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SHORTT AGREES TO PLEAD GUILTY TO CONSPIRACY AS PART OF DEAL

RICK BRUNDRETT, Staff Writer

A former West Columbia doctor charged with illegally prescribing steroids to NFL football players could face up to five years in federal prison and a \$250,000 fine under a plea deal reached Monday.

James Shortt, 59, agreed to plead guilty to one count of conspiracy to distribute anabolic steroids and human growth hormones. In exchange, prosecutors agreed to dismiss 42 counts of distributing the drugs. The six-page agreement, filed in U.S. District Court in Columbia, does not specify a sentence for the alternative-medicine physician. That will be determined by U.S. District Judge Joe Anderson, if he accepts the deal.

A court hearing has not been scheduled. Sentencing wouldn't occur until at least 90 days later.

"It would be highly unusual not to have some active sentence," said **Jack Swerling**, a longtime Columbia criminal defense lawyer who is not connected to the case but is experienced in federal court cases.

Swerling said the sentence could include prison time, house arrest or detention in a halfway house, or any combination of the three. Under federal sentencing guidelines, which are advisory, Anderson can consider the dismissed charges, though he cannot go beyond the maximum sentence for the conspiracy charge, **Swerling** said.

Each of the dismissed counts carries the same maximum sentence as the conspiracy charge.

Efforts to reach Shortt, who is living in California, were unsuccessful. Allen Burnside, his federal public defender, declined to comment.

Nancy Wicker, spokeswoman for the U.S. Attorney's Office in Columbia, also declined to discuss the case, though she said judges accept the "vast majority" of plea agreements.

In court papers filed in January, prosecutors said Shortt dispensed anabolic steroids and human growth hormones to professional athletes, amateur bodybuilders, law enforcement officers and others.

Indictments issued in September and November alleged Shortt distributed the drugs from Jan. 16, 2001, to June 1, 2004. The conspiracy charge he agreed to plead guilty to covered a longer period, from December 1998 to Sept. 21, 2005.

Prosecutors have not identified any of Shortt's patients in indictments. However, at least four current or former members of the Carolina Panthers testified before a federal grand jury or agreed to tell prosecutors about their ties to Shortt, The State and other news outlets have reported.

Former tight end Wesley Walls, former punter Todd Sauerbrun, former offensive tackle Todd Steussie, former defensive lineman John Miley, retired guard Kevin Donnalley and current center Jeff Mitchell have been linked to Shortt's case.

In an August 2005 interview on HBO's "CostasNow" program, Shortt said he treated about 18 National Football League players, providing about half with anabolic steroids and most with human growth hormones. Shortt said he gave the drugs to repair injuries, not to enhance performance.

Columbia attorney Richard Gergel, who represents the families of two patients who died under Shortt's care, said Monday the plea agreement is "wholly consistent with what we have been saying from the beginning."

"His practice was predatory, and he took advantage of people who were desperate," Gergel said.

Gergel said he expects Shortt's S.C. medical license, which has been under temporary suspension since April, to be revoked because of the plea agreement.

No criminal charges have been filed in the cases involving the two patients who died. But the 2004 death of Katherine Bibeau, 53, who received intravenous hydrogen peroxide treatments for her multiple sclerosis, was ruled a homicide by Richland County Coroner Gary Watts.

Reach Brundrett at (803) 771-8484 or rbrundrett@thestate.com.

To read previous stories about the federal steroid case against Dr. James Shortt, visit thestate.com.

THE CASE

Former West Columbia doctor James Shortt agreed Monday to plead guilty to one federal count of conspiracy to distribute anabolic steroids and human growth hormones.

In exchange, prosecutors agreed to drop 30 counts of dispensing steroids and 12 counts of distributing human growth hormones.

Shortt could face a maximum of five years in federal prison and a \$250,000 fine.

Shortt



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