

STATE OF NORTH CAROLINA
COUNTY OF CHEROKEE

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION


FILE # 20 CRS 1029

	)	INDICTMENT
)	
STATE OF NORTH CAROLINA	)	I. FELONY OBSTRUCTION OF JUSTICE
	)	II. FELONY OBSTRUCTION OF JUSTICE
v.	)	III. CONTRIBUTING TO THE
	)	DELINQUENCY OF A MINOR
	)	IV. CONTRIBUTING TO THE
CYNTHIA RAXTOR PALMER	)	DELINQUENCY OF A MINOR
	)	V. WILLFUL FAILURE TO DISCHARGE
	)	DUTIES
	)	VI. PERJURY

-
- I. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or between January 1, 2016 through December 31, 2016, in Cherokee County, the defendant named above unlawfully, willfully and feloniously did obstruct justice. The defendant, as the Director of the Cherokee County Department of Social Services (DSS), was aware of, made a custom practice, and allowed the usage of "Custody and Visitation Agreements" (CVAs), which were agreements that allowed the removal of minor children from their parent(s) without court involvement, in violation of North Carolina law. The use of these agreements effectively avoided judicial oversight into the activities of Cherokee County DSS, and subverted the statutory process for determining abuse and neglect of children, and determining custody and parental rights. The practice of using CVAs interfered with the parental relationship between a parent and child, violating the constitutional and statutory rights of parents and minor children. This offense was done in secrecy and with malice; with deceit and intent to defraud; was infamous; and was done in violation of the common law, and against the peace and dignity of the State.
- II. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or between January 1, 2017 through December 31, 2017, in Cherokee County, the defendant named above unlawfully, willfully and feloniously did obstruct justice. The defendant, as the Director of the Cherokee County Department of Social Services (DSS), was aware of, made a custom practice, and allowed the usage of "Custody and Visitation Agreements" (CVAs), which were agreements that allowed the removal of minor children from their parent(s) without court involvement, in violation of North Carolina law. The use of these agreements effectively avoided judicial oversight into the activities of Cherokee County DSS, and subverted the statutory process for determining abuse and neglect of children, and determining custody and parental rights. The practice of using CVAs interfered with the parental relationship between a parent and child, violating the constitutional and statutory rights of parents and minor children. This offense was done in secrecy and with malice; with deceit and intent to defraud;

was infamous; and was done in violation of the common law, and against the peace and dignity of the State.

- III. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or between September 1, 2016 and November 21, 2016, in Cherokee County, the defendant named above unlawfully and willfully did knowingly, while at least 16 years of age, cause, and aid H.H. (DOB 1/16/2006), a juvenile, to be in a place, away from her legal custodian due to the usage of a Custody and Visitation Agreement (CVA), whereby that juvenile could be adjudicated delinquent, undisciplined, abused, and neglected. This act was done in violation of N.C.G.S. § 14-316.1.
- IV. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or between March 1, 2017 to June 15, 2017, in Cherokee County, the defendant named above unlawfully and willfully did knowingly, while at least 16 years of age, cause and aid L.T. (DOB 5/24/13), a juvenile, to be in a place, away from his legal custodian due to the usage of a Custody and Visitation Agreement (CVA), whereby that juvenile could be adjudicated delinquent, undisciplined, abused, and neglected. This act was done in violation of N.C.G.S. § 14-316.1.
- V. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or between January 1, 2016 through December 31, 2017, in Cherokee County, the defendant named above unlawfully and willfully did, as the Director of the Cherokee County Department of Social Services (DSS), neglect to discharge a duty of her office, the responsibilities assumed under N.C.G.S. § 108A-14, by allowing the usage of "Custody and Visitation Agreements" (CVAs), which were agreements that removed minor children from their parents without court involvement, in violation of North Carolina law. This act was done in violation of N.C.G.S. § 14-230.
- VI. THE JURORS FOR THE STATE, UPON THEIR OATH, present that on or about February 28, 2018, in Cherokee County, the defendant named above unlawfully, willfully, and feloniously did commit perjury upon the trial of an action in District Court in Cherokee County wherein Michael Mathieu was the plaintiff, and Shalees Greenlee was the defendant, by falsely asserting on oath that, when questioned about the use of CVAs, "the first time I ever recall hearing of one was December 6, 2017, when I received a call from Mr. Lindsay about a similar agreement," knowing the statement, which was material, to be false. This act was done in violation of N.C.G.S. § 14-209.



Benjamin O. Zellinger
Special Prosecutor
N.C. Department of Justice



Criminal Specialist J. L. Massey
Witness, State Bureau of Investigation

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and, after hearing testimony, this bill was found to be:

A TRUE BILL by twelve or more grand jurors, and the undersigned Foreman of the Grand Jury attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

NOT A TRUE BILL

5.18.20
Date

K. Hill
Grand Jury Foreperson