

## **Former DA faces perjury charges**

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Former District Attorney Rick Roach could return to the Gray County Court House as soon as Friday for arraignment on perjury charges.

A Gray County grand jury indicted Roach Tuesday afternoon on charges of aggravated perjury.

Judge Steven Emmert of the 31st District Court set bond for Roach at \$25,000.

Roach is currently on his way to a federal prison after pleading guilty to a weapons charge earlier this year. He was removed from Randall County Jail Tuesday for transport to an undisclosed federal facility, according to Vicky Roberts of the U.S. Marshals' office in Amarillo.

In a plea bargain agreement, federal drug charges against Roach were dropped.

Tuesday's indictment closely tracks an objection to a Roach affidavit by District Attorney Pro Tem David Scott of Perryton as reported in Monday's Pampa News.

Scott was named District Attorney Pro Tem and has investigated charges against Roach at the state level after Roach was arrested and charged with federal drug crimes. Judge Bill Smith of the 84th District Court in Borger was appointed to hear the state charges after Judge Emmert recused himself from the case.

Lynn Switzer, the 31st District Attorney who replaced Roach, said Judge Smith had ruled that the actions taken by Roach that resulted in the perjury indictment happened outside the scope of his and Scott's jurisdiction, leaving the perjury accusations and grand jury up to Switzer.

Since she had served under Roach and was involved in prosecuting a drug trial this week, Switzer asked Gray County Attorney Josh Seabourn to present the case to the grand jury Tuesday.

After the grand jury returned the indictment, Judge Emmert set 1 p.m., Friday, as an arraignment date for Roach in the Gray County Court House. A writ of habeas corpus to bring Roach to Pampa was expected to be issued.

Seabourn said this morning that the prosecuting attorney in the perjury case will have to request a bench warrant from the presiding judge in order to bring Roach to an arraignment.

Local law enforcement officers must then travel to Roach's location, bring him back for the court appearance, house him during the procedure, and then return him to the federal prison in which he is incarcerated.

A representative of the 31st District Clerk's office said this morning that no bench warrant or writ of habeas corpus had been filed concerning Roach's perjury charge.

Switzer was in court this morning and was unavailable for comment.

Emmert indicated that he will recuse himself from the perjury case, which could necessitate a rescheduling of the arraignment.

On Monday, Scott filed an objection to an affidavit made by Roach on June 10, concerning Roach's financial status.

Roach had filed the financial report in a request for a court-appointed attorney.

In the financial report, Roach indicated he has no land, car, property or money.

Scott, in his objection, said Roach owns a lot in Miami, a pickup, a retirement account, a coin collection valued at \$30,000 and other property.

In his objection, Scott said that Roach could not make himself indigent and then demand a public defender.

"Defendant is clearly not indigent and is not entitled to appointed counsel," Scott said.

Roach was indicted May 17 by a Gray County grand jury on two charges of possession of a controlled substance with intent to deliver. One count specifies methamphetamine, while the other specifies cocaine.

The former district attorney was sentenced to five years in prison and three years supervised probation June 1 in federal court in Amarillo.