

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,
v.

CR18-390 VC

GREGORY JAMES CHRISMAN,

DEFENDANT(S).

FILED
OCT 24 2019
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

SUPERSEDING INDICTMENT

18 U.S.C. § 1001(a)(2) – False Statement to Government Agency (Two Counts);
18 U.S.C. § 1512(b)(1) – Witness Tampering;
18 U.S.C. § 1512(c)(2) - Obstruction of Justice;
18 U.S.C. § 401(3) - Contempt of Court

A true bill.

[Signature]

Foreman

Filed in open court this 24th day of

October 2019

[Signature]

Clerk

[Signature] Bail, \$ 1/10 process

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

OFFENSE CHARGED

- 18 U.S.C. section 1001(a)(2) -- False Statement to Government Agency (two counts) Petty
- 18 U.S.C. section 1512(b)(1) -- Witness Tampering Minor
- 18 U.S.C. section 1512(c)(2) -- Obstruction of Justice Misdemeanor
- 18 U.S.C. section 401(3) -- Contempt of Court **Felony**

PENALTY: see attachment

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

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

GREGORY JAMES CHRISMAN
DISTRICT COURT NUMBER
CR 18-390 VC

FILED
OCT 24 2019
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

PROCEEDING

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

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 DAVID L. ANDERSON

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) ALEX G. TSE

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) If not detained give date any prior summons was served on above charges
- 2) Is a Fugitive
- 3) Is on Bail or Release from (show District)

NDCA

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction } Federal State
 - 6) Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes 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: _____

If Summons, complete following:

Arraignment Initial Appearance

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

Defendant Address:

Date/Time: 10/29/19 at 10:30 a.m. Before Judge: Hon. J.S. Corley

Comments:

ATTACHMENT TO PENALTY SHEET

Counts 1 and 2 (each count):

18 U.S.C. § 1001(a)(2) – False Statements

Maximum 5 years imprisonment;

Maximum 3 years of supervised release

Maximum \$250,000 fine

Mandatory \$100 special assessment

Count 3:

18 U.S.C. § 1512(b)(1) – Witness Tampering

Maximum 20 years imprisonment and as much as 10 years consecutive term of imprisonment;

Maximum 3 years of supervised release

Maximum \$250,000 fine

Mandatory \$100 special assessment

Count 4:

18 U.S.C. § 1512(c)(1) -- Obstruction of Justice

Maximum 20 years of imprisonment

Maximum 3 years of supervised release

Maximum \$250,000 fine

Mandatory \$100 special assessment

Count 5:

18 U.S.C. § 401(3) – Contempt of Court

Maximum Imprisonment: Discretion of the Court

Maximum Fine: Discretion of the Court

Mandatory special assessment: \$100

FILED
2019 OCT 24 P 1:51
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,) No. CR 18-390 VC
13 Plaintiff,)
14 v.) VIOLATIONS:
15 GREGORY JAMES CHRISMAN,) 18 U.S.C. § 1001(a)(2) – False Statement to
16 Defendant.) Government Agency (Two Counts)
17) 18 U.S.C. § 1512(b)(1) – Witness Tampering
18) 18 U.S.C. § 1512(c)(2) – Obstruction of Justice
19) 18 U.S.C. § 401(3) – Contempt of Court
20) SAN FRANCISCO VENUE

21 SUPERSEDING INDICTMENT

22 The Grand Jury charges:

23 COUNT ONE: (18 U.S.C. § 1001(a)(2) – False Statement to Government Agency)

24 On or about December 10, 2017, in the Northern District of California, the defendant,
25 GREGORY JAMES CHRISMAN,
26 did willfully and knowingly make a materially false, fictitious, and fraudulent statement and
27 representations in a matter within the jurisdiction of the Federal Aviation Administration, an agency
28 within the executive branch of the Government of the United States, specifically: his false statements on
a Federal Aviation Administration Form 8500-8 indicating that: (1) he did not have and had never had a
mental disorder of any sort (Question 18m), despite having represented to the United States Department

1 of Veterans Affairs that he had posttraumatic stress disorder and having received medical disability
2 benefits as a result of that condition; and (2) he had never and did not currently receive medical
3 disability benefits (Question 18y), despite having received service-related medical disability benefits
4 from the Department of Veterans Affairs since 2011. All in violation of Title 18, United States Code,
5 Section 1001(a)(2).

6 COUNT TWO: (18 U.S.C. § 1001(a)(2) – False Statement to Government Agency)

7 On or about June 24, 2018, in the Northern District of California, the defendant,

8 GREGORY JAMES CHRISMAN,

9 did willfully and knowingly make a materially false, fictitious, and fraudulent statements and
10 representations in a matter within the jurisdiction of the Federal Aviation Administration, an agency
11 within the executive branch of the Government of the United States, specifically his false statements on
12 a Federal Aviation Administration Form 8500-8, indicating that: (1) he did not have and had never had
13 a mental disorder of any sort (Question 18m), despite having represented to the United States
14 Department of Veterans Affairs that he had posttraumatic stress disorder and having received service-
15 related medical disability benefits as a result of that condition; and (2) he had never and did not currently
16 receive medical disability benefits (Question 18y), despite having received service-related medical
17 disability benefits from the Department of Veterans Affairs since 2011. All in violation of Title 18,
18 United States Code, Section 1001(a)(2).

19 COUNT THREE: (18 U.S.C. § 1512 (b)(1) – Witness Tampering)

20 Beginning on or about January 7, 2019, and continuing through on or about January 14, 2019, in
21 the Northern District of California, the defendant,

22 GREGORY JAMES CHRISMAN,

23 did knowingly use intimidation, threaten and attempt to corruptly persuade another person with the
24 intent to influence, delay or prevent the testimony of a person, to wit, W. B., M.D., in an official
25 proceeding. All in violation of Title 18, United States Code, Sections 1512 (b)(1) and 3147.

26 COUNT FOUR: (18 U.S.C. § 1512 (c)(2)) – Obstruction of Justice)

27 Beginning on or about January 7, 2019, and continuing through on or about January 14, 2019, in
28 the Northern District of California, the defendant,

GREGORY JAMES CHRISMAN,

willfully and knowingly corruptly influenced, obstructed, and impeded the due and proper administration of the law under which an official proceeding was being had and contemplated before a department and agency of the United States, namely the Department of Transportation and Federal Aviation Administration in violation of Title 18, United States Code, Section 1512(c)(2) and 3147.

COUNT FIVE: (18 U.S.C. § 401(3) – Contempt of Court)

Beginning on or about January 7, 2019, and continuing through on or about January 14, 2019, in the Northern District of California, the defendant,

GREGORY JAMES CHRISMAN,

did willfully disobey and resist a clear and definite lawful order, rule, decree, and command of a court of the United States of which defendant was aware, specifically, an order, rule, decree, and command issued by the United States District Court for the Northern District of California in criminal case number 18-390 VC, and did so with consciousness of guilt with respect to the charges of making false statements alleged in the Indictment in that case and which are now alleged as Counts One and Two of this Superseding Indictment. All in violation of Title 18, United States Code, Section 401(3).

DATED: 10/24/19

A TRUE BILL

FOREPERSON

DAVID L. ANDERSON
United States Attorney

ALEX G. TSE
Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. GREGORY JAMES CHRISMAN

CASE NUMBER:

CR 18-390 VC

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1 2-7 8 or more

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

Is this a potential high-cost case?

Yes No

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

Yes No

Is this a RICO Act gang case?

Yes No

Assigned AUSA

(Lead Attorney): AUSA ALEX G. TSE

Date Submitted: 10/24/19

Comments: