UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

   Gretchen Ceceilia Frances Shappert

2. **Position**: State the position for which you have been nominated.

   United States Attorney for Guam and for the Northern Mariana Islands

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

   Office:
   Executive Office for United States Attorneys/ Legal Programs Staff
   175 N Street NE
   4th Floor
   Washington D.C. 20530

   Residence:
   Alexandria, Virginia

4. **Birthplace**: State date and place of birth.

   1956; Belvidere, IL

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

   Washington and Lee University School of Law, 1977-1980
   J.D. - May 1980

   Duke University, 1973-1977
   B.A. - May 1977

   New College, Oxford, Summer 1975
   No degree

   University of Wisconsin, Summer 1976
   No degree

Rock Valley Junior College, Summer of 1973
No degree

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

   May 2022 – present
   Assistant Director, Legal Programs
   Executive Office for United States Attorneys
   175 N Street NE, 4th Floor
   Washington DC 20530

   Jan. 2018—May 2022
   United States Attorney for the Virgin Islands
   5500 Veterans Drive, Room 260
   St. Thomas, VI 00802-6424

   March 2009—December 2017
   Assistant Director, Project Safe Neighborhoods
   Coordinator, Anti-Gang Coordinator, Legal Programs
   Executive Office for United States Attorneys
   600 E Street NW
   Washington DC 20530

   June 2004—March 2009
   United States Attorney for the Western District of North Carolina
   227 W. Trade Street, Suite 1650
   Charlotte, NC 28202

   November 1990—May 2004
   Assistant United States Attorney
   Office of the U.S. Attorney Western District North Carolina
   227 W. Trade Street, Suite 1650
   Charlotte, NC 28202

   September 1988—November 1990
   Assistant District Attorney
   Office of the District Attorney
   700 E. Trade Street
   Charlotte, NC 28202

March 1983—September 1988
Assistant Public Defender
Office of the Public Defender
720 East Fourth Street
Charlotte, NC 28202

August 1981—March 1983 (approx.)
Associate Attorney
Tucker, Hicks, Sentelle, Moon & Hodge, P.A.
1308 East Fourth Street
Charlotte, NC 28204

September 1980—August 1981
Associate Attorney
Maupin, Taylor & Ellis, P.A.
3201 Glenwood Avenue
Raleigh, NC 27619

June 1979—August 1979
Summer Law Clerk
Stites, McIlwain & Fowler, P.A.
600 W. Main Street
Louisville, KY 40202

May 1978—August 1978
Summer Law Clerk
Miller, Hickey & DeBruyne, P.A.
838 N. Main Street
Rockford, IL 61103

7. **Military Service and Draft Status**: Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

   I have not served in the U.S. military. I am not subject to selective service requirements.

8. **Honors and Awards**: List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

   EOUSA Exceptional Management Award, Executive Office for United States Attorneys (EOUSA), 2017

   EOUSA Director's Recognition Award, EOUSA, 2010

North Carolina Narcotics Enforcement Officers' Association Award of Honor, North Carolina Narcotics Enforcement Officers' Association, 2008

Case of the Year, Western District of North Carolina, for "Harmony Rocks," OCDETF Southeast Region, Organized Crime Drug Enforcement Task Force (OCDETF), Southeast Region, 2005

Partnership in the War Against Methamphetamine Labs Award, North Carolina State Bureau of Investigation, 2005

Outstanding OCDETF Case in the Western District of North Carolina, OCDETF, Southeast Region, 2002

North Carolina Narcotics Enforcement Officers' Association Special Recognition Award, North Carolina Narcotics Enforcement Officers' Association, 2000

International Association of Outlaw Motorcycle Gang Investigators, President's Award, International Association of Outlaw Motorcycle Gang Investigators, 2000

Department of Justice Special Achievement Award, Office of the United States Attorney for the Western District of North Carolina, 1999

EOUSA Director's Award, EOUSA, 1996

9. **Bar Associations**: List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

North Carolina State Bar
Mecklenburg County, NC Bar
North Carolina Academy of Trial Lawyers

10. **Bar and Court Admission**:

a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

North Carolina, September 1980

There have been no lapses in membership.

b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

United States Court of Appeal for the Fourth Circuit (1982)
United States District Court for the Eastern District of North Carolina (1980)
United States Court for the Western District of North Carolina (1981)
United States District Court for the Virgin Islands (2018)
All State Courts in North Carolina (1980)

There have been no lapses in membership.

11. **Memberships**:

a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Federalist Society (approx. 2008-present)

Campaign Chair Charlotte-Mecklenburg Republican Party (approx. 1983-1988)

Co-Chair of the Charlotte-Mecklenburg Reagan-Bush campaign (1988)

Peace Through Strength (approx. 1984)

Charlotte Crisis Pregnancy Center, Board of Directors (approx. 1984)

Right to Life Spokesperson (approx. 1982-1985)

Charlotte-Mecklenburg Young Republicans, Chair (approx. 1983)

In addition, I have made financial contributions to charitable organizations over the years. Such organizations may list me as a member by virtue of my financial contribution. I have not listed above any organization to which I gave funds and did not otherwise participate in programmatic activities.

b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To my knowledge, none of the organizations listed about currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. **<u>Published Writings and Public Statements</u>**:

a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published.

I have done my best to identify all books, articles, letters to the editor, editorial pieces and other published material, including through a review of my personal files and searches of publicly available electronic databases. Despite my searches, there may be other materials that I have been unable to identify, find, or remember. I have located the following.

U.S. Attorney's Office, District of the Virgin Islands Press Releases (2018-2022), https://www.justice.gov/usao-vi/pr?search_api_fulltext=Shappert&start_date=&end_date=&sort_by=field_date.

Judi Shimel, *Jury Convicts Members of St. Croix Crime Ring*, St. Thomas Source (March 23, 2022), https://stthomassource.com/content/2022/03/23/jury-convicts-members-of-st-croix-crime-ring/.

Gretchen C.F. Shappert *Complex Environmental Crimes Prosecutions: Policy Considerations and the Merits of a Multi-District Approach,* 69 DOJ J. Fed. Law & Practice, No. 6, 233-272 (Dec. 2021). Copy supplied.

Gretchen C.F. Shappert & Adam F. Sleeper, *International & Territorial Border Searches: The Border Search Exception as Applied in the U.S. Territories of the Virgin Islands, Guam, the Northern Mariana Islands, American Samoa, & Puerto Rico,* 69 DOJ J. Fed. Law & Practice, No. 5, 205-253 (Sept. 2021). Copy supplied.

Virgin Islands United States Attorney's Office Secures Conviction in First Paycheck Protection Program ("PPP") Fraud Case (Aug. 31, 2021), https://www.secretservice.gov/newsroom/releases/2021/08/virgin-islands-united-states-attorneys-office-secures-conviction-first.

Gretchen C.F. Shappert & Christopher J. Costantini, *Recent Case Law Developments Involving the Crime-Fraud Exception: The Attorney-Client Privilege, Filter Team Protocols, and Other Privileges,* 69 DOJ Journal of Federal Law and Practice, No. 3, 289-354 (May 2021). Copy supplied.

Gretchen C.F. Shappert & Christopher F. Murray, *Violent Neighborhood Gangs: Two Districts, Two Strategies,* 68 DOJ Journal of Federal Law and Practice, No. 5, 187-206 (Nov. 2020). Copy supplied.

Gretchen C.F. Shappert, *Fighting Domestic Terrorism and Creating the Department of Justice: The Extraordinary Leadership of Attorney General Amos T. Akerman,* 68 DOJ J. Fed. Law & Practice, Vol. 68, No. 1, 125-43 (Jan. 2020). Copy supplied.

Gretchen C.F. Shappert, *Homicide on the High Seas and Navigable Waters: The Seaman's Manslaughter Statute, 18 U.S.C. § 1115,* 67 DOJ J. Fed. Law and Practice, No. 4, 55-92 (Nov. 2019). Copy supplied.

Gretchen C.F. Shappert, *When Attorney-Client Communication is Not Privileged: Invoking the Crime-Fraud Exception in Grand Jury Investigations,* 66 USA Bul. No. 1, 57-76 (Jan. 2018). Copy supplied.

Gretchen C.F. Shappert, Aram A. Gavoor, & Steven A. Platt, *Constitutional Aspects of Civil Immigration Enforcement,* 65 USA Bul. No. 3, pgs. 43-57 (July 2017). Copy supplied.

Gretchen C.F. Shappert, *Investigation and Prosecution of Drone Cases: Emerging Issues for Prosecutors Confronting Unmanned Aircraft Systems,* 65 USA Bul., No. 1, 53-114 (Jan. 2017). Copy supplied.

Gretchen C.F. Shappert, *Elonis v. United States: Consequences for 18 U.S.C. § 875(c) and the Communication of Threats in Interstate Commerce,* 64 USA Bul., Vol. No. 3, 30-40 (May 2016). Copy supplied.

Gretchen C.F. Shappert, *After Johnson v. United States: Consequences for the Armed Career Criminal Act, the Sentencing Guidelines, and 18 U.S.C. § 16(b), 63* USA Bul., No. 6, 15-29 (Nov. 2015). Copy supplied.

Gretchen C.F. Shappert*, Civil Commitment of Sexually Dangerous Persons: Legal Challenges to the Adam Walsh Act, 63* USA Bul. Vol. 63, No. 4, 7-21 (July 2015). Copy supplied.

Gretchen C.F. Shappert *The Border Search Doctrine: Warrantless Searches of Electronic Devices After Riley v. California,* 62 USA Bul., No. 6, 1-13 (Nov. 2014). Copy supplied.

Gretchen C.F. Shappert, *Indicia of Association: Using Indicia Search Warrants in Gang Prosecutions, 62* USA Bul., 62, No. 3, 1-11 (May 2014). Copy supplied.

David L. Smith & Gretchen C.F. Shappert, *Reentry Efforts and Gangs: Project GRIP, 62* USA Bul., No. 3, pgs. 96-102 (May 2014). Copy supplied.

Gretchen C.F. Shappert & Christpoher J. Costantini, *Klein Conspiracy: Conspiracy to Defraud the United States,* 61 USA Bul. No. 4, 1-9 (July 2013). Copy supplied.

Gretchen C.F. Shappert & Louis Tuthill, *Project Safe Neighborhoods: Sustaining Community Outreach with Limited Funding,* 60 USA Bul., No. 3, 34-41 (May 2012). Copy supplied.

Gretchen C.F. Shappert, *Multi-Jurisdictional Task Forces in Indian Country: The Northern Plains Safe Trails Example 58* USA Bul. No. 4, 48-51 (July 2010). Copy supplied.

"Operation Long Haul" Major Methamphetamine Trafficker Sentenced to 30 Years (March 4, 2009), https://archives.fbi.gov/archives/charlotte/press-releases/2009/ce030409.htm.

Fifteen Individuals Indicted in Charlotte-area Drug Conspiracy with Gang Ties (Feb. 25, 2009), https://archives.fbi.gov/archives/charlotte/press-releases/2009/ce022509.htm.

Alleged MS-13 Gang Members in North Carolina Charged in 70-count Superseding Indictment (Sept. 23, 2008), https://www.justice.gov/archive/opa/pr/2008/September/08-crm-846.html.

Former President of Thomas Construction Services, Inc. Convicted of Federal Felony and Ordered to Pay $138,478.80 in Restitution (April 8, 2008), https://www.dol.gov/sites/dolgov/files/EBSA/about-ebsa/our-activities/newsroom/criminal-releases/04-08-2008.pdf.

North Carolina Dental Services Chain Pays $10 Million to Resolve False Claims Allegations (April 9, 2008), https://www.legistorm.com/stormfeed/view_rss/113200/organization/69384/title/north-carolina-dental-services-chain-pays-10-million-to-resolve-false-claims-allegations.html.

Accomplishments of Coordinated Law Enforcement Efforts Leading to Federal Prosecutions in the Western District of North Carolina (Dec. 28, 2007), https://mountainx.com/files/122807DOJEnforcement.pdf.

David Melmer, *Statistics show prosecution in Indian country is lacking*, ICT News (Nov. 30, 2007), https://ictnews.org/archive/statistics-show-prosecution-in-indian-country-is-lacking/.

Four Defendants Sentenced to Prison in Federal Online Piracy Crackdown (June 28, 2006), https://www.justice.gov/archive/opa/pr/2006/June/06_crm_405.html.

Five Additional Defendants Charged in Crackdown Against Worldwide Internet Piracy Groups (April 27, 2006), https://www.justice.gov/archive/criminal/cybercrime/press-releases/2006/fuchsCharge.htm.

Clams Adjuster Sentenced in Connection with Federal Crop Insurance Fraud Schemes (Jan. 5, 2006), https://www.rma.usda.gov/sites/default/files/continuing-interest/105calcutt.pdf.

Insurance Agent Sentenced in Federal Crop Insurance Fraud Scheme (Dec. 8, 2005), https://www.rma.usda.gov/sites/default/files/continuing-interest/1208kiser.pdf#:~:text=Gretchen%20C.%20F.%20Shappert%2C%20United%20States,Lacy%20Thornburg%20sentenced%20George%20T.

Justice Department Announces Eight Charged in Internet Piracy Crackdown (July 28, 2025), https://www.justice.gov/archive/opa/pr/2005/July/05_crm_395.htm.

Gretchen C.F. Shappert, *A Cruel Mercy: Natural Law vs. The Therapeutic State,* in THE CONSERVATIVE PERSPECTIVE: A VIEW FROM NORTH CAROLINA, 137-149, North Carolina Policy Council Press, 1988. Copy supplied.

Guest Columnist, *Keep Two-Year Terms for the County Board,* CHARLOTTE NEWS, October 23, 1985. Copy supplied.

Guest Columnist, Give *President the Line-Item Veto,* CHARLOTTE NEWS, October 5, 1985. Copy supplied.

Guest Columnist*, Success Story: Alternative Sentencing Program Benefits Offender, Community,* CHARLOTTE NEWS, *July* 31, 1985. Copy supplied.

Guest Columnist, *Pornography Merits No Protection,* CHARLOTTE NEWS, July 10, 1985. Copy supplied.

Guest Columnist, *Teaching Values,* CHARLOTTE NEWS, June 12, 1985. Copy supplied.

Guest Columnist*, Shed No Tears for Loss of Payroll Tax,* CHARLOTTE NEWS, April 17, 1985. Copy supplied.

Guest Columnist, *Behind Day-Care Debate, Real Questions About Parents' Freedoms,* CHARLOTTE NEWS, March 12, 1985. Copy supplied.

Guest Columnist, *Even with Talks, U.S. Needs Defenses Against Soviet Arms Build-up,* CHARLOTTE NEWS, January 18, 1985. Copy supplied.

Letter to the Editor, *Registrar Choices Fail Test of Appearance of Fairness,* CHARLOTTE NEWS, August 18, 1983. Copy supplied.

Gretchen C.F. Shappert, *United States v. Kimbell Foods, Inc: A Problem or a Solution in Resolving Lien Priority Disputes,* 36 Wash. & Lee L.Rev., 1203-1222 (1979). Copy supplied.

b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

   I have not prepared any reports, memoranda or policy statements on behalf of any bar association, committee, or conference or organization of which I am or was a member.

c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

   I have done my best to identify any testimony, official statements, or other communications related, in whole or in part, to matters of public policy or legal interpretation, including through a review of my personal files and searches of publicly available electronic databases. I have located the following:

   Oversight Field Hearing on "Cultural Sovereignty Series: Modernizing the Indian Arts and Crafts Act to Honor Native Identity and Expression," United States Senate Committee on Indian Affairs (July 7, 2017), https://www.indian.senate.gov/hearings/oversight-field-hearing-cultural-sovereignty-series-modernizing-indian-arts-and-crafts-act/.

Legislative Hearing on a Draft Bill to Address Law and Order in Indian Country, United States Senate Committee on Indian Affairs (June 19, 2008), https://www.indian.senate.gov/hearings/legislative-hearing-draft-bill-address-law-and-order-indian-country/.

Cracked Justice: Addressing the Unfairness in Cocaine Sentencing, Hearing before the Subcommittee on Crime, Terrorism, and Homeland Security of the Committee on the Judiciary, House of Representatives (Feb. 26, 2008), https://www.c-span.org/program/house-committee/federal-cocaine-sentencing-laws/187319.

Federal Cocaine Sentencing Laws: Reforming the 100-1 Crack/Powder Disparity, Hearing Before the United States Senate Judiciary Committee (Feb. 12, 2008), https://www.judiciary.senate.gov/imo/media/doc/shappert_testimony_02_12_08.pdf; https://www.c-span.org/search/?searchtype=Videos&sort=Newest&personid%5b%5d=1027175.

United States Sentencing Commission Public Hearing on Crack Cocaine and Retroactivity of the Sentencing Guidelines (Nov. 13, 2007), https://www.ussc.gov/sites/default/files/pdf/amendment-process/public-hearings-and-meetings/20071113/Shappert_Testimony.pdf.

d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

I have done my best to identify transcripts or recordings of all speeches or talks delivered, including through a review of my personal files and searches of publicly available electronic databases. I frequently speak without notes or speak from a handwritten outline. I did not retain the majority of the handwritten outlines and have attached all that I could find. Despite my searches, there may be other materials I have been unable to identify, find, or remember. I have located the following:

A Personal Journey of Faith, Speech before the Institute on Religion and Democracy, March 15, 2025. Notes supplied.

Fighting Domestic Terrorism and Creating the Department of Justice: The Extraordinary Leadership of Attorney General Amos T. Akerman, Speech before the Charlotte Chapter of the Federalist Society, September 18, 2024. Notes supplied.

Remarks at Washington & Lee University School of Law, Law School Federalist Society Chapter, Approx. 2008. (Unable to locate a copy of these remarks).

e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Virgin Islands U.S. Attorney's Office Staff Receives Prestigious DOJ Award For Post-Hurricanes Leadership And Service, VI Consortium (Feb. 8, 2019), https://wp.viconsortium.com/?p=71216.

Brian O'Connor, *US Attorney says immigration, guns are priorities, opposes marijuana legalization*, Virgin Islands Daily News (May 24, 2018), https://www.virginislandsdailynews.com/news/us-attorney-says-immigration-guns-are-priorities-opposes-marijuana-legalization/article_9d49a4bb-05d7-5298-9e0f-1b11ae669f80.html.

John Harbin, *Meth: Henderson among hardest hit*, BlueRidgeNow (Nov. 30, 2006), https://www.blueridgenow.com/story/news/2006/12/01/meth-henderson-among-hardest-hit/28012306007/.

Businessman agrees to plea in fraud case, Associated Press (March 28, 2005), https://www.starnewsonline.com/story/news/2005/03/29/businessman-agrees-to-plea-in-fraud-case/30777396007/.

13. **Public Office, Political Activities and Affiliations**:

a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

In 1986, I ran unsuccessfully as the Republican candidate for a North Carolina Mecklenburg County District Court Judge position.

b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Between 1981 and 1988, I was active in Republican Party politics. I served as

Campaign Chair of the Charlotte-Mecklenburg Republican Party; Chair of the Charlotte-Mecklenburg Chapter of Young Republicans, approximately 1983; and Co-Chair of the 1984 Charlotte-Mecklenburg Reagan-Bush campaign. I do not recall the precise dates. I was not compensated for any of these activities.

14. **Legal Career:** Answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not clerked for a judge.

ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced alone.

iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

May 1978—August 1978
Summer Law Clerk
Miller, Hickey & DeBruyne, P.A.
838 N. Main Street
Rockford, IL 61103

June 1979—August 1979
Summer Law Clerk
Stites, McIlwain & Fowler, P.A.
600 W. Main Street
Louisville, KY 40202

September 1980—August 1981
Associate Attorney
Maupin, Taylor & Ellis, P.A.
3201 Glenwood Avenue
Raleigh, NC 27619

August 1981—March 1983 (approx.)
Associate Attorney
Tucker, Hicks, Sentelle, Moon & Hodge, P.A.
1308 East Fourth Street

Charlotte, NC 28204

March 1983—September 1988
Assistant Public Defender
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Charlotte, NC 28202

September 1988—November 1990
Assistant District Attorney
Office of the District Attorney
700 E. Trade Street
Charlotte, NC 28202

November 1990—May 2004
Assistant United States Attorney
Office of the U.S. Attorney Western District North Carolina
227 W. Trade Street, Suite 1650
Charlotte, NC 28202

June 2004—March 2009
United States Attorney for the Western District of North Carolina
227 W. Trade Street, Suite 1650
Charlotte, NC 28202

March 2009—December 2017
Assistant Director, Project Safe Neighborhoods
Coordinator, Anti-Gang Coordinator, Legal Programs
Executive Office for United States Attorneys
600 E Street NW
Washington DC 20530

Jan. 2018—May 2022
United States Attorney for the Virgin Islands
5500 Veterans Drive, Rm 260
St. Thomas, VI 00802-6424

May 2022 – present
Assistant Director, Legal Programs
Executive Office for United States Attorneys
175 N Street NE, 4th Floor
Washington DC 20530

iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator.

v. Whether you have held any judicial office, including positions as an administrative law judge, on any U.S. federal, state, tribal, or local court and if so, please provide the name of the court, the jurisdiction of that court, whether the position was appointed or elected, and the dates of your service.

I have not served as a judge or in a judicial office.

b. Describe:

i. the general character of your law practice and indicate by date when its character has changed over the years.

Beginning in September of 1980 and continuing until March of 1983, I worked with two different law firms in North Carolina. In the first law firm, most of my work involved insurance defense. In the second law firm, I did some criminal work, including an oral argument in the Fourth Circuit Court of Appeals, domestic law, and one civil jury trial where I represented the plaintiff and attained a favorable jury verdict, including a recovery for damages.

In March of 1983, I became an Assistant Public Defender and was swiftly promoted to felony cases. I represented scores of indigent defendants charged with a wide range of serious offenses, including capital murder, incest, drug trafficking, and serious assaults.

In 1988, I became an Assistant District Attorney. Once again, I was swiftly promoted from misdemeanors to felony cases. In one year, I tried 17 cases before juries to verdict, including a capital case. I also served as the "Arson DA" and prosecuted numerous arson cases. Shortly before leaving the District Attorney's Office, I was lead counsel on a capital murder case, where the jury returned a verdict of death. The sentence was imposed approximately 13 years later.

Aa an Assistant United States Attorney, I successfully prosecuted a wide range of serious felony offenses, including continuing criminal enterprise, racketeering, murder, drug trafficking, money laundering, fraud, and arson. I was lead counsel or sole counsel on the overwhelming majority of those cases. I also prosecuted and convicted 21 members of the Outlaws Motorcycle Gang. In 2003, I was selected to lead the United States Attorney's Office Gang Unit. I also appeared for oral argument numerous times in the Fourth Circuit Court of Appeals, and I handled a significant volume of post-conviction matters.

While serving for four and a half years as the United States Attorney for the Western District of North Carolina, I carried a caseload and routinely tried cases before juries. I also served on the Attorney General's Advisory Committee and as Chair the Native American Issues Subcommittee of U.S. Attorneys. As the Chief Federal Law Enforcement Officer in the Western District of North Carolina, I worked to develop collaborative relationships with state and federal law enforcement and with our community partners. I also testified on behalf of the Department on Justice before various Senate and House Committees and Subcommittees and before the United States Sentencing Commission.

When I transitioned to the Executive Office for U.S. Attorneys (EOUSA) in Washington D.C. in 2009, I worked on policy issues including violent crime and drug trafficking. I served as the Anti-Gang Coordinator, the Project Safe Neighborhoods Coordinator, and as an Assistant Director. I supervised attorneys who were subject matter experts in violent crime, border and immigration issues, national security, cybercrime, child exploitation, and narcotics.

In 2018, I became the United States Attorney for the Virgin Islands, where I served for four and a half years. In that role, I oversaw the successful prosecution of serious public corruption cases and a racketeering case involving long-term drug trafficking and extensive violence. I prioritized human trafficking cases, and the office prosecuted several of these cases under my leadership. I was able to recruit talented attorneys and staff who significantly enhanced the efficiency and productivity of the office. I also worked to enhance collaborative relationships between law enforcement and our community partners.

Upon my return to EOUSA in May of 2022, I resumed my duties supervising subject matter experts and engaging in policy work. The subject matter experts I have supervised are focused on violent crime, border and immigration issues, human trafficking, child exploitation, narcotics, cybercrime and national security. In 2025, I also worked with Department colleagues on implementation of Operation Take Back America and creation of Homeland Security Task Forces.

ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

From 1980-1981, my work in private practice was primarily insurance defense. From 1981-1983, my work in private practice was primarily domestic law, plaintiff representation, and some court-appointed criminal work, to include an oral argument in the Fourth Circuit Court of Appeals. As an Assistant Public Defender from 1983-1988, I represented indigent defendants in criminal cases. As an Assistant District Attorney from 1988-

1990, I represented the State of North Carolina prosecuting criminal cases. As an Assistant United States Attorney from 1990-2004, I represented the United States prosecuting criminal cases. As the United States Attorney for the Western District of North Carolina from 2004-2009, I served as the Chief Federal Law Enforcement Office for the District, representing the United States. As a Coordinator and an Assistant Director at EOUSA, I worked closely with the U.S. Attorney community and Department leadership. As the United States Attorney for the Virgin Islands from 2018-2022, I served as the Chief Federal Law Enforcement Office for the District, representing the United States. Upon return to EOUSA in 2022, I resumed my work as an Assistant Director, working closely with the U.S. Attorney community and Department leadership.

c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

   i. Indicate the percentage of your practice in:
      1. federal courts; 85 % (approximation)
      2. state courts of record; 15% (approximation)
      3. other courts; 0%
      4. administrative agencies 0%

   ii. Indicate the percentage of your practice in:
      1. civil proceedings; less than 5%
      2. criminal proceedings. over 95%

d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

   Beginning in 1983 as an Assistant United States Attorney and continuing through 2008 as United States Attorney for the Western District of North Carolina, I estimate that I tried hundreds of jury and non-jury cases. As lead counsel or sole counsel, I estimate that I have tried at least 50 jury trial criminal cases to verdict.

   i. What percentage of these trials were:
      1. jury; 100% of my federal cases were jury trials; approximately 80% of my state trials were jury trials.
      2. non-jury. 0% of my federal trials were non-jury; approximately 20% of my state trials were non-jury**.**

e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not argued orally before the Supreme Court.

15. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

    a. the date of representation;

    b. the name of the court and the name of the judge or judges before whom the case was litigated; and

    c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

United States v. Blaylock, et al.
Case No. 3:97CR155-V
United States District Court for the Western District of North Carolina
The Honorable Richard L. Voorhees
1996-1998
This was a racketeering prosecution of the Outlaws Motorcycle Gang (OMG). Twenty-one members of the OMG and numerous associates were convicted. Over 100 firearms were seized. Twenty-eight search warrants were executed. Three OMG clubhouses were searched and two were seized. The case also included the use of a Title III wiretap. Six defendants pled guilty after two weeks of trial in April of 1998, and their remaining codefendants also pled guilty. I was lead counsel and tried the six defendants without co-counsel.

Defense counsel: (Note: some defense counsels are no longer practicing and some are deceased; the list of defense counsel is partial, not complete).

Daniel S. Johnson (inactive)
611 Braden Drive
Durham, NC 27713

Terry M. Duncan
4801 E. Independence Boulevard Suite 1009
Charlotte, NC 2821
704-491-1007

Kevin L. Barnett
130 N. McDowell Street, Suite C McDowell Court

Charlotte, NC 28204
704-334-2044

Lawrence W. Hewitt (inactive)
1106 Chipping Court
Winston-Salem, NC 27104

Tamura D. Coffey
138 E. Kinderton Way
Bermuda Run, NC 27006
336-940-3009

James P. McLoughlin
100 N. Tryon Street, Suite 4700
Charlotte, NC 28202
704-331-1054

Claire Rauscher
301 S. College Street Suite 3500
Charlotte, NC 28202
704-331-4961

Mark P. Foster, Jr.
409 East Boulevard.
Charlotte, NC 28203
980-721-5221

John D. Boutwell
301 S. McDowell Street, Suite 608
Charlotte, NC 28204
704-377-4164

William C Mayberry
301 S. College Street 34th Floor
Charlotte, NC 28202
704-916-1501

State of North Carolina v. John Dennis Daniel
337 N.C. 2243, 446 S.E. 2nd 298 (1994)
Mecklenburg County Superior Court
The Honorable Shirley Fulton
1990

The trial was in the autumn of 1990 in Mecklenburg County. It was a capital murder trial of a defendant with a history of drug usage who murdered his aunt, engaged in violent acts against his wife and son, and who committed arson. The death penalty verdict was affirmed on appeal and in post-conviction proceedings, Daniels v. Lee, 316 F.3d 477 (4th Cir, 2003). The sentence was imposed on November 14, 2003. I was lead counsel. My co-counsel, Mr. Paul Driver, is deceased.

Defense counsel:

Grady Jessup
P.O. Box 11764
Charlotte, NC 28220
704-333-8161

Paul Williams (inactive)

United States v. Padgett, et al.
78 F.3d 580 (4th Cir. 1996 Table), 1996 WL 88057
United States District Court for the Western District of North Carolina
The Honorable Graham C. Mullen
1992-1995

This case was for RICO conspiracy and drug conspiracy. The two defendants were convicted at trial and sentenced in September of 1994. Maurice Padgett received 9 life sentences, plus 105 years. Carlos Kinard received 7 life sentences, plus 90 years. The defendants were responsible for a number of homicides and numerous drug offenses. I was the prosecuting attorney at trial, and I handled the appeal. Approximately 1992-1995.

Defense counsel:

George V. Laughrun, II
301 S. McDowell Street Suite 602
Charlotte, NC 28204
704-372-2770

Randolph Marshall Lee
Ofc. of the Public Defender
P.O. Box 1047
Monroe, NC 28111
704-698-3100

United States v. Rice
961 F.2d 211 (4th Cir. 1992 Table), 1992 WL 90278
United States District Court for the Western District of North Carolina
The Honorable Robert D. Potter
1990-1991

The trial occurred in December of 1990. I was the trial attorney and successfully handled the appeal. Prosecution of an Internal Revenue Service (IRS) Agent, who was convicted at trial for money laundering, computer fraud, and related offenses. The defendant provided confidential IRS information to a notorious cocaine organization operating in the Carolinas. This was the first money laundering trial in the Western District of North Carolina.

Defense counsel:

George V. Laughrun, II
301 S. McDowell Street Suite 602
Charlotte, NC 28204
704-372-2770

United States v. Rollack

173 F. 3d 853 (4th Cir. 1999 Table), 1999 WL 104806
United States District Court for the Western District of North Carolina
The Honorable Graham C. Mullen
1996-1998

This was a drug conspiracy prosecution of the leader of a notorious "Blood Sect," Sex, Money, and Murder, for drug and firearms offenses. The defendant was convicted at trial in January of 1998. I prosecuted the case and successfully handled the appeal. The defendant was sentenced to 40 years imprisonment.

Defense counsel:

Christopher C. Fialko
P.O. Box 31035
Charlotte, NC 28231
704-458-5415

United States v. Mason

52 F.3d 853 (4th Cir. 1995), *on remand*, 935 F. Supp. 745 (W.D.N.C. 1996), *aff'd*, 121 F.3d (4th Cir. Table 1997), 1997 WL 488763
United States District Court for the Western District of North Carolina
The Honorable Robert D. Potter
1994-1996

This was a criminal prosecution of the defendant for his role in three separate drug conspiracies and for importation and sale of drug paraphernalia. Over 11,000 exhibits were introduced at trial. After the defendant was convicted, he attempted suicide by stabbing himself. The issue on his appeal was defendant's competency during the trial. Following a remand for additional evidentiary findings, the Fourth Circuit Court of Appeals affirmed the defendant's conviction and thirtyyear sentence. I was lead counsel on the trial and the appeal.

Co-counsel:

Peter Crane Anderson (disbarred)

Defense counsel:

Robert Thomas Vaughn (could not locate)
Willaim D. McNaull, Jr. (could not locate)

State of North Carolina v. Keith Suddreth
105 N.C. App. 122, 412 S.E. 2d 126 (1992), *appeal dismissed, review denied*, 331 N.C. 281, 417 S.E.2d 68 (1992)
Mecklenburg County Superior Court
The Honorable Samuel A. Wilson III
1989-1990

This was a case involving a violent first-degree rape, first-degree sexual offense, first-degree kidnapping, where the defendant (who was known to the victim) wore a mask and disguise. I handled the case at trial in the summer of 1990. The defendant's two consecutive life sentences were affirmed on appeal.

Defense counsel: Harold J. Bender (deceased)

United States v. Rhynes
196 F.3d 207 (4th Cir. 1999), *rehearing en banc*, 218 F.3d 310 (4th Cir. 2000)
United States District Court for the Western District of North Carolina
The Honorable Charles H. Haen, II at trial; The Honorable Richard l. Voorhees at sentencing
1991-2001

This was a seven-defendant jury trial of a twenty-six year drug conspiracy and money laundering conspiracy. All seven defendants were convicted at trial. Issues raised on appeal included the district court's sentencing, based upon a general conspiracy verdict where the conspiracy involved heroin, cocaine, cocaine base, and marijuana. Another issue raised in the appeal was the court's exclusion of defense testimony following violation of a sequestration order. Convictions and sentences for four defendants were affirmed. The conviction of one defendant was vacated and remanded, and he was subsequently re-tried. Convictions of two defendants were affirmed in part and judgment was withheld in part. I was one of two attorneys prosecuting the case.

Co-counsel:

Robert J. Higdon, Jr.
301 Crimmons Circle
Cary, NC 27511
919-522-6225

Defense counsel:

Joseph B. Cheshire
P.O. Box 1029
Raleigh NC 27602
919-833-3114

Michael S. Scofield (could not locate)

Noell P. Tin
301 East Park Avenue
Charlotte, NC 28203
704-338-1220

Claire Rauscher
301 S. College Street Suite 3500
Charlotte, NC 28202
704-331-4961

Barry M. Storick (could not locate)

Mark P. Foster, Jr.
409 East Boulevard.
Charlotte, NC 28203
980-721-5221

G. Bruce Park (deceased)

United States v. Sampson, et al.
140 F.3d 585 (4th Cir. 1998)
United States District Court for the Western District of North Carolina
The Honorable William L. Osteen
1995-1998

Here, two defendants were charged with selling massive quantities of cocaine base adjacent to a public housing complex. Both defendants were convicted at trial and received life sentences. I prosecuted the case at trial and on appeal.

Defense counsel:

Claire Rauscher
301 S. College Street Suite 3500
Charlotte, NC 28202
704-331-4961

Kenneth P. Andresen (could not locate)

United States v. McGurk
Case No. 07-4286 (4th Cir. 2008) (unpublished) (per curiam)
United States District Court for the Western District of North Carolina
The Honorable James C. Cacheris
2004-2007

The defendant was convicted at trial for conspiracy to distribute over 1,000 kilograms of cocaine, following a previous mistrial, due to a hung jury. A few weeks before the second jury trial, the lead case agent was murdered in an unrelated crime, and the agent's testimony was admitted as the statement of an unavailable declarant. I tried both jury trials. Affirmed on appeal. 2004-2007.

Defense counsel:

Trevor M. Fuller (appeal)
307 W. Tremont Street, Suite 200
Charlotte, NC 28203

16. **Legal Activities**: Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As described above, one of my most impactful prosecutions was the racketeering prosecution of the Outlaws Motorcycle Gang. The conviction of 21 members of this notoriously violent motorcycle gang effectively dismantled the Charlotte and Lexington chapters and provided closure to victims of the gang's violent crimes.

Prior to becoming the United States Attorney for the Western District of North Carolina, and continuing during my tenure as United States Attorney, I provided training for local and federal law enforcement officers at the Charlotte-Mecklenburg Police Department and at various law enforcement conferences. The focus of my teaching was the investigation and preparation of narcotics and violent crime cases for federal prosecution.

As United States Attorney, I also endeavored to develop more collaborative and dynamic partnerships between law enforcement, the U.S. Attorney's Office, and community stakeholders. To that end, I worked to expand the office's Weed & Seed partnerships in Asheville and Shelby to include development of a community garden, computer training for community members, and athletic activities for our youth.

As United States Attorney in the Virgin Islands, beginning in 2018, I worked closely with our Project Safe Neighborhoods partners to foster public safety and enhance relationships between the U.S. Attorney's Office (USAO) and the community. In August of 2019, approximately 50 Virgin Islands youth attended Camp DEFY (Drug Education for Youth) on both St. Thomas and St. Croix. Camp Defy was supported by the USAO through Project Safe Neighborhoods, and through Weed & Seed. Camp DEFY trainers and facilitators were provided by the Virgin Islands Police Department and the Virgin Islands National Guard. I also regularly attended community meetings throughout the islands to foster dialog and build trust.

17. **Teaching**: What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

For over 30 years, I have conducted trainings for law enforcement on an ad hoc basis. In the late 1980's, I provided training on arson prosecutions for the International Association of Arson Investigators. In the 1990's and early 2000's, I provided training to federal, state, and local law enforcement officers on how to prosecute narcotics, firearms, and violent crime. Some of these training courses were presented at the Charlotte Mecklenburg Police Department, the Organized Crime & Drug Enforcement Task Force conferences, and at local police departments. I have also taught courses at the DOJ National Advocacy Center on trial advocacy and Project Safe Neighborhoods. I do not recall the precise dates, nor do I have copies of those training materials.

18. **Deferred Income/ Future Benefits**: List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I have no arrangements in the future to be compensated for any financial or business interest.

19. **Outside Commitments During Service**: Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

None

20. **Sources of Income**: List sources and amounts of all income received during the calendar

year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding $500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

Please see my OGE-278 as provided by the Office of Government Ethics.

21. **Statement of Net Worth**: Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest**:

a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

During the nomination process, I consulted with the Department of Justice's ethics office and Designated Ethics Officer to identify any potential conflicts. If I am confirmed, I will continue to consult with that office and will recuse myself from any matter in which recusal is required.

b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

If I am confirmed, any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official. If confirmed, I will continue to consult with the Department of Justice's ethics office and will recuse myself from any matter in which recusal is required.

23. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Because my role as a prosecutor might conflict with representation of indigent defendants, I have never done criminal pro bono work. I have participated through my church and faith community in support of activities to help the disadvantaged.

AFFIDAVIT

I, **Gretchen C.F. Shappert**, do swear that the information provided in this statement is, to the best of my knowledge, true and accurate.

July 22, 2026
(DATE)

(NAME)
(NAME)

(NOTARY)

ERIC IZZARD II
NOTARY PUBLIC
DISTRICT OF COLUMBIA
EXPIRES MAR 14 2023