

1 MELINDA HAAG (CABN 132612)
United States Attorney

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND



8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MICHAEL ROGER CHIAROTTINO,

15 Defendant.

CASE NO

CR14-00466 JEW

VIOLATION: 21 U.S.C. § 841(a)(1) – Distribution
of Oxycodone, Hydrocodone, Oxymorphone,
Hydromorphone, and Methadone; 21 U.S.C. § 853 –
Drug Forfeiture Allegation

OAKLAND VENUE

18 INDICTMENT

19 The Grand Jury charges:

20 COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

21 On or about February 12, 2013, in the Northern District of California, the defendant,

22 MICHAEL ROGER CHIAROTTINO,

23 then a physician licensed to practice medicine in the State of California, while acting and intending to
24 act outside the usual course of professional practice and without a legitimate medical purpose, did
25 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
26 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

28 INDICTMENT

1K

1 COUNT TWO: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(E) – Distribution of Hydrocodone)

2 On or about March 6, 2013, in the Northern District of California, the defendant,

3 MICHAEL ROGER CHIAROTTINO,

4 then a physician licensed to practice medicine in the State of California, while acting and intending to
5 act outside the usual course of professional practice and without a legitimate medical purpose, did
6 knowingly and intentionally prescribe and distribute a Schedule III controlled substance, to wit:
7 hydrocodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(E).

8
9 COUNT THREE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

10 On or about March 20, 2013, in the Northern District of California, the defendant,

11 MICHAEL ROGER CHIAROTTINO,

12 then a physician licensed to practice medicine in the State of California, while acting and intending to
13 act outside the usual course of professional practice and without a legitimate medical purpose, did
14 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
15 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

16
17 COUNT FOUR: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxymorphone)

18 On or about June 13, 2013, in the Northern District of California, the defendant,

19 MICHAEL ROGER CHIAROTTINO,

20 then a physician licensed to practice medicine in the State of California, while acting and intending to
21 act outside the usual course of professional practice and without a legitimate medical purpose, did
22 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
23 oxymorphone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

24
25 COUNT FIVE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Hydromorphone)

26 On or about June 13, 2013, in the Northern District of California, the defendant,

27 MICHAEL ROGER CHIAROTTINO,

28 then a physician licensed to practice medicine in the State of California, while acting and intending to

INDICTMENT

1 act outside the usual course of professional practice and without a legitimate medical purpose, did
2 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
3 hydromorphone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).
4

5 COUNT SIX: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

6 On or about October 28, 2013, in the Northern District of California, the defendant,
7
8 MICHAEL ROGER CHIAROTTINO,
9 then a physician licensed to practice medicine in the State of California, while acting and intending to
10 act outside the usual course of professional practice and without a legitimate medical purpose, did
11 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
12 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

13 COUNT SEVEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Methadone)

14 On or about October 28, 2013, in the Northern District of California, the defendant,
15
16 MICHAEL ROGER CHIAROTTINO,
17 then a physician licensed to practice medicine in the State of California, while acting and intending to
18 act outside the usual course of professional practice and without a legitimate medical purpose, did
19 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
20 methadone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

21 COUNT EIGHT: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

22 On or about November 8, 2013, in the Northern District of California, the defendant,
23
24 MICHAEL ROGER CHIAROTTINO,
25 then a physician licensed to practice medicine in the State of California, while acting and intending to
26 act outside the usual course of professional practice and without a legitimate medical purpose, did
27 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
28 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

1 COUNT NINE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Methadone)

2 On or about November 8, 2013, in the Northern District of California, the defendant,

3 MICHAEL ROGER CHIAROTTINO,

4 then a physician licensed to practice medicine in the State of California, while acting and intending to
5 act outside the usual course of professional practice and without a legitimate medical purpose, did
6 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
7 methadone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

8
9 COUNT TEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

10 On or about January 9, 2014, in the Northern District of California, the defendant,

11 MICHAEL ROGER CHIAROTTINO,

12 then a physician licensed to practice medicine in the State of California, while acting and intending to
13 act outside the usual course of professional practice and without a legitimate medical purpose, did
14 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
15 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C)

16
17 COUNT ELEVEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Methadone)

18 On or about January 9, 2014, in the Northern District of California, the defendant,

19 MICHAEL ROGER CHIAROTTINO,

20 then a physician licensed to practice medicine in the State of California, while acting and intending to
21 act outside the usual course of professional practice and without a legitimate medical purpose, did
22 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
23 methadone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

24
25 COUNT TWELVE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

26 On or about February 6, 2014, in the Northern District of California, the defendant,

27 MICHAEL ROGER CHIAROTTINO,

28 then a physician licensed to practice medicine in the State of California, while acting and intending to

1 act outside the usual course of professional practice and without a legitimate medical purpose, did
2 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
3 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

4
5 COUNT THIRTEEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Methadone)

6 On or about February 6, 2014, in the Northern District of California, the defendant,
7 MICHAEL ROGER CHIAROTTINO,
8 then a physician licensed to practice medicine in the State of California, while acting and intending to
9 act outside the usual course of professional practice and without a legitimate medical purpose, did
10 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
11 methadone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

12
13 COUNT FOURTEEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Oxycodone)

14 On or about March 6, 2014, in the Northern District of California, the defendant,
15 MICHAEL ROGER CHIAROTTINO,
16 then a physician licensed to practice medicine in the State of California, while acting and intending to
17 act outside the usual course of professional practice and without a legitimate medical purpose, did
18 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
19 oxycodone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

20
21 COUNT FIFTEEN: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Distribution of Methadone)

22 On or about March 6, 2014, in the Northern District of California, the defendant,
23 MICHAEL ROGER CHIAROTTINO,
24 then a physician licensed to practice medicine in the State of California, while acting and intending to
25 act outside the usual course of professional practice and without a legitimate medical purpose, did
26 knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit:
27 methadone, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

1 FORFEITURE ALLEGATION: (21 U.S.C. § 853 – Drug Forfeiture)

2 1. The factual allegations contained in Counts One through Fifteen of this Indictment are re-
3 alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to
4 the provisions of 21 U.S.C. §§ 853(a)(1) and (2).

5 2. Upon a conviction of the offenses alleged in Counts One through Fifteen, the defendant,
6 MICHAEL ROGER CHIAROTTINO,
7 shall forfeit to the United States all right, title and interest in any property constituting and derived from
8 any proceeds defendant obtained, directly or indirectly, as a result of said violation, and any property
9 used, or intended to be used, in any manner or part, to commit or to facilitate the commission of said
10 violation.

11 3. If, as a result of any act or omission of the defendant, any of said property

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

18 any and all interest defendant has in any other property (not to exceed the value of the above forfeitable
19 property) shall be vested in the United States and forfeited to the United States.

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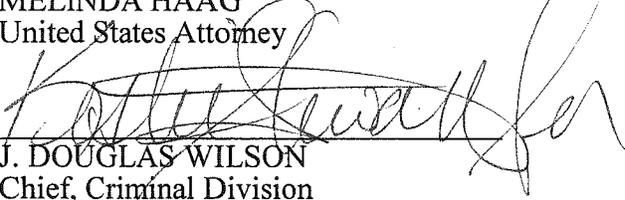
1 All in violation of Title 21, United States Code, Sections 853(a)(1), (a)(2), (p) and Rule 32.2 of
2 the Federal Rules of Criminal Procedure.

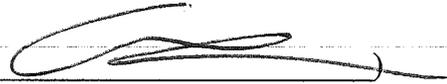
3 DATED: September 4, 2014

A TRUE BILL.

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5 
FOREPERSON

6 MELINDA HAAG
United States Attorney

7 
8 J. DOUGLAS WILSON
9 Chief, Criminal Division

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11 (Approved as to form: 

GARTH HIRE
Assistant United States Attorney

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INDICTMENT