

Builder indicted again

Tony Erpenbeck tied to threats against pair

By James McNair
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Tony Erpenbeck, patriarch of the home-building family – sentenced to six years in prison for witness tampering in connection with his son's bank fraud case – has been indicted on new charges, the U.S. Attorney's Office said Thursday.

No details about the indictment were released, but a source close to the government's investigation said it relates to threats Erpenbeck allegedly made against U.S. District Judge S. Arthur Spiegel and former assistant U.S. Attorney Kathleen Brinkman, who retired last fall. Spiegel presided over Erpenbeck's trial while Brinkman was the prosecutor.

U.S. Attorney Gregory Van Tatenhove and the FBI's top agent in Kentucky, Steven Gurley, plan to announce details of the indictment at a press conference this morning in Lexington.

Last July, Spiegel sentenced Erpenbeck, 70, to 70 months in prison for trying – and failing – to steer witness testimony before a sentencing hearing in the bank-fraud conviction of his son, Bill Erpenbeck. The witness was Tony Erpenbeck's daughter, Lori, an employee of Bill Erpenbeck's defunct home-building company. FBI agents listened to the conversation through a transmitter that she wore.

At his request, Tony Erpenbeck was imprisoned in a federal medical facility near the horse farms of northwest Lexington.

But on March 9, the Bureau of Prisons transferred Erpenbeck to a high-security prison in Atlanta. It would not say why. On March 31, the agency transferred him again to a prison in Oklahoma City, again without explanation.

Ed McTigue, who represented Erpenbeck at trial, said he was unaware of the latest charge. Neither Van Tatenhove nor Gurley could be reached Thursday.

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