

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Distribution of Oxycodone, Hydrocodone, Oxymorphone,
 Hydromorphone, and Methadone (21 U.S.C. 841(a)(1), (b)(1)
 (C), (E))

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

 PENALTY: Maximum 20/10 Years Imprisonment; Minimum 3/2 Years and
 Maximum Lifetime Supervised Release; Maximum \$1,000,000/
 \$500,000 Fine; \$100 Special Assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

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

MICHAEL ROGER CHIAROTTINO

DISTRICT COURT NUMBER

CR14-00466

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Administration

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

AUSA GARTH HIRE

DEFENDANT**IS NOT IN CUSTODY**
 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior
 summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 * Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

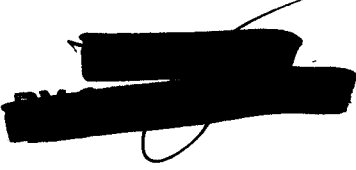
VENUE: Oakland

CR14-00466 JSW

UNITED STATES OF AMERICA,

v.

MICHAEL ROGER CHIAROTTINO,



FILED

SEP - 4 2014

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

DEFENDANT.

INDICTMENT

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

A true bill.

John Clinton Connell
Foreman

Filed in open court this 4 day of

Sept.
Greg L. Pascua
Clerk

Bail, \$ no bail warrant
Kandis W. Fisher 9/4/14

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

SEP - 4 2014

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL ROGER CHIAROTTINO,

Defendant.

CASE NO.

CR14-00466
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

INDICTMENT

The Grand Jury charges:

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

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

MICHAEL ROGER CHIAROTTINO,

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

INDICTMENT

1ke

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

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

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

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

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

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

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

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

On or about March 6, 2014, in the Northern District of California, the defendant,
MICHAEL ROGER CHIAROTTINO,
then a physician licensed to practice medicine in the State of California, while acting and intending to act outside the usual course of professional practice and without a legitimate medical purpose, did knowingly and intentionally prescribe and distribute a Schedule II controlled substance, to wit: 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.

20 ///

21 ///

22 ///

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.

4
5 John Clinton Carroll
FOREPERSON

6 MELINDA HAAG
United States Attorney

7
8 J. Douglas Wilson
9 Chief, Criminal Division

10
11 (Approved as to form: Garth Hire)

GARTH HIRE
Assistant United States Attorney

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INDICTMENT

United States District Court
Northern District of California

FILED

SEP - 4 2014

CRIMINAL COVER SHEET

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

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

Case Name:

USA v. MICHAEL ROGER CHIAROTTINO

Case Number:

CR14-00466-JSW

Total Number of Defendants:

1 ☒2-7 ☐8 or more ☐

Is This Case Under Seal?

Yes ☒No ☐

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes ☐No ☒

Venue (Per Crim. L.R. 18-1):

SF ☐OAK ☒SJ ☐EUR ☐MON ☐

Is any defendant charged with a death-penalty-eligible crime?

Yes ☐No ☒

Assigned AUSA (Lead Attorney):

AUSA GARTH HIRE

Is this a RICO Act gang case?

Yes ☐No ☒

Date Submitted:

September 4, 2014

Comments:

Save

Print

Clear Form