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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUN 19 2018

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES STEIN-SHERIDAN SHELBY,  
D.D.S. (aka "Jimmy") and  
TIMOTHY JAMES FELCH,

Defendants.

**2:18-CR-102-LRS**

INDICTMENT

21 U.S.C. §§ 846, 841(a)(1),  
(b)(1)(C), (b)(2)  
Conspiracy to Distribute Controlled  
Substances  
(Count 1)

21 U.S.C. § 841(a)(1), (b)(1)(C) and  
21 C.F.R. § 1306.04  
Distribution of Hydrocodone  
(Counts 2 - 12, 22 - 30)

21 U.S.C. § 841(a)(1), (b)(2) and 21  
C.F.R. § 1306.04  
Distribution Tramadol  
(Counts 13 - 21)

21 U.S.C. § 853  
Forfeiture Allegations

The Grand Jury Charges:

**GENERAL ALLEGATIONS**

At all times relevant and material to this Indictment:

Indictment-1

1 1. Defendant JAMES STEIN-SHERIDAN SHELBY, D.D.S. (aka "Jimmy")  
2 ("SHELBY") was a dentist licensed to practice in the State of Washington. He  
3 practiced at INDIAN TRAIL DENTAL CARE located at 3233 West Indian Trail  
4 Road, Spokane, Washington. He was not a specialist in pain management.

5 2. Defendant TIMOTHY JAMES FELCH ("FELCH") was a resident of  
6 Spokane, Washington.

7 3. From in and around October of 2014, and continuing through on or about  
8 November 28, 2017, Defendant SHELBY prescribed large quantities of a highly  
9 addictive prescription drug, Hydrocodone, and another addictive prescription drug,  
10 Tramadol, to an individual identified herein as "M.B." From on or about October  
11 9, 2014, through on or about November 7, 2017, Defendant SHELBY issued M.B.  
12 221 prescriptions for 12,406 tablets of assorted strengths of Hydrocodone products.  
13 The prescriptions were filled at retail pharmacies in Washington, Idaho, and  
14 Montana. From on or about March 3, 2017, through on or about November 28,  
15 2017, Defendant SHELBY issued M.B. 63 prescriptions for 5,252 tablets of  
16 tramadol 50mg tablets. The prescriptions were filled at retail pharmacies in  
17 Washington and Idaho.

18 4. From on or about December 21, 2015, through on or about March 20, 2017,  
19 Defendant SHELBY issued prescriptions for a highly addictive drug for use by  
20 M.B. but in the name of Defendant FELCH. Between on or about December 21,  
21 2015, and continuing through on or about March 20, 2017, Defendant SHELBY  
22 issued Defendant FELCH 41 prescriptions for 2,116 tablets of assorted strengths of  
23 Hydrocodone products. The prescriptions were filled at retail pharmacies in  
24 Washington and Idaho.

25 5. From on or about December 13, 2016, through on or about October 31,  
26 2017, Defendant SHELBY issued prescriptions for a highly addictive drug for use  
27 by M.B. but in the names of two other individuals, identified herein as "L.J." and  
28

1 “D.B.” From on or about December 13, 2016, through on or about September 4,  
2 2017, Defendant SHELBY issued to these individuals 4 prescriptions for 242  
3 tablets of assorted strengths of Hydrocodone products. The prescriptions were  
4 filled in Washington. On or about October 31, 2017, SHELBY issued D.B. a  
5 prescription for 75 Tramadol 50mg tablets, which was filled at a retail pharmacy in  
6 Washington.

7  
8 6. Hydrocodone is a generic name for a narcotic analgesic. It also is sold under  
9 the brand name “Norco,” which contains acetaminophen. Hydrocodone is  
10 classified under federal law as a Schedule II controlled substance. When legally  
11 prescribed for a legitimate medical purpose, Hydrocodone is typically used for the  
12 relief of moderate to severe short-term pain and can be extremely habit-forming.

13 7. Tramadol is an opioid pain medication. It is sold under the brand name  
14 Ultram, among others. Tramadol is classified under federal law as a Schedule IV  
15 controlled substance. When legally prescribed for a legitimate medical purpose,  
16 Tramadol is typically used for the relief of moderate short-term pain and can be  
17 habit-forming.

18 8. Hydrocodone and Tramadol are to be prescribed only when medically  
19 required and taken only as prescribed by a doctor for a particular patient.

20 9. Under the Controlled Substances Act (CSA), 21 U.S.C. § 841(a)(1) et seq.,  
21 and 21 C.F.R. § 1306.04, a prescription for a controlled substance is not legal or  
22 effective unless it was issued for a legitimate medical purpose by a physician  
23 acting in the usual course of professional practice.

#### 24 **SPECIFIC ALLEGATIONS**

25  
26 10. Paragraphs 1 through 9 of the General Allegations section of this  
27 Indictment are re-alleged and fully incorporated herein by reference.



**COUNT 1**

11. Beginning on or about October 9, 2014, and continuing until on or about November 7, 2017, in the Eastern District of Washington, the Defendants, JAMES STEIN-SHERIDAN SHELBY, D.D.S. (aka "Jimmy") and TIMOTHY JAMES FELCH, did knowingly and intentionally combine, conspire, confederate and agree together, and with others known and unknown, to commit offenses against the United States, that is, to distribute and cause to be distributed a mixture and substance containing a detectable amount of Hydrocodone, a Schedule II controlled substance, and Tramadol, a Schedule IV controlled substance, without a legitimate medical purpose and outside the usual course of professional practice; all in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), (b)(2), 846.

**COUNTS 2-12**

12. On or about the dates set forth below, in the Eastern District of Washington, the Defendant JAMES STEIN-SHERIDAN SHELBY, D.D.S., aka "Jimmy," did knowingly and intentionally cause to be distributed, a mixture and substance containing a detectable amount of Hydrocodone, a Schedule II controlled substance, as listed below, without a legitimate medical purpose and outside the usual course of professional practice, each of which constitutes a separate count of this Indictment:

Count	Date	Name on Prescription	Controlled Substance
2	February 22, 2016	M.B.	75 Hydrocodone 7.5/325 tablets
3	May 16, 2016	M.B.	30 Hydrocodone 10/325 tablets
4	August 18, 2016	M.B.	42 Hydrocodone 10/325 tablets

5	August 19, 2016	M.B.	42 Hydrocodone 10/325 tablets
6	December 13, 2016	L.J.	50 Hydrocodone 10/325 tablets
7	December 19, 2016	L.J.	50 Hydrocodone 10/325 tablets
8	August 1, 2017	L.J.	42 Hydrocodone 7.5/325 tablets
9	August 27, 2017	M.B.	80 Hydrocodone 7.5/325 tablets
10	September 1, 2017	M.B.	100 Hydrocodone 7.5/325 tablets
11	September 4, 2017	M.B.	60 Hydrocodone 7.5/325 tablets
12	September 4, 2017	D.B.	100 Hydrocodone 7.5/325 tablets

All in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C) and 21 C.F.R. § 1306.04.

### **COUNTS 13-21**

13. On or about the dates set forth below, in the Eastern District of Washington, the Defendant JAMES STEIN-SHERIDAN SHELBY, D.D.S. (aka “Jimmy”), did knowingly and intentionally cause to be distributed, a mixture and substance containing a detectable amount of Tramadol, a Schedule IV controlled substance, as listed below, without a legitimate medical purpose and outside the usual course of professional practice, each of which constitutes a separate count of this Indictment:

Count	Date	Name on Prescription	Controlled Substance
13	May 24, 2017	M.B.	75 Tramadol 50mg tablets
14	May 24, 2017	M.B.	100 Tramadol 50mg tablets
15	May 31, 2017	M.B.	100 Tramadol 50mg tablets
16	October 6, 2017	M.B.	50 Tramadol 50mg tablets
17	October 10, 2017	M.B.	80 Tramadol 50mg tablets
18	October 14, 2017	M.B.	80 Tramadol 50mg tablets
19	October 19, 2017	M.B.	100 Tramadol 50mg tablets
20	October 21, 2017	M.B.	80 Tramadol 50mg tablets
21	October 31, 2017	D.B.	75 Tramadol 50mg tablets

All in violation of 21 U.S.C. § 841(a)(1), (b)(2) and 21 C.F.R. § 1306.04.

**COUNTS 22-30**

14. On or about the dates set forth below, in the Eastern District of Washington, the Defendants, JAMES STEIN-SHERIDAN SHELBY, D.D.S. (aka “Jimmy”) and TIMOTHY JAMES FELCH, did knowingly and intentionally cause to be distributed, a mixture and substance containing a detectable amount of

Hydrocodone, a Schedule II controlled substance, as listed below, without a legitimate medical purpose and outside the usual course of professional practice, each of which constitutes a separate count of this Indictment:

Count	Date	Name on Prescription	Controlled Substance
22	December 21, 2015	FELCH	60 Hydrocodone 10/325 tablets
23	February 4, 2016	FELCH	60 Hydrocodone 10/325 tablets
24	February 25, 2016	FELCH	75 Hydrocodone 10/325 tablets
25	May 12, 2016	FELCH	60 Hydrocodone 10/325 tablets
26	December 1, 2016	FELCH	50 Hydrocodone 10/325 tablets
27	December 8, 2016	FELCH	60 Hydrocodone 10/325 tablets
28	December 15, 2016	FELCH	50 Hydrocodone 10/325 tablets
29	February 12, 2017	FELCH	50 Hydrocodone 10/325 tablets
30	March 8, 2017	FELCH	75 Hydrocodone 10/325 tablets

All in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C) and 21 C.F.R. § 1306.04.



**NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS**

15. The allegations contained in Counts 1-31 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

16. Pursuant to 21 U.S.C. § 853, upon conviction of an offense(s) in violation of 21 U.S.C. §§ 841(a)(1), 846, as set forth in this Indictment, the Defendants, JAMES STEIN-SHERIDAN SHELBY, D.D.S. (aka "Jimmy") and TIMOTHY JAMES FELCH, shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

17. If any of the property described above, as a result of any act or omission of the Defendant(s):

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

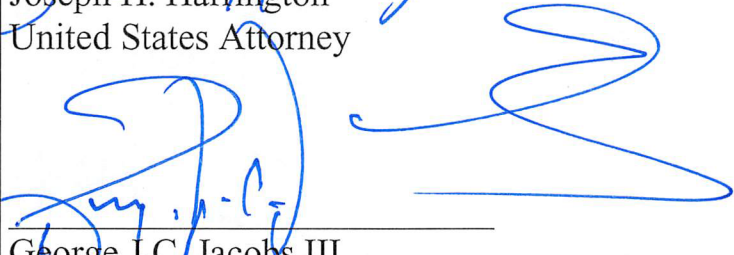


1 the United States of America shall be entitled to forfeiture of substitute property  
2 pursuant to 21 U.S.C. § 853(p).

3  
4 DATED this 19 day of June, 2018.

5  
6 A TRUE BILL  
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