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BOSSIER CITY DOCTOR, HIS WIFE AND FORMER EMPLOYEE CONVICTED AT TRIAL FOR PRESCRIPTION FRAUD SCHEME

SHREVEPORT, La.: TANDY McELWEE, JR., age 61, of Natchitoches, Louisiana, formerly of Bossier City, Louisiana, was convicted along with his wife AVA CATES McELWEE, age 50, and a former employee, CATHERINE COCKRELL, age 36, of Keithville, Louisiana, by a federal jury for participating in a wide-ranging scheme to obtain controlled substances by fraud, United States Attorney Donald W. Washington announced today. The jury returned its verdict after 10 p.m. Friday evening after a two week trial, including a day and a half of deliberation.

All three defendants were convicted of conspiracy to obtain hydrocodone, a Schedule III controlled substance, by fraud over a three and a half year period from January 2004 through August 2007. Hydrocodone is also known as Lorcet, Lortab, Histussin HC and Histinex HC. They carried out the conspiracy by submitting improper prescriptions to pharmacies in the Shreveport-Bossier area in one another's names as well as the names of family members and fictitious names. One prescription was written for an individual named Brandi McElwee, who in fact is one of the McElwee's dogs.

In addition to the conspiracy, Tandy McElwee was convicted of 19 counts of obtaining or acquiring a controlled substance by fraud, 9 counts of possession of hydrocodone with intent to distribute, one count of conspiracy to possess hydrocodone with intent to distribute, one count of providing false information in

records of dispensed controlled substances, and one count of health care fraud related to fraudulently billing Blue Cross Blue Shield of Louisiana. The jury acquitted Tandy McElewee of 48 counts of obtaining or acquiring hydrocodone by fraud and three counts of health care fraud.

Ava McElwee was convicted of one additional count of obtaining or acquiring hydrocodone by fraud. The jury acquitted Ava McElwee of 66 counts of the same offense and one additional count of health care fraud.

Catherine Cockrell was convicted of an additional six counts of obtaining or acquiring hydrocodone by fraud. The jury acquitted Catherine Cockrell of 60 counts of the same offense and one count of health care fraud.

U. S. Attorney Donald Washington stated: "Reducing the supply of illegal drugs to this community remains a major law enforcement priority. Dispensing drugs illegally under cover of a professional practice and not for a legitimate medical purpose is a serious violation of public trust."

United States District Judge S. Maurice Hicks set sentencing for January 10, 2010. The conspiracy charge and each count of obtaining or acquiring hydrocodone by fraud, as well as the charge of providing false record information, carries a maximum penalty of four years in prison, a \$250,000 fine, or both. Health care fraud carries a maximum penalty of 20 years in prison, a \$250,000 fine, or both. Conspiracy to possess hydrocodone with intent to distribute carries a maximum penalty of 5 years in prison, a \$250,000 fine, or both.

Sentencing in federal court is determined by the discretion of federal judges and the governing statute. Parole has been abolished in the federal system.

The case was investigated by the Shreveport Offices of the Drug Enforcement Administration and the Federal Bureau of Investigation, and is being prosecuted by Assistant United States Attorneys Allison D. Bushnell and C. Mignonne Griffing.

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