

Canadian County man's trial taking many twists and turns

The trial for a former American Legion state official accused of embezzlement is set to begin early in the new year

By Traci Chapman
Contributing Writer

The case of a former American Legion state official accused of embezzlement continues to have more twists and turns than a rollercoaster.

Mustang resident David Kellerman, 45, stands accused of stealing, and then reselling for his own profit, historic rifles loaned to the American Legion by the U.S. Army.

The organization has historically distributed those firearms to legion posts throughout the state; prosecutors maintained Kellerman

used his position as state adjutant, which he held between 2003 and 2011, to complete and then cover up those crimes. He is also charged with knowingly concealing stolen property.

The case has been a strange one from the start, officials said — from the discovery as an investigator was, himself, a felon to a succession of defense attorneys and a defendant who, from time to time, filed motions on his own.

The March criminal charges of another Mustang man could directly impact the Kellerman case in a way investigators could not have imag-

ined. Steven Pancoast, 42, faces 26 counts, including perjury, impersonating a law enforcement officer and possessing a firearm after a felony conviction. Prosecutors said Pancoast, who worked for almost five years as an investigator and safety programs administrator for the Oklahoma Department of Veterans Affairs, had lied about his background and qualifications.

And, it was in that capacity as a veteran's affairs investigator that Pancoast had obtained a warrant — in connection with Kellerman. The warrant yielded evidence that led to the former American Legion official's arrest on drug charges in June 2014. Those charges would be dismissed in August.

"This dismissal was based upon the state's discovery that Steven Pancoast's June 6, 2014 affidavit for search warrant contained false statements, namely that Steven Pancoast was a verified law enforcement officer," prosecutors stated in the motion dismissing the drug case.

As for the former ODVA investigator, Pancoast was arrested March 20 by the Oklahoma Attorney General's office and FBI agents. Those officials said an investigation found Pancoast lied about his background and certifications, including that he had been certified by the Oklahoma Council on Law Enforcement

Education and Training — CLEET. According to documents filed in the case, investigators at CLEET told agents Pancoast's identification card was "fictitious" and the agency had no record of his certification.

Oklahoma State Bureau of Investigation agents then found the Mustang man had two felony convictions in New Jersey in a state prison there for larceny and weapon possession, according to court documents.

Agents said as an ODVA investigator, Pancoast helped bring charges against individuals allegedly committing fraud against the veteran's administration.

He carried a firearm when he participated in several arrests and testified under oath in several court hearings, allegedly perjurying himself by identifying himself as a law enforcement officer.

Oklahoma Attorney General Scott Pruitt in March touched on the possibility that Pancoast's actions could impact pending criminal cases, exactly as they did in the Oklahoma drug matter.

"We have also begun to review every case that our office received assistance from this individual," the attorney general said. "After agents from this office began to question his credentials, the seamless interaction between federal, state and local authorities led to him



David Kellerman, of Mustang, is accused of stealing and then reselling for his own profit, historic rifles loaned to the American Legion by the U.S. Army.

being quickly removed from the ODVA and to a charge and apprehension."

As much as the Pancoast matter has caused headaches, Kellerman has had his own issues — he is now on his fifth attorney in the embezzlement case and has been admonished by the judge for filing documents on his own.

In September 2015, Kellerman asked the court to dismiss his fourth attorney, Matthew Johnson, a recent Canadian County District Court Judge Gary Miller denied. Having Johnson's counsel didn't keep Kellerman from filing his own motions with the court. In October, the Mustang man filed a request for the return of property taken from his home during the investigation of the case. The issue was addressed during an Oct. 2 hearing.

"The court addressed Mr. Kellerman, advised him that this attorney was quite capable of filing motions on his behalf and any motions that were to be filed by Mr. Johnson, Ms. Tilly (prosecutor) would have to respond to," the judge's court minute stated. "The court will not require Ms. Tilly to respond to motions both from Mr. Johnson and Mr. Kellerman; at this time, the two motions filed by Mr. Kellerman are stricken."

Despite Judge Miller's instructions, Kellerman directly filed a motion asking the judge to reconsider his order denying a dismissal of the charges against the Mustang man.

On Dec. 15, Norman attorney Kenneth Dominic filed his appearance as Kellerman's new defense counsel.

Kellerman is set to stand trial in early 2016. It wasn't known as of press time if Dominic's recent hiring would delay the case further.

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