

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

JUN 24 2010

ms

for the

The District of New Mexico

United States of America)

v.)

Paul N. DESANTIS)

Case No.)

MATTHEW J. DYKMAN

CLERK

10-MJ-1816

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 06-23-2010 in the county of Bernalillo in the _____ District of New Mexico, the defendant violated 21 U. S. C. § See Attachment I, an offense described as follows:

Knowingly possessing with Intent to Distribute oxycodone, a schedule II controlled substance; obtaining a controlled substance for fraudulent means; conspiracy; and carrying a firearm during and in relation to a drug trafficking crime.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

[Handwritten signature]

Complainant's signature

DEA SA Thomas K. Solis

Printed name and title

Sworn to before me and signed in my presence.

Date: 24 June 2010

[Handwritten signature]

Judge's signature

City and state: Albuquerque, New Mexico

US Magistrate Judge

RICHARD L. PUGLISI
U.S. MAGISTRATE JUDGE

Attachment 1

Title 21 USC 841 (a) (1) (b) (1) (c), 843(a) (3), 846, 952

Affidavit Attachment

1. On June 2, 2010, the Drug Enforcement Administration Albuquerque District Office received information regarding fraudulent prescriptions for Oxycontin being written on secure script prescription paper stolen from the University of New Mexico Hospital (UNMH). A Cooperating Source (CS) provided the following information.
2. The CS stated that the person who was providing the fraudulent prescriptions was Paul DESANTIS. DESANTIS was a Doctor of Pharmacy student who was a pharmacy intern at UNM Hospital. The CS stated that DESANTIS had stolen a ream of the secure script paper and had a printer which would print forged prescriptions that were identical to authentic prescriptions. The CS stated that DESANTIS has the stolen paper, and the printer at his residence, which is located 7509 Jackrabbit Street NE, Albuquerque, NM. The CS also stated that DESANTIS carried an H&K semi-auto pistol in a Louis Vitton purse while conducting his drug transactions.
3. On June 23, 2010, the CS was contacted by DESANTIS who requested that the CS fill a fraudulent prescription. Surveillance was established on DESANTIS' residence located at 7509 Jackrabbit Street NE, Albuquerque, NM. Surveillance observed DESANTIS exit his residence carrying a light shade of blue piece of paper, which is identical to the stolen secure script prescription paper and a brown purse. DESANTIS entered his black BMW and drove to the Walgreen's located at 6250 Paseo del Norte in Albuquerque. DESANTIS drove through the Walgreen's parking lot and then parked in the Lowe's parking lot, which is located directly south of the Walgreen's. Surveillance observed the CS, who was previously

searched and had no contraband or prescriptions on his person or vehicle, arrive at the Lowe's and meet with DESANTIS. DESANTIS gave the CS the fraudulent prescription and \$2,400.00 in U.S. currency. Surveillance then observed the CS enter the Walgreen's.

4. The Walgreen's was again not able to fill the requested quantity of prescription drugs, and the CS was referred to the Walgreen's located at 8011 Harper Road NE, Albuquerque, NM. The CS contacted DESANTIS and gave the new location and surveillance observed DESANTIS drive to the Harper street Walgreen's and drive through the parking lot. Once the prescription was filled, the CS contacted DESANTIS and surveillance observed DESANTIS drive through the Walgreen's slowly, and then the CS followed DESANTIS through the parking lot to the east side where both parked. The CS exited his/her vehicle with the white Walgreen's prescription bag and entered DESANTIS' black BMW. After a few moments, surveillance observed the CS exit DESANTIS' vehicle with nothing in his/her hands. DESANTIS then departed the area. The CS and his/her vehicle were searched and no contraband or prescriptions were found.

5. DESANTIS was followed to his residence, located at 7509 Jackrabbit Street NE, Albuquerque, NM. When Special Agents and Task Force Officers approached DESANTIS and the law enforcement vehicles with police lights activated moved to block DESANTIS, DESANTIS backed up and attempted to flee the agents. DESANTIS was stopped and arrested without further incident. A search of the BWM passenger compartment revealed bottles of prescription controlled substances on the passenger side floor board of the vehicle. An approximately 8" blade knife was located under the driver's seat of the vehicle. In the brown purse was located an H&K .40 caliber semi-automatic pistol.

6. On June 23, 2010, subsequent to DESANTIS's arrest, DEA Special Agents were waiting outside DESANTIS' residence when Ben MILTENBERGER arrived at the house. Upon approaching MILTENBERGER and identifying themselves as DEA Special Agents, MILTENBERGER admitted that he was attempting to purchase oxycontin. MILTENBERGER stated that he had been purchasing oxycontin from DESANTIS twice weekly for over two years. MILTENBERGER was identified and released.

7. Based on the foregoing, I believe that probable cause exists that Paul DESANTIS did on or about June 23, 2010 knowingly obtain by fraud or forgery a controlled substance in violation of Title 21 U.S.C. section 843(a)(3) and did possess with the intent to distribute oxycodone a schedule II controlled substance in violation of Title 21 U.S.C. Section 841(a)(1)(b)(1)(c) and 952.

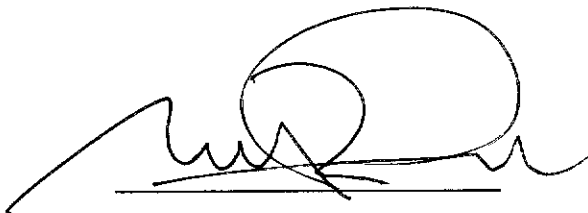
Subscribed to and sworn before me this 24th day of June 2010 in Albuquerque, New Mexico.



Thomas K. Solis

Special Agent

Drug Enforcement Administration



United States Magistrate Judge

~~Robert~~ L. Puglisi

RICHARD