

FILED 09 JAN 13 14:14 USDC-ORP

UNDER SEAL

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

UNITED STATES OF AMERICA

3:13-cr-00003-BR

v.

INDICTMENT

SHAMONT SAPP,

[18 U.S.C. § 1341]

Defendant.

FILED UNDER SEAL

THE GRAND JURY CHARGES:

**COUNT 1
(Mail Fraud)**

A. THE SCHEME AND ARTIFICE

From about March 14, 2005, through about June 21, 2010, SHAMONT SAPP (hereinafter "SAPP"), defendant herein, in the District of Oregon and elsewhere, devised and intended to devise a material scheme and artifice with the intent to defraud and deprive the Roman Catholic Church through various of its dioceses in the United States. As an inmate of the Bureau of Prisons, SAPP had the privilege of using "legal mail" to correspond through regular U.S. Mail. SAPP mailed and caused to be mailed, caused to be filed, pursued and litigated materially false claims for money damages from the dioceses. The false claims all alleged in a similar manner that, when SAPP was a minor, certain named priests of the dioceses had sexually assaulted and abused SAPP. In fact, SAPP had not been sexually assaulted or abused by the named priests and had not himself been present in the dioceses and locations as alleged in his

claims. The false claims caused the dioceses, their representatives, several courts and other entities to expend time, money and resources in investigating, opposing, litigating and resolving the false claims. Ultimately, the false claims were denied or dismissed.

B. EXECUTION OF THE SCHEME AND ARTIFICE

From about March 14, 2005, through about June 21, 2010, in the District of Oregon and elsewhere, with the intent to defraud, SAPP devised and willfully participated in, with knowledge of its fraudulent nature, the above-described material scheme and artifice to defraud, to deprive and to obtain money by materially false and fraudulent pretenses and representations, executed as follows:

1. From about March 14, 2005, through about October 4, 2005, SAPP, with intent to defraud, submitted, filed and pursued a false claim for money damages against the Roman Catholic Diocese of Tucson, Arizona, in the United States Bankruptcy Court for the District of Arizona. The claim falsely alleged that a named priest of the Diocese of Tucson sexually assaulted and abused SAPP in Tucson, Arizona, in September 1978 when SAPP was a minor.
2. From about August 1, 2005, through about May 12, 2006, with the intent to defraud, SAPP submitted, filed and pursued a false claim for money damages against the Roman Catholic Diocese of Covington, Kentucky, in the Boone Circuit Court of the Commonwealth of Kentucky. The claim falsely alleged that a named priest of the Diocese of Covington sexually assaulted and abused SAPP on August 18-19, 1978, in Covington, Kentucky, when SAPP was a minor.
3. From about February 28, 2006, through about August 28, 2007, with intent to defraud, SAPP submitted, filed and pursued a false claim for money

damages against the Roman Catholic Diocese of Spokane, Washington, in the United States Bankruptcy Court for the Eastern District of Washington. The claim falsely alleged that a named priest of the Diocese of Spokane sexually assaulted and abused SAPP on August 18, 1978, in Spokane, Washington, when SAPP was a minor.

4. From about January 3, 2008, through about July 2, 2010, with intent to defraud, SAPP submitted, filed and pursued a false claim for money damages against the Roman Catholic Archbishop of Portland in Oregon and successors, a corporation sole, doing business as the Archdiocese of Portland in Oregon, in the United States District Court for the District of Oregon. The claim falsely alleged that a named priest of the Archdiocese of Portland in Oregon sexually assaulted and abused SAPP in August 1979, in Portland, Oregon, when SAPP was a minor.

C. THE MAILINGS

On or about the dates set forth below, for the purpose of executing and attempting to execute the above-described material scheme and artifice to defraud and deprive, SAPP knowingly caused to be delivered by the United States Postal Service, according to the directions thereon, one or more of the following matters in the District of Oregon and elsewhere:

1. On or about June 16, 2005, Claimant's Objection to Debtor's Motion for Summary Dismissal, addressed to Stinson Morrison Heckler, LLP., Warren J. Stapleton, Esq., 1850 N. Central Avenue, Suite 2100, Phoenix, Arizona 85004-4584;
2. On or about February 13, 2006, a letter addressed to the law offices of Mr. Robert A. Steinberg, Esq., Waite, Schneider, Bayless and Chesley, 1513 Fourth and Vine Tower, One West Fourth Street, Cincinnati, Ohio 45202;

3. On or about January 25, 2006, a letter addressed to Mr. Stanley M. Chesley, Esq., Waite, Schneider, Bayless and Chesley, 1513 Fourth and Vine Tower, One West Fourth Street, Cincinnati, Ohio 45202;

4. On or about August 21, 2006, a letter addressed to Mr. Shaun Cross, 717 W. Sprague Avenue, Suite 1200, Spokane, Washington 99201-1200;

5. On or about February 8, 2007, a letter addressed to Clerk, United States Bankruptcy Court, Eastern District of Washington, 920 W. Riverside Avenue, Spokane, Washington 99210-2164;

6. On or about May 8, 2008, Plaintiff's Amended Complaint in Compliance with the Court's Order of 4-22-08, addressed to Thomas V. Dulcich, Esq., Schwabe, Williamson and Wyatt, P.C., 1211 SW 5th Avenue, Suite 1900, Pacwest Center, Portland, Oregon 97204;

all in violation of Title 18, United States Code, Section 1341.

Count 2
(Mail Fraud)

1. The grand jury realleges each and every allegation set forth in Count 1 and incorporates them as if fully set forth herein.

2. On or about March 11, 2010, in the District of Oregon and elsewhere, for the purposes of executing and attempting to execute the above-described material scheme and artifice to defraud and deprive, SAPP knowingly caused to be delivered by the United States Postal Service, according to the directions thereon, the following matter: a letter addressed to the

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Law Offices of Barry Caplan, Esq., Attorney at Law, c/o Sussman and Shank, LLP, 1000 SW
Broadway, Suite 1400, Portland, Oregon 97205;

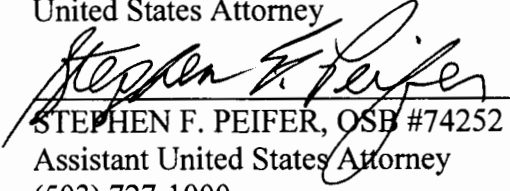
all in violation of Title 18, United State Code, Section 1341.

Dated this 8 day of January 2013.

OFFICIATING FOREPERSON

Presented by:

S. AMANDA MARSHALL
United States Attorney


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