583.

Summary

The definition of an "enterprise" under RICO is broad and includes any group of individuals associated in fact, even if not a legal entity. The passage emphasizes that an enterprise can be informal and is distinct from the pattern of racketeering activity. This supports the proposition that the coordinated actions and shared goal of the individuals in question could constitute an "enterprise" under RICO.

[Could you use that in a sentence, please? The intersection of prosecutorial ethics, relevant conduct sentencing, and criminal RICO indictments.](#)

Notre Dame Law Review - University of Notre Dame Law School - McClintock, William S. - 2013-12-01

Extract

The definition of 'enterprise' has a complicated judicial history. The unadorned statutory text defines 'enterprise' as 'any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' In United States v. Turkette, the Court confronted the enterprise concept and held that an enterprise included both legitimate, legally constituted entities, as well as criminal groups that are not legally structured, but are nevertheless associations-in-fact. 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.

Summary

The definition of "enterprise" under RICO includes groups of individuals associated in fact, even if they are not legally structured. The case United States v. Turkette supports the idea that an enterprise can be a group of individuals working together for a common purpose, which aligns with the proposition that the individuals coordinated their actions with a shared goal.

[Vol. 4 No. 3 Pg. 7 Rico and the Prime: Taking a Bite Out of Crime?](#)

Utah Bar Journal - Utah State Bar - 1991-00-00

Extract

The plaintiff must next demonstrate the existence of an 'enterprise.' There is no requirement that the enterprise be criminal in character; the enterprise may be a legitimate business, such as a bank or a bank holding company.

Indeed, even the office of state governor has been found to be an enterprise subject to RICO. Nor must the enterprise be formally organized; it may be an 'association-in-fact.' The enterprise may be the perpetrator, instrument, victim or prize of the fraud. The enterprise must be distinguished from the pattern of racketeering activity. Notwithstanding, the same evidence may be used to establish both the pattern and the existence of the enterprise.

Summary

An "enterprise" under RICO does not need to be a formal organization or have a criminal character. It can be an "association-in-fact," which aligns with the proposition that the individuals acted together with a common goal. The passage also notes that the same evidence can establish both the pattern of racketeering activity and the existence of the enterprise, supporting the idea that the coordinated actions of the individuals could demonstrate an enterprise under RICO.

[Reflections on Reves v. Ernst & Young: its meaning and impact on substantive, accessory, aiding abetting and conspiracy liability under RICO.](#)

American Criminal Law Review - Georgetown University Law Center - Blakey, G. Robert - 1996-01-01

Extract

The concept of the 'enterprise' was selected by Congress when it enacted RICO because it desired to use 'terms and concepts of breadth.' Indeed, the statute itself broadly describes '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.' Thus, any legal entity may be an enterprise, and any group of persons--in any combination of natural and legal persons--may also constitute an enterprise, even though it is not a legal entity, by being an association-in-fact.

Summary

The definition of "enterprise" under RICO is intentionally broad, allowing for the inclusion of any group of individuals associated in fact, even if not a formal organization. This supports the proposition that the coordinated actions and shared goal of the individuals in question could constitute an "enterprise" under RICO, as they acted together with a common purpose.

[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... A 'racketeering activity' refers to a violation of a specific statute. For the first element, the plaintiff can show a 'pattern of racketeering activity' by pointing to at least two distinct but related predicate acts. Related predicate acts have the 'same or similar purposes, results, participants, victims, or methods.'

Summary

Elements required to establish a RICO claim under § 1962(c), which includes proving the existence of an enterprise, a pattern of racketeering activity, and conduct of the enterprise's affairs through racketeering. The passage also explains that related predicate acts must have similar purposes, results, participants, victims, or methods, which aligns with the proposition that the individuals acted with a common goal and coordinated actions.

[Corporate Criminal Liability: End It, Don't Mend It.](#)

The Journal of Corporation Law - University of Iowa Journal of Corporation Law - Smith, Stephen F. - 2022-06-22

Extract

Subsection 1962(c), the most commonly used basis for substantive RICO charges, is instructive. It imposes civil and criminal liability on the persons 'employed by or associated with' organized-crime syndicates or other RICO 'enterprises' who 'conduct, or participate in the conduct of, the [enterprise's] affairs' through a 'pattern of racketeering activity.' ... Although it was originally quite doubtful that purely criminal organizations could constitute RICO enterprises, the Supreme Court has long endorsed that expansive interpretation, which breathed new life into RICO by allowing prosecutors to go directly after organized criminals without awaiting efforts to infiltrate legitimate businesses. See *United States v. Turkette*, 452 U.S. 576, 587 (1981) (holding that purely illegitimate groups can constitute RICO enterprises).

Summary

RICO's definition of an "enterprise" is broad and includes any group of individuals associated in fact, even if not a formal organization. The passage highlights that the Supreme Court has endorsed an expansive interpretation of RICO, allowing for the prosecution of purely illegitimate groups as enterprises. This supports the proposition that the coordinated actions and

shared goal of the individuals in question could suggest the existence of an enterprise under RICO.

[Insurance Fraud is a Violent Crime.](#)

Insurance Advocate - CINN Group, Inc. - 2024-03-01

Extract

RICO conspiracy was established by proof of: (a) of an agreement to join a racketeering scheme, (b) of the defendant's knowing engagement in the scheme with the intent that its overall goals be effectuated, and (c) that the scheme involved, or by agreement between any members of the conspiracy was intended to involve, two or more predicate acts of racketeering.

Summary

Elements required to establish a RICO conspiracy, which includes an agreement to join a racketeering scheme, knowing engagement with intent to effectuate the scheme's goals, and involvement in two or more predicate acts of racketeering. This supports the proposition that the individuals acted with a common goal and coordinated actions, suggesting the existence of an enterprise under RICO.

[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 RICO statute requires a "pattern of racketeering activity," which involves criminal acts with similar purposes, results, participants, or methods that are interrelated and not isolated. The passage also highlights

the need for a "relationship" and "continuity" element, which can be demonstrated by repeated conduct or conduct that poses a threat of future repetition. This supports the proposition that the coordinated actions and shared goal of the individuals suggest the existence of an enterprise under RICO.

[RICO: A Primer](#)

Extract

A RICO enterprise includes 'any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' Courts have interpreted 'enterprise' broadly, and the definition captures both legitimate and illegitimate enterprises. The statutory list is not exhaustive but merely illustrative.

Summary

The definition of a RICO enterprise is broad and includes any group of individuals associated in fact, even if they are not a formal organization. This supports the proposition that the coordinated actions and shared goal of Morgan Michelle Myers, Margie Evonne Wilson, and Danielle Kenneth Branhoover could be considered an "enterprise" under RICO, as they acted together with a common purpose.

[RICO: A Primer](#)

Extract

A RICO enterprise includes 'any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.' Courts have interpreted 'enterprise' broadly, and the definition captures both legitimate and illegitimate enterprises. The statutory list is not exhaustive but merely illustrative.

Summary

The definition of a RICO enterprise is broad and includes any group of individuals associated in fact, even if not a formal organization. This supports the proposition that the coordinated actions and shared goal of the individuals in question could constitute an "enterprise" under RICO, as they acted together with a common purpose.

This memo was compiled by Vincent AI based on vLex materials available as of June 14, 2025. [View full answer on vLex](#)