



COMMONWEALTH of VIRGINIA

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VIRGINIA MARINE RESOURCES COMMISSION REVOKESE SEVEN COMMERCIAL FISHING LICENSES

For Immediate Release
November 2, 2016

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NEWPORT NEWS, VA. -- The Virginia Marine Resources Commission at its November 1, 2016, meeting revoked the fishing licenses of seven commercial watermen for egregious or repeated violations of Virginia's fishing laws and regulations. They are:

- Richard N Fluharty, of Tilghman, Maryland. Mr. Fluharty, a commercial licensee, had seven convictions on August 31, 2015, in Accomack County General District Court: Four counts of failure to report mandatory harvest reports and three counts of forging a public documents and records. Given the number of convictions and the specific details of this case involving a non-resident illegally harvesting oysters, the Commission voted unanimously to revoke Mr. Fluharty's licenses for two years, from the date of the Commission meeting, November 1, 2016 through October 31, 2018. The Commission also voted unanimously to revoke all Mr. Fluharty's Commission-issued licenses for a period of two years from the date of this Commission meeting, November 1, 2016 through October 31, 2018. Finally, the Commission voted to prohibit the issuance, reissuance, and renewal of any of Mr. Fluharty's licenses during this revocation period and voted to revoke Mr. Fluharty's fishing privileges, within the Commonwealth's tidal waters, for a period of two years from the date of the Commission meeting November 1, 2016 through October 31, 2018.
- Mr. Robert N. Hogge Jr., of Newport News, Virginia. Mr. Hogge, a commercial licensee, was convicted in Isle of Wight General District Court on February 25, 2016 for having more than one basket on board while culling oysters. He was also convicted on March 31, 2016 in Newport News Circuit Court on three counts; one count of taking oysters from a

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public rock out of season; one count of taking oysters with a hand scrape out of season and one count of grand larceny. As a result, the Commission voted unanimously to revoke all Mr. Hogge's Commission-issued licenses for a period of one year from the date of the Commission meeting, November 1, 2016 through October 31, 2017. The Commission voted to prohibit the issuance, reissuance and renewal of any of Mr. Hogge's licenses during the revocation period. The Commission also voted to revoke Mr. Hogge's fishing privileges, within the Commonwealth's tidal waters, for a period of one year from the date of this Commission meeting, November 1, 2016 through October 31, 2017. Finally, the Commission voted to place Mr. Hogge on probation for a period of two years immediately following this revocation period, November 1, 2017 through October 31, 2019. Any failure on Mr. Hogge's part to obey any of the laws or regulations relating to the Marine Resources of the Commonwealth during the two years probation would result in Mr. Hogge appearing before the Commission for another hearing on license revocation.

- Anthony D. Hogge of Gloucester Point, Virginia. Mr. Anthony D. Hogge, a commercial licensee, had six convictions. On July 05, 2016, in Williamsburg General District Court, Mr. Hogge had three convictions, one count of harvesting Atlantic striped bass without a 2016 VMRC striped bass permit; one count of using 2016 VMRC Atlantic striped bass tags belonging to another; and one count of failure to report seafood harvest to VMRC's mandatory reporting. On August 11, 2016 in Gloucester County General District Court, Mr. Hogge was convicted for one count of failure to affix harvester tags to harvested oysters. On May 18, 2016, Mr. Hogg had two more convictions in Middlesex Circuit Court: one count of theft of oysters and one count of harvesting in closed of sanctuary areas.

Mr. Hogge first appeared before the Commission as a failure to report case during the September 2013 Commission meeting. The Commission decided to put Mr. Hogge on probation for two years beginning after he submitted his missing reports, October 4, 2013 through October 3, 2015. Mr. Hogge appeared a second time before the Commission during the April 2014 Commission meeting for a second failure to report hearing for violating his probation by continuing to fail to report. The Commission decided to revoke Mr. Hogge's licenses and permits for six months, April 22, 2014 through October 21, 2014, followed by one year probation, October 22, 2014 through October 21, 2015. Mr. Hogge appeared a third time before the Commission during the May 2015 Commission meeting for violating his probation with a natural resource violation of harvesting oysters with a hand scrape in a hand tong area. The Commission voted to revoke Mr. Hogge's license for two years, but to suspend the two year revocation and put Mr. Hogge on two years' probation, from May 26, 2015 through May 25, 2017. Any fisheries violation or late reporting on Mr. Hogge's part would result in immediate license revocation for the remainder of the two year period.

As a result, the Commission voted unanimously to revoke all Mr. Hogge's Commission-issued licenses for a period of five years from the date of the Commission meeting, November 1, 2016 through October 31, 2021. The Commission voted to prohibit the issuance, reissuance, and renewal of any of Mr. Hogge's licenses during this revocation

period and revoked Mr. Hogge's fishing privileges, within the Commonwealth's tidal waters, for a period of five years from the date of the Commission meeting, November 1, 2016 through October 31, 2021.

- Donald G. Broadwell II, of Mattaponi, Virginia. Mr. Broadwell, a commercial licensee, was convicted in Newport News General District Court on June 24, 2016 for one count of failure to fully report commercial fishing and mandatory harvest reports to VMRC. This violation occurred while Mr. Broadwell was on probation. Mr. Broadwell was put on probation during the August 2014 Commission meeting for two years, August 26, 2014 through August 25, 2016, for failure to report. The Commission voted unanimously to revoke all Mr. Broadwell's Commission-issued licenses for a period of one year from the date of this Commission meeting, November 1, 2016 through October 31, 2017. The Commission voted to prohibit the issuance, reissuance, and renewal of any of Mr. Broadwell's Commission-issued licenses during this revocation period. Finally, the Commission voted to revoke Mr. Broadwell's fishing privileges within the Commonwealth's tidal waters, for a period of one year from the date of this Commission meeting, November 1, 2016 through October 31, 2017.
- Mr. James L. West of Gloucester, Virginia. Mr. West, a commercial licensee, was convicted on May 18, 2016, in Middlesex County Circuit Court on one count of theft of oysters and one count of harvesting in a closed sanctuary area. The Commission voted to revoke all Mr. West's Commission-issued licenses for a period of 30 days from the date of the Commission meeting, November 1, 2016 through November 30, 2016. The Commission voted to place Mr. West on probation for four years and eleven months, following the 30 day revocation, from December 1, 2016 through October 31, 2021.
- John K. West of Hayes, Virginia. Mr. West, a commercial licensee, was convicted on May 18, 2016, in Middlesex County Circuit Court for one count of theft of oysters and one count of harvesting in a closed sanctuary area. The Commission voted to revoke all Mr. West's Commission-issued licenses for a period of 30 days from the date of the Commission meeting, November 1, 2016 through November 20, 2016. The Commission voted to place Mr. West on probation for four years and eleven months, following the 30 day revocation, from December 1, 2016 through October 31, 2021.
- John M. West of Hayes, Virginia. Mr. West, a commercial licensee, was convicted on May 18, 2016 in Middlesex Circuit Court on one count of theft of oysters and one count of harvesting in a closed sanctuary area. The Commission voted unanimously to revoke all Mr. West's Commission-issued licenses for a period of one year from the date of the Commission meeting, November 1, 2016 through October 31, 2017. The Commission voted to prohibit the issuance, reissuance, and renewal of any of Mr. West's Commission-issued licenses during this revocation period. Finally, the Commission voted to revoke Mr. West's fishing privileges within the Commonwealth's tidal waters, for a period of one year from the date of the Commission meeting, November 1, 2016 through October 31, 2017.

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