**The Good Judge-ment Podcast**

**Trying RICO cases**

**Chris Timmons**

**Hello folks, and welcome to another episode of The Good Judge-ment Podcast. I’m your host, Wade Padgett.**

***And I’m your other host, Tain Kell! Wow, Wade, we have an exciting day today, don’t we?***

**That’s right, today we’re recording a series of interview-type podcasts on some topics of interest- you know, things that have been in the news- and to do that, we’ve asked some experts in various areas to help us out and give us some perspectives other than our own on the topics. (And some new voices so you do not pull your hair out just listening to the two of us all the time).**

***Yes, and today’s first topic is certainly one we’ve been hearing a lot about in the news lately- RICO cases.***

**And we have a special guest on that topic. You may have seen him on CNN, PBS News Hour, the Wall Street Journal, ABC News World Tonight, The New York Times, The Boston Globe, Al Jazeera, and- my favorite- Rolling Stone!**

**Personally, I like to think that his claim to fame is that he prosecuted a RICO case in my courtroom back before RICO was cool.**

**Please welcome today’s special guest, Attorney Chris Timmons of Knowles, Gallant, Timmons law firm right here in Atlanta G-A! Welcome Chris!**

**[APPLAUSE SOUNDER]**

**[Chris awkwardly acknowledges his introduction]**

**Before we talk about RICO, tell our audience a little about yourself and your background with RICO…**

**Chris, what exactly IS RICO?**

**Chris, tell our audience a little about RICO in general, and how it is used.**

**Isn’t there a federal RICO statute and a state (Georgia) RICO statute?**

**What is the difference between those statutes in a practical sense?**

**Help us understand some definitions relating to RICO**

**Doesn’t Georgia’s statute have a broader definition of “criminal enterprise’ than its federal counterpart? What does that mean from a prosecutorial standpoint?**

**What is a “pattern of racketeering activity” under Georgia’s law?**

[2 or more related criminal acts]

**I have heard the term “overt acts” mentioned a great deal in relation to RICO. What are “overt acts?” Why do they matter?**

**Can a RICO prosecution be brought anywhere where an overt act occurred or are there any special venue rules relating to RICO cases?**

**Is it common for RICO cases to have multiple defendants?**

APS cheating case

Yung Thug trial

**As a prosecutor, how do you handle that logistically?**

**Is it common for those charges to be severed, or do RICO defendants usually end up being tried together?**

**What kind of motions do RICO charges usually engender? I can see motions for severance, of course, and demurrers, what else?**

**How important is the drafting of a RICO complaint?**

**Tell us how prosecutors usually structure a RICO complaint.**

**What about a RICO trial? How are those trials different from other criminal trials?**

**What are the potential penalties in RICO?**

Felony conviction;

5 to 20 years;

fine of $25,000 or three times the amount of money gained from the criminal activity, whichever is greater;

or both a prison sentence and a fine.

**As a prosecutor, is it difficult to explain RICO to a jury?**

How do you simplify it for them?

**What kind of resources does it take to take a RICO case to trial?**

**Comment on the Trump case? Issues you see, other interesting highlights?**

**Folks, our thanks to our special guest, Chris Timmons of Knowles, Gallant, Timmons law firm in Atlanta. Chris, it’s been great having you, and very enlightening.**

**WADE: I just wish we had had more time to talk about your experience trying a RICO case in front of Tain…**

**TAIN: Oh, wow, folks, we’re out of time for today!**

**Remember, you can reach out to us at** **goodjudgepod@gmail.com** **, find us on LinkedIn and read notes and outlines at our website and goodjudgepod.com.**

**Today’s rock trivia concerns: Stevie Ray Vaughan**

Stevie's earliest musical inspiration was his older brother, Jimmie Vaughan. Stevie began playing at the young age of seven on a toy guitar from Sears, and was instantly captured by the guitar and music when he heard his brother playing. Jimmie Vaughan (Fabulous Thunderbirds) is an accomplished blues guitarist in his own right and continues to perform today.

Stevie dropped out of high school in 1972 to concentrate on his music career. After playing in a lot of bands that couldn’t get off the ground, Stevie set his sights on Austin, Texas. The city had a booming music scene and offered him many opportunities to play the blues. Also, his brother Jimmie had already established himself there.

John Hammond was a producer and talent scout who was considered one of the “most influential figures in 20th century popular music.” Even though he was retired at the time, Hammond discovered Stevies’s immense talent and brought him to Columbia records. In fact, he served as the executive producer on Vaughan’s debut album Texas Flood.

Texas Flood was recorded in 3 days in Jackson Browne’s home studio.

David Bowie saw Vaughn’s band, Double Trouble, perform at Montreux in 1982 and invited Stevie to record with him. As a result, Stevie was featured as the lead guitarist on Bowie’s 1983 album Let’s Dance. This album essentially served as the world’s introduction to Stevie Ray Vaughan.

Stevie never learned how to read music. In fact, when he would write a song, he usually didn’t know what key it was in.

There’s hope for me yet, Wade. I already don’t read music!