

No. 25-2649

**IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

United States of America,
Plaintiff-Appellee,

v.

Tonia Haddix,
Defendant-Appellant,

**Appeal from the United States District Court
Eastern District of Missouri**

**BRIEF OF PEOPLE FOR THE ETHICAL TREATMENT
OF ANIMALS, INC. AS *AMICUS CURIAE* IN SUPPORT OF
THE GOVERNMENT AND FOR AFFIRMANCE OF THE JUDGMENT**

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RULE 26.1 DISCLOSURE STATEMENT

Under Fed. R. App. P. 26.1 and Local Rule 26.1A, People for the Ethical Treatment of Animals, Inc. states that it is a not-for-profit non-stock corporation and has no parent corporation.

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INTEREST OF AMICUS CURIAE¹

Amicus curiae People for the Ethical Treatment of Animals, Inc. (“PETA”) is the largest animal rights organization in the world. PETA entities have more than 10.4 million members and supporters globally. PETA is dedicated to ending the suffering of animals, including in the entertainment industry. It works through public education, cruelty investigations, research, animal rescue, legislation, litigation,² special events, celebrity involvement, and protest campaigns. All of PETA’s efforts are directed at educating and peacefully persuading people and governments to voluntarily discontinue, discourage, and abstain from practices that involve exploitation, abuse, neglect, or cruelty to animals.

PETA has a particular interest in this case. It sued Appellant Tonia Haddix

¹ Rule 29 statement: No party’s counsel authored this brief in whole or in part. No party or party’s counsel contributed money that was intended to fund preparing or submitting this brief. No person—other than *amicus curiae*, its members, or its counsel—contributed money that was intended to fund preparing or submitting this brief. *Amicus curiae* does not have the consent of Appellant to file this brief. It seeks the Court’s leave under Rule 29(a)(2) through a motion filed herewith.

² PETA frequently enforces the Endangered Species Act through its citizen-suit provisions. *See, e.g., People for Ethical Treatment of Animals, Inc. v. Tri-State Zoological Park of W. Maryland, Inc.*, 843 F. App’x 493 (4th Cir. 2021); *People for the Ethical Treatment of Animals, Inc. v. Dade City’s Wild Things, Inc.*, No. 8:16-CV-2899-T-36AAS, 2020 WL 13614406 (M.D. Fla. Feb. 26, 2020); *People for Ethical Treatment of Animals, Inc. v. Wildlife in Need & Wildlife in Deed, Inc.*, 476 F. Supp. 3d 765 (S.D. Ind. 2020); and *People for Ethical Treatment of Animals, Inc. v. Lowe*, No. CIV-21-0671-F, 2022 WL 576560, at *8 (W.D. Okla. Feb. 25, 2022).

in the civil Endangered Species Act (“ESA”) lawsuit in which Haddix committed the acts of perjury and obstruction of justice that resulted in the 46-month prison sentence that she now appeals. *See generally Missouri Primate Foundation et al. v. People for the Ethical Treatment of Animals et al.*, 4:16-cv-02163 (E.D. Mo.). The District Court found PETA was a “victim” in this case as that term is used in the United States Sentencing Guidelines (“Guidelines”) and in 18 U.S.C. § 3771. *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) (ECF 63 at 12:15–19). The District Court also received and reviewed a written Victim Impact Statement from PETA before sentencing Haddix. *See id.* at ECF 37-2; *see also id.* at ECF 63 at 4:8–13.

As the victim in this case, the party adverse to Haddix in the underlying civil litigation from which Haddix’s convictions stem, and an organization that frequently sues under the ESA’s citizen-suit provision, PETA has a direct and substantial interest in the questions presented in this case. The precedent this Court may set in its ruling on Haddix’s appeal will affect not only Haddix, but all present and future ESA civil litigants.

Pursuant to Appellate Rule 29, PETA respectfully submits this amicus brief in support of the Government, to respond to Haddix’s specific argument on appeal that, because her crimes were motivated by love for an animal rather than malice or greed, she is entitled to leniency under the general rule of 18 U.S.C. § 3553(a).

Haddix is entitled to no such leniency. PETA is in a unique position to aid this Court on this issue by demonstrating that Haddix's argument is both factually and legally incorrect. PETA's analysis on this issue will be particularly helpful to this Court given that the Government elected to focus its opposition on Haddix's other, more technical arguments. As *amicus curiae*, PETA seeks to help this Court understand the full context of Haddix's misconduct so it can see that Haddix's arguments for leniency are both legally meritless and factually misleading. This Court should affirm the sentence imposed on Haddix in full.³

SUMMARY OF THE FACTS

A. Haddix's convictions stem from perjuring herself in PETA's ESA lawsuit against her.

In November 2016, PETA initiated an ESA lawsuit in the Eastern District of Missouri (the "ESA Court") against the now-defunct Missouri Primate Foundation ("MPF"), a private residence in Festus, Missouri, where chimpanzees were kept in cages in its prison-like basement and additions built onto the home. *See MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 38. For years, MPF was the primary source of chimpanzees sold into the entertainment industry and the exotic-pet trade. By 2016, after captive chimpanzees were listed as endangered and their sale was strictly limited, the facility had become a warehouse for unwanted animals.

³ PETA does not seek to participate in oral argument but will do so at the Court's invitation. *See* Fed. R. App. P. 29(a)(8).

Many of the chimpanzees at the site had been bred there and exploited for entertainment or as “pets” before they became too large and dangerous to handle and were returned. The chimpanzees lived amid trash, their own waste, cockroaches, and flies. *Id.* at “counterclaim” ¶ 112. The stench of urine in one room was so overwhelming that one volunteer couldn’t enter. *Id.* Several primates were exhibiting signs of overgrooming, which can indicate psychological distress. *Id.* ¶ 100. Most of them had no regular access to the outdoors, and some had no access at all, including one who was kept in solitary confinement. *Id.* ¶ 98. None of the cages provided any meaningful opportunity for the animals to climb or exercise, and none of them were allowed outdoors in the winter. *Id.* They were denied regular veterinary care, which was typically provided only when life-threatening health issues had become dire. *Id.* ¶¶ 129–33.

In 2018, MPF transferred ownership of the remaining chimpanzees to Haddix. *See MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 226. PETA promptly added Haddix as a defendant in the lawsuit. *Id.* In 2020, PETA negotiated a consent decree that allowed Haddix to keep three of the chimpanzees at the site if she met certain conditions—including building appropriate facilities for the animals—and allowed PETA to transfer the remaining four chimpanzees to an accredited sanctuary. *Id.* at ECF 274. The agreement specified that, if Haddix failed to satisfy the conditions, then all seven chimpanzees would be transferred to

a true sanctuary. Haddix failed to satisfy most of her obligations, and in June 2021, the ESA Court granted PETA's motion for an order to show cause and scheduled a hearing for the following month.

Almost immediately after that order, Haddix began to claim that Tonka, one of the seven chimpanzees to be transferred who had also appeared in numerous films throughout the 1990s, had died the weekend prior. She and her husband, Jerry Aswegan, submitted sworn declarations to the ESA Court describing how Tonka had allegedly been found dead and how they had purportedly disposed of his body by burning it in an outdoor burn pit. *See, e.g., MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 338-2 and 338-3. Following the order to show cause hearing in July 2021, the ESA Court ordered that all seven animals be transferred to an accredited sanctuary. When PETA arrived at MPF to transfer the seven remaining chimpanzees later that month, Tonka was not present.

At a January 2022 hearing, Haddix cried repeatedly in open court as she described how she had allegedly found Tonka dead and how she and her husband had purportedly disposed of his body. PETA presented expert testimony establishing that the manner in which Tonka's remains were supposedly burned was a physical and scientific impossibility. The ESA Court credited that testimony and questioned Haddix's veracity but declined to hold her in contempt because PETA could not identify where Tonka was. *See MPF v. PETA*, 4:16-cv-02163

(E.D. Mo.) at ECF 362.

After PETA received a tip that Haddix was keeping Tonka at her new residence and planned to “ethanize” him within days because he was allegedly suffering from congestive heart failure, PETA filed a motion for a temporary restraining order to prevent her from euthanizing him or removing him from where he was located at that time, which the ESA Court granted. *See MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 371. When the U.S. Marshals Service served the order on Haddix, it confirmed that Tonka was alive, concealed in a small cage in her basement. Tonka could take only a few steps in any direction, was not allowed to go outside, couldn’t feel the sun or the grass beneath his feet, had no companionship with other chimpanzees, was substantially overweight, and was not receiving proper veterinary care.

After his rescue, an extensive physical exam performed by veterinarians experienced with chimpanzees showed that Tonka was not suffering from congestive heart failure. Haddix had intended to “ethanize” Tonka for no medical reason. He is now thriving in a group of chimpanzees at an accredited sanctuary. *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo.) at ECF 37-2.

The ESA Court issued Haddix a contempt sanction of nearly \$225,000 to reimburse PETA for expenses incurred to disprove her hoax and otherwise obtain compliance with the consent decree. Haddix has not satisfied the judgment. *Id.*

B. Assuming *arguendo* Haddix loved Tonka, she consistently expressed that love negligently or abusively.

Because of Haddix's crimes, Tonka was "denied everything natural and important to a chimpanzee: the ability to interact with other chimpanzees, a healthy diet, even the ability to feel the warmth of the sun on his skin, see the sky, and breathe fresh air." U.S. v. Haddix, No. 4:25-CR-00155-SRC (E.D. Mo.) at ECF 37-2 at 4. Haddix's lies prevented Tonka from being transferred to the same sanctuary with the six other chimpanzees he had lived amongst for 17 years while at MPF, resulting in significant stress to Tonka given the highly social nature of chimpanzees. *Id.* Tonka was also obese while in Haddix's custody as a result of the unhealthy fast food and other junk food Haddix consistently fed him, and the small enclosure in Haddix's basement in which she kept Tonka confined, which gave Tonka no opportunities for exercise or enrichment. *Id.* Haddix also had plans to euthanize Tonka after falsely claiming he was near death and in the end stages of congestive heart failure. *Id.* at 3. Haddix had also previously threatened to withhold care from Tonka and the other chimpanzees then in her possession if PETA refused to pay her \$4,000 per day. *See MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 289 at ¶ 8.

C. Haddix perjured herself and obstructed PETA's lawsuit specifically to spite and harm PETA.

As the District Court said at sentencing, throughout the civil litigation

Haddix repeatedly “demonized PETA” and “demonized PETA’s attorneys . . . including threatening to run [one of them] over.” *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) (ECF 63 at 42:2–4). Haddix’s crimes resulted in PETA incurring an additional \$224,404.02 in attorneys’ fees and costs, and an additional \$260,000 to secure Tonka’s place at a sanctuary that PETA would not have had to pay had Haddix allowed Tonka to be transferred on the original transfer date with the other six chimpanzees. *Id.* at ECF 37-2 at 3.

D. Haddix allowed a film crew to record her perjuring herself, and profited on the success of the documentary that featured footage of her crime.

For much of Haddix’s involvement in the civil ESA lawsuit with PETA, filmmakers captured footage of Haddix for later incorporation into a documentary series that debuted on August 18, 2024, under the title *Chimp Crazy*, on HBO and the MAX streaming service. According to industry publications, *Chimp Crazy* was one of the biggest docuseries at HBO in many years, surpassing 2.3 million viewers for its premiere episode. *See, e.g.,* Hollywood Reporter, ‘*Chimp Crazy*’ on Pace for Multiyear Viewer Highs for HBO Doc Series, [WWW.HOLLYWOODREPORTER.COM, https://www.hollywoodreporter.com/tv/tv-news/chimp-crazy-ratings-hbo-doc-series-1235985324/](https://www.hollywoodreporter.com/tv/tv-news/chimp-crazy-ratings-hbo-doc-series-1235985324/) (last visited April 21, 2026); and IMDb, HBO’s ‘*Chimp Crazy*’ on Track to Become Network’s Most-Watched Documentary Series in Years, [WWW.IMDB.COM, https://www.imdb.com/news/ni64789412/](https://www.imdb.com/news/ni64789412/) (last visited April

21, 2026).

The speed and effectiveness with which Haddix monetized her *Chimp Crazy* notoriety suggests that Haddix was intentionally making a spectacle of her crimes at least partly to achieve fame and fortune. Even before *Chimp Crazy* aired, HBO and other media outlets promoted the debut of the docuseries by repeating Haddix's claim that she is "the Dolly Parton of chimps." See Warner Bros. Discovery, *Chimp Crazy* Property Webpage, WWW.WBD.COM, <https://press.wbd.com/na/property/chimp-crazy> (last visited April 21, 2026).

Indeed, HBO specifically mentioned Haddix's self-proclaimed title in its July 16, 2024, press release announcing the debut of *Chimp Crazy*. See Warner Bros. Discovery, *HBO Original Four-Part Documentary Series Chimp Crazy Debuts August 18*, WWW.WBD.COM, https://press.wbd.com/us/media-release/hbo-original-four-part-documentary-series-chimp-crazy-debuts-august-18?language_content_entity=en (last visited April 21, 2026).

Since the August 18, 2024, premiere of the docuseries, Haddix has apparently launched numerous ventures and made numerous media appearances seeking to capitalize on her fame. These include:

- An Etsy store selling merchandise and apparel (*see* <https://www.etsy.com/shop/CocoDeCoeur> last visited April 21, 2026);
- A personal website selling merchandise and apparel (*see* <https://www.chimpcrazylady.com/> last visited April 21, 2026);

- A cameo profile selling personalized videos (*see* https://www.cameo.com/chimpcrazylady?srsId=AfmBOor1MVahDxIfn2h_Uw2vu-2SU5IDajGTfIZtAT7If4GgjIohqY0T last visited April 21, 2026);
- Online fundraising via Patreon (*see* <https://www.patreon.com/chimpcrazy/about?> last visited April 21, 2026);
- Online fundraising via GiveSendGo (*see* <https://www.givesendgo.com/chimpcrazy> last visited April 21, 2026);
- *Chimp Crazy* specific social media profiles (*see, e.g.*, <https://www.instagram.com/chimpcrazylady/> and https://www.facebook.com/chimpcrazy?_rdr last visited April 21, 2026);
- Haddix’s participation in a local news profile (*see* <https://krcgtv.com/news/local/sunrise-beach-safari-owner-faces-legal-heat-following-hbos-chimpanzee-docuseries> last visited April 21, 2026); and
- Haddix’s participation in numerous podcasts. *See, e.g.:*
 - <https://podcasts.apple.com/us/podcast/chimp-crazy-star-tonia-haddix/id1690183214?i=1000670630012> last visited April 21, 2026;
 - <https://www.youtube.com/watch?v=OFdI92pjWgA> last visited April 21, 2026;
 - <https://play.listnr.com/podcast/carrie-and-tommy> last visited April 21, 2026;
 - <https://www.stlpr.org/show/st-louis-on-the-air/2024-09-04/peta-seeks-to-shut-down-chimp-crazy-stars-missouri-exotic-zoo> last visited April 21, 2026;
 - <https://www.youtube.com/watch?v=AaStk7frtbM> last visited April 21, 2026;
 - https://www.youtube.com/watch?v=HIYP9s8_PJQ last visited April 21, 2026;
 - <https://www.youtube.com/watch?v=F6QSfzVZQ1s> last visited April 21, 2026; and
 - <https://www.youtube.com/watch?v=cDmbHsss3pI&list=PLDScbAzC>

[1YHCw9c2ve9ncy6v1TqWHRpS7&index=2](#) last visited April 21, 2026.

As just one example of just how much of a national celebrity Haddix became as a result of her decision to allow a film crew to document her crimes, celebrated actress Jean Smart, who holds several awards including multiple Primetime Emmies and a Golden Globe, portrayed Haddix in a sketch parodying the “\$100,000 Pyramid” game show during the season 50 premiere of *Saturday Night Live!* which aired on September 28, 2024 (see <https://www.nbc.com/nbc-insider/watch-jean-smart-snl-monologue-sketches-september-28-premiere> last visited April 21, 2026).

The District Court appropriately acknowledged Haddix’s publication and monetization of her crimes. See *U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) (ECF 63 at 42:9–14) (“you’ve commercialized your lawlessness via Etsy, Cameo, and Spotify -- to name just a few -- and compounding the damage you’ve done to our system of justice you’ve glamorized your conduct through any medium that you could -- social media, podcasts and, of course, an extensive documentary.”).

ARGUMENT

This Court should reject Haddix’s argument that she is entitled to leniency under the general rule of 18 U.S.C. § 3553(a) because her crimes supposedly were motivated by love for an animal rather than malice or greed. Haddix is not entitled

to leniency because she: (a) consistently expressed that love negligently or abusively, (b) lied to the District Court out of malice toward PETA, and (c) intended to (and did) profit off her crimes by enabling a film crew to record and broadcast them to a global audience.

I. Haddix’s “Love” For Tonka Was Consistently Expressed Negligently or Abusively, and Thus Does Not Entitle Her to Leniency.

This Court should reject Haddix’s argument (Br. at 20, 23) that she is entitled to leniency because her crimes were motivated by her “love” for Tonka, where the record thoroughly establishes that Haddix confined Tonka in solitary and sadistic conditions.

For purposes of determining the degree to which a relationship can serve as an aggravating or mitigating circumstance at sentencing, courts should focus on the character and quality of the relationship, not merely the fact the relationship exists. *See, e.g., United States v. Aguilar-Alonzo*, 944 F.3d 544, 551 (5th Cir. 2019) (holding that the government must prove the defendant took some specific action to emotionally blackmail or coerce a loved one into being an accomplice to the crime before the defendant’s sentence can be enhanced on the basis of using affection to recruit another into the crime). As a practical matter this means that, for a defendant to benefit at sentencing from “love” motivating their crime, the relationship with the object of their affection should have been generally a healthy one. For example, in *United States v. Walker*, 74 F.4th 1163 (10th Cir. 2023), the

appeals court affirmed the district court's refusal to show mercy to a man and woman convicted of physically abusing the woman's child. Although the Tenth Circuit in *Walker* did not specifically address defendants' claims that their crimes were botched attempts at discipline motivated by "love," the court's opinion is nevertheless clear that the child's numerous and severe injuries, the child's father's victim impact statement explaining the severe psychological toll the abuse took on the child, and the male defendant's history of violence against others in prior domestic contexts justified the district court's weighing of the relevant sentencing factors. *Id.* at 1178–81.

Haddix's relationship with Tonka was consistently negligent or abusive. Federal Sentencing Guidelines § 1B1.3(a)(3) allows the District Court to consider the harm to Tonka that Haddix's perjury and obstruction caused. As a result of Haddix's crimes, Tonka was "denied everything natural and important to a chimpanzee: the ability to interact with other chimpanzees, a healthy diet, even the ability to feel the warmth of the sun on his skin, see the sky, and breathe fresh air." *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo.) at ECF 37-2 at 4. Haddix's lies prevented Tonka from being transferred to the same sanctuary as the six other chimpanzees he had lived amongst for 17 years while at MPF, resulting in significant stress to Tonka, given chimpanzees' highly social nature. *Id.* Tonka was also obese while in Haddix's custody because of the unhealthy fast food and other

junk food Haddix consistently fed him, and the small enclosure in her basement in which Haddix kept Tonka confined, which gave him no opportunities for exercise or enrichment. *Id.* Haddix also had concrete plans to euthanize Tonka after falsely claiming he was near death and in the end stages of congestive heart failure (from which Tonka has never suffered). *Id.* at 3. Haddix also threatened to withhold care from Tonka and the other chimpanzees then in her possession, if PETA refused to pay her \$4,000 per day. *See MPF v. PETA*, 4:16-cv-02163 (E.D. Mo.) at ECF 289 at ¶ 8. Thus, Haddix’s claim she “caused no physical harm to any animal” (Br. at 23) is at best misleading and at worst objectively false. Regardless of whether Haddix may subjectively “love” Tonka, *objectively* her relationship with Tonka was far from a loving and responsible one. Because the law does not entitle Haddix to leniency based on such negligently and abusively expressed “love” for Tonka, this Court should affirm the sentence of the District Court.

II. Haddix is Not Entitled to Leniency Because Her Crimes Were Motivated By Malice.

This Court should also reject Haddix’s argument that she is entitled to leniency because her crimes were not motivated by malice. Br. at 20, 23. The record shows Haddix’s crimes were not only motivated, at least in part, by malice toward PETA, but also that she *succeeded* in causing PETA significant money damages and additional litigation expenses. Indeed, the District Court expressly found that Haddix “demonized” PETA and its counsel and made “venomous

threats” toward them. *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) (ECF 63 at 10:22–24, and 42:2–4).

Haddix’s crimes achieved her malicious intent to harm PETA by forcing it to incur nearly half a million dollars in additional expenses. Federal Sentencing Guidelines § 1B1.3(a)(3) allows consideration of the harm to PETA caused by Haddix’s perjury and obstruction. Haddix’s crimes resulted in PETA incurring an additional \$224,404.02 in attorneys’ fees and costs for which PETA obtained a judgment against Haddix that is yet to be satisfied, and an additional \$260,000 to secure Tonka’s place at a sanctuary that PETA would not have had to pay had Haddix allowed Tonka to be transferred on the original transfer date with the other six chimpanzees. *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) at ECF 37-2 at 3.

Given the above, this Court should affirm the sentence of the District Court because Haddix’s crimes were, at least in part, motivated by malice.

III. Haddix is Not Entitled to Leniency Because Her Crimes Were Motivated By Greed.

The Court should similarly reject Haddix’s argument that she is entitled to leniency because her crimes were not motivated by greed. Br. at 20, 23. The record shows that Haddix’s crimes were indeed motivated, at least in part, by greed. Haddix not only allowed a professional film crew to film her perjury knowing they would later publish it, but she also was an active participant in crafting the

filmmakers' narrative. The *Chimp Crazy* documentary revealed that immediately following the January 2022 hearing in the ESA civil suit (in which the ESA Court ruled against PETA based on Haddix's perjured testimony), Haddix guided the film crew to the basement of her residence where they were allowed to film Tonka who was alive and caged in the basement, despite Haddix's sworn testimony to the contrary just minutes earlier. *See* Gov't Br. at 12. Haddix became a celebrity after the debut of the massively popular docuseries, and wasted no time capitalizing on that fame via merchandise, social media, traditional media, and interviews. *See U.S. v. Haddix*, No. 4:25-CR-00155-SRC (E.D. Mo. Aug. 7, 2025) (ECF 63 at 42:9–14) (“you’ve commercialized your lawlessness via Etsy, Cameo, and Spotify -- to name just a few -- and compounding the damage you’ve done to our system of justice you’ve glamorized your conduct through any medium that you could -- social media, podcasts and, of course, an extensive documentary.”).

Given the above, this Court should affirm the sentence of the District Court because Haddix's crimes were, at least in part, motivated by greed.

IV. Affirming the District Court's Sentence Will Vindicate the Clear Legislative Purpose of the ESA.

As the Supreme Court has explained, the ESA is “the most comprehensive legislation for the preservation of endangered species ever enacted by any nation.” *Tenn. Valley Auth. v. Hill*, 437 U.S. 153, 180 (1978). It manifests not only Congress' intent that endangered species “be afforded the highest of priorities,” *id.*

at 174, but also its design that these protections apply to these animals “whether wild or captive.” 63 Fed. Reg. at 48636; *see also* 80 Fed. Reg. 7380-01, 7388 (Feb. 10, 2015) (“Section 9(a)(1)(A)-(G) of the ESA applies to endangered species regardless of their captive status”). The ESA—both its substantive protections and its citizen-suit provisions—cannot function as Congress intended under the shadow of such a flagrant fraud on and crime against the district court going inadequately punished. Haddix misleading and obstructing the court in such a public way, and then profiting from her criminal behavior by sharing it with a global audience, will only incentivize future ESA defendants to engage in similar misconduct unless Haddix is appropriately punished.

Indeed, misconduct aimed at thwarting district court orders protecting the subject animals is endemic in ESA citizen suits, much of it by roadside zoo exhibitors with close ties to Haddix. *See, e.g., PETA v. Dade City’s Wild Things, Inc., et al.*, 8:16-cv-02899-CEH-AAS (M.D. Fla., Jul. 30, 2019), ECF 282 (recommending sanctions and default judgment for defendant’s unlawful transfer of ESA-protected big cats to the Oklahoma zoo featured in *Tiger King*); *PETA v. Wildlife in Need and Wildlife in Deed, Inc., et al.*, 4:17-cv-00186-RLY-DML (S.D. Ind. Mar. 27, 2019), ECF 193 (concluding, in the first of many contempt orders issued as part of this ESA litigation, that one of Haddix’s close associates, Timothy L. Stark, “deliberately thumbed his nose at the requirements of the preliminary

injunction order and . . . has not been truthful about what occurred”); *see also* *PETA v. Wildlife in Need and Wildlife in Deed, Inc., et al.*, 4:17-cv-00186-RLY-DML (S.D. Ind. Aug. 31, 2020), ECF 388 (recounting subsequent contempt by Stark and others but denying a request for additional sanctions as redundant due to grant of dispositive relief as part of a recent summary judgment order); *PETA v. Futrell*, 4:22-cv-01337-JD (D.S.C. Oct. 7, 2022), ECF 24 (concerning defendants’ spoliation of evidence by secretly transferring multiple animals to undisclosed locations in the midst of the litigation).

PETA has every reason to assume, absent serious consequences for offenses as grave as those Haddix committed, that such conduct will persist. Conversely, affirming Haddix’s sentence should have significant salutary consequences for the effectiveness of the ESA.

CONCLUSION

For the foregoing reasons, PETA respectfully requests that this Court affirm Appellant’s sentence.

Dated: April 21, 2026

Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE – FEDERAL RULE OF APPELLATE
PROCEDURE 32(A) AND EIGHTH CIRCUIT LOCAL RULE 28A(H)**

The undersigned certifies that this brief complies with the typeface requirements and type-volume limitation of Fed. R. App. P. 32(a), that the brief was prepared in a proportionally spaced typeface using Microsoft Word for Microsoft 365 Office (version 2511) in 14 pt. Times New Roman, that the brief contains 4,138 words, excluding the parts exempted by Fed. R. App. P. 32(f), and that the brief has been scanned for viruses and is virus-free.

Dated: April 21, 2026

/s/ Michael Campbell

*Counsel for Amicus Curiae People for
the Ethical Treatment of Animals, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2026, I electronically filed the foregoing (as an attachment to *Amicus Curiae's* Motion for Leave) with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the CM/ECF system. All participants in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

Dated: April 21, 2026

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