

SEALED

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

FILED

2012 MAY 15 A 11:50

UNITED STATES OF AMERICA)

v.)

RICHARD R. BAUMGARTNER, also)
known as (hereinafter "a/k/a"))
"JB," a/k/a "Judge B")

U.S. DISTRICT COURT
EASTERN DIST. TENN.

DEPT. CLERK

Docket No. 3:12-CR-60

Judges

Phillips Shirley

INDICTMENT

The Grand Jury charges:

Unless otherwise indicated, at all times relevant to this Indictment:

INTRODUCTION

1. The defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** was a sitting Criminal Court Judge in Knox County, Tennessee.

2. Deena Castleman, a/k/a Deena Shelek, and others were participants in a conspiracy to obtain and distribute quantities of controlled substances, namely hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in and around Knox County, Tennessee, in violation of federal law, about which the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** had actual knowledge.

3. From approximately June 2009 through approximately October 2010, on divers days, Deena Castleman, a/k/a Deena Shelek, had cases pending in Knox County Criminal Court, Anderson County Criminal Court, Knox County General Sessions Court, and Knox County Juvenile Court.

4. From approximately October 17, 2009, through approximately November 9, 2009, Deena Castleman, a/k/a Deena Shelek, was hospitalized as a patient at Mercy Medical Center, also known as Saint Mary's Hospital, in Knoxville, Tennessee. While at the hospital, Deena Castleman, a/k/a Deena Shelek, was found to be illegally in possession of approximately 25 oxycodone tablets.

5. In approximately May 2010, Deena Castleman, a/k/a Deena Shelek, resided in the Transitional Housing Unit of the YWCA in Knoxville, Tennessee, where the possession and use of illegal controlled substances was strictly prohibited.

COUNT ONE

The Grand Jury further charges that in or about June 2009, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United States, to wit, conspiracy to distribute controlled substances, namely hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to a sitting Anderson County Criminal Court Judge, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT TWO

The Grand Jury further charges that on or about October 30, 2009, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United

States, to wit, conspiracy to distribute controlled substances, namely hydrocodone, oxycodone, percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to the staff at Mercy Medical Center, also known as Saint Mary's Hospital, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT THREE

The Grand Jury further charges that on or about November 10, 2009, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United States, to wit, conspiracy to distribute controlled substances, including hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to a sitting Anderson County Criminal Court Judge, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT FOUR

The Grand Jury further charges that on or about February 8, 2010, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United

States, to wit, conspiracy to distribute controlled substances, including hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to a sitting Knox County General Sessions Court Judge, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT FIVE

The Grand Jury further charges that in or about May 2010, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United States, to wit, conspiracy to distribute controlled substances, including hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to the Transitional Housing Director of the YWCA, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT SIX

The Grand Jury further charges that on or about August 27, 2010, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United

States, to wit, conspiracy to distribute controlled substances, including hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to a sitting Knox County Juvenile Court Magistrate, and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

COUNT SEVEN

The Grand Jury further charges that in or about October 2010, in the Eastern District of Tennessee, the defendant, **RICHARD R. BAUMGARTNER, a/k/a "JB," a/k/a "Judge B,"** having knowledge of the actual commission of a felony cognizable by a court of the United States, to wit, conspiracy to distribute controlled substances, including hydrocodone, oxycodone, Percocet, Suboxone, Xanax, and Roxicodone, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C), did conceal the same by making material misrepresentations about Deena Castleman, a/k/a Deena Shelek, to a Knox County Assistant District Attorney General, and did

not as soon as possible make known the same to some judge or other person in civil or military authority under the United States.

[18 U.S.C. § 4, Misprision of a Felony]

A TRUE BILL:
SIGNATURE REDACTED
FOREPERSON

WILLIAM C. KILLIAN
UNITED STATES ATTORNEY



DAVID P. LEWEN, JR.
ASSISTANT UNITED STATES ATTORNEY



ZACHARY C. BOLITHO
ASSISTANT UNITED STATES ATTORNEY