

NEWS

United States Department of Justice
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Montclair Man Sentenced to 60 Months in Prison for Illegally
Prescribing Drugs Over the Internet

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NEWARK - Stephen Ancier, a Montclair, New Jersey man, was sentenced today to the statutory maximum of 60 months in federal prison for illegally prescribing hundreds of thousands of doses of prescription drugs over the Internet, in exchange for approximately \$1.5 million dollars, U.S. Attorney Paul J. Fishman announced.

In addition to the prison term, U.S. District Court Judge Dennis M. Cavanaugh ordered Ancier, 63, to serve three years of supervised release, to forfeit \$465,955 to the United States as the proceeds derived from the drug offense, and to pay a \$7,500 fine.

On March 5, 2009, Ancier pleaded guilty in Northern District of Iowa federal court to one count of conspiracy to dispense controlled substances. Pursuant to an agreement between Ancier, the U.S. Attorney's Office for the Northern District of Iowa and the U.S. Attorney's Office for the District of New Jersey, Ancier was returned to his home state of New Jersey for sentencing.

According to the Indictment to which Ancier pleaded guilty, other documents filed in this case, and statements made in court:

Between early 2002 and continuing through at least February 2004, Ancier, then a physician, reached an agreement with others to dispense and caused to be dispensed Schedule III and Schedule IV controlled substances outside the usual course of medical practice and without a legitimate medical purpose.

Controlled substances were ordered by Internet pharmacy customers who logged onto various websites and prepaid for the drugs with credit or debit cards. After payment was verified, the controlled substance orders were sent to physicians, including Ancier, for review. The physicians would authorize the controlled substances and would attach an electronic signature. Pharmacies throughout the United States would then fill the prescriptions.

The customers would obtain the controlled substances over the Internet without ever seeing a doctor, using whatever name they chose. Customers would answer a questionnaire regarding the drug they sought to obtain, and in some instances, default answers were provided so that the customer could get whatever drug they wanted. The physician authorizing the prescription would not produce an original prescription in any form. Instead, the web server company would create a document which appeared to be a prescription. The downloaded "prescriptions" were not lawful prescriptions under federal law.

Ancier, in his capacity as a physician, illegally authorized the prescription of hundreds of thousands of dosage units of controlled substances. In exchange, he received well over \$1.5 million dollars. Ancier never physically examined any customer for whom he authorized controlled substance prescriptions. He did not review or maintain medical records, nor have any telephonic, facsimile, or e-mail contact with the customers for whom he prescribed controlled substances. Ancier did not have a legitimate medical relationship with any of the Internet customers, nor was the Ancier's prescribing for the Internet customers done in the usual course of business.

Ancier, who was previously released on bail after being initially arraigned on the federal charges, had his bail revoked by United States Magistrate Judge Jon S. Scoles in the Northern District of Iowa following his arrest in New Jersey on October 21, 2008, for possession of heroin, cocaine and hypodermic syringes.

In determining the actual sentence, Judge Cavanaugh consulted the advisory United States Sentencing Guidelines, which provide appropriate sentencing ranges that take into account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The Judge, however, is not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all the time.

U.S. Attorney Fishman thanked the U.S. Attorney's Office for the Northern District of Iowa. He also credited Special Agents of the Drug Enforcement Administration's Newark Field Office, under the direction of Acting Special Agent in Charge John G. McCabe, Jr.

This case was prosecuted in the Northern District of Iowa by Assistant United States Attorneys Stephanie M. Rose, Patrick J. Reinert, and Matthew J. Cole, and the asset forfeiture work was handled by AUSA Marty McLaughlin and Paralegal Specialist Brenda Nietert. The case was investigated as part of the Organized Crime Drug Enforcement Task Force program of the United States Department of Justice through the cooperative efforts of the: Drug Enforcement Administration (DEA) Office of Diversion Control; Dubuque Drug Task Force, consisting of members of the Dubuque County Sheriff's Office, Dubuque Police Department, and Dubuque County Attorney's Office; Cedar Rapids DEA Drug Task Force, consisting of members of the DEA, Benton County Sheriff's Office, Iowa City Police Department, Linn County Sheriff's Office, Cedar Rapids Police Department, Marion Police Department, and Iowa Division of Narcotics Enforcement; Des Moines DEA Drug Task Force, consisting of members of the DEA, Polk County Sheriff's Office, Des Moines Police Department, Altoona Police Department, Urbandale Police Department, West Des Moines Police Department, Windsor Heights Police Department, and Iowa Division of Narcotics Enforcement; Internal Revenue Service - Criminal Investigation; United States Postal Inspection Service; and U.S. Immigration and Customs Enforcement.

The Government is represented in New Jersey by Assistant U.S. Attorney Andrew Carey of the U.S. Attorney's Organized Crime Drug Enforcement Task Force Division in Newark.

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Defense Attorney: Randolph Wolf, Esq. Redbank.