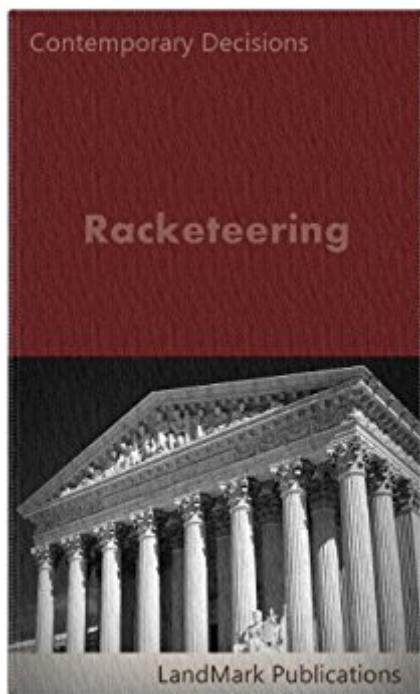


The book was found

Racketeering (Criminal Law Series)



Synopsis

THIS CASEBOOK contains a selection of 175 U. S. Court of Appeals decisions that analyze and interpret the provisions of the the RICO statute—*the Racketeer Influenced and Corrupt Organizations Act*. The selection of decisions spans from 2005 to the date of publication. To establish a civil RICO claim, a plaintiff must allege "(1) conduct, (2) of an enterprise, (3) through a pattern (4) of racketeering activity," as well as "injury to business or property as a result of the RICO violation." *Anatian v. Coutts Bank (Switz.) Ltd.*, 193 F.3d 85, 88 (2d Cir.1999) (internal quotation marks omitted). The pattern of racketeering activity must consist of two or more predicate acts of racketeering. 18 U.S.C. § 1961(5). *Lundy v. Catholic Health System of Long Island*, 711 F. 3d 106 (2nd Cir. 2013) To prove [] racketeering in violation of 18 U.S.C. § 1962(c), the Government "must prove (1) the existence of an enterprise that affects interstate or foreign commerce, (2) that the defendant was employed by or associated with the enterprise, (3) that the defendant participated in the conduct of the enterprise's affairs, and (4) that the participation was through a pattern of racketeering activity." *United States v. Posada-Rios*, 158 F.3d 832, 855 (5th Cir.1998) (internal quotation marks omitted). "'Pattern of racketeering activity' is a defined term and requires at least two acts of 'racketeering activity,' the so-called predicate acts. . . ." *Salinas v. United States*, 522 U.S. 52, 62, 118 S.Ct. 469, 139 L.Ed.2d 352 (1997) (quoting 18 U.S.C. 1961(5)). *US v. Nieto*, 721 F. 3d 357 (5th Cir. 2013) "To prove a violation of the mail fraud statute, plaintiffs must establish the existence of a fraudulent scheme and a mailing in furtherance of the scheme." *McLaughlin v. Anderson*, 962 F.2d 187, 190-91 (2d Cir.1992). On a motion to dismiss a RICO claim, Plaintiffs' allegations must also satisfy the requirement that, "[i]n alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake." Fed.R.Civ.P. 9(b); see *McLaughlin*, 962 F.2d at 191. So Plaintiffs must plead the alleged mail fraud with particularity, and establish that the mailings were in furtherance of a fraudulent scheme. *Id.* *Lundy v. Catholic Health System of Long Island*, *supra*.

Book Information

File Size: 10683 KB

Simultaneous Device Usage: Unlimited

Publisher: LandMark Publications (October 31, 2013)

Publication Date: October 31, 2013

Sold by: Digital Services LLC

Language: English

ASIN: B00GDQQO2S

Text-to-Speech: Enabled

X-Ray: Not Enabled

Word Wise: Enabled

Lending: Not Enabled

Screen Reader: Supported

Enhanced Typesetting: Enabled

Best Sellers Rank: #539,408 Paid in Kindle Store (See Top 100 Paid in Kindle Store) #39

in Kindle Store > Kindle eBooks > Law > Procedures & Litigation > Litigation #135

in Books > Law > Rules & Procedures > Litigation #829 in Kindle Store > Kindle eBooks > Law > Criminal Law

[Download to continue reading...](#)

Criminal Psychology: Understanding the Criminal Mind and Its Nature Through Criminal Profiling (Criminal Psychology - Criminal Mind - Profiling) Racketeering (Criminal Law Series) PLI Multistate Bar Review (Contracts, Torts, Real Property, Criminal Law, Criminal Procedure, Evidence, Constitution Law) [Practicing Law Institute] Modern Criminal Procedure, Basic Criminal Procedure, and Advanced Criminal Procedure, 2017 Supplement (American Casebook Series) Criminal Psychology: Understanding the Criminal Mind through Criminal Profiling Celebrity Bar Exams - Con law Criminal law Evidence Contracts Wills Real Property: Law school books / Law school exams Law of Evidence for Criminal Justice Professionals (Criminal Justice Series) Criminal Law for the Criminal Justice Professional Criminal Law, Criminal Procedure, and the Constitution Passing Contracts, Torts, and Criminal law Essays with 75%: Pre Exam Law Study - Look Inside! ! (e law book) Criminal Procedure for the Criminal Justice Professional Criminal Procedure for the Criminal Justice Professional (with CD-ROM and InfoTrac) Sharia Law: A Grisly Work of Islam, Muslim, and Criminal Law Criminal Law (Quickstudy Law) Criminal Law (Quick Study Law) Emanuel Law Outlines: Criminal Law Law in a Flash Criminal Law An English-Spanish Dictionary of Criminal Law and Procedure (Tomasi's Law Dictionary). Second Edition (Bilingual Edition) (Spanish Edition) Intention and Causation in Medical Non-Killing: The Impact of Criminal Law Concepts on Euthanasia and Assisted Suicide (Biomedical Law and Ethics Library) Law School Handbook Contracts: UCC / Common Law definitions and outlines A Law School e-book: Authors of 6 Published Bar Exam Essays!!!!!! Contracts law A - Z

[Contact Us](#)

DMCA

Privacy

FAQ & Help