

Department of Justice

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Western District of New York

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CLARENCE PHYSICIAN INDICTED FOR DISTRIBUTING CONTROLLED SUBSTANCES

BUFFALO, N.Y.---U.S. Attorney William J. Hochul, Jr. announced today that a federal grand jury returned a seven-count Indictment charging Matthew Bennett, 46, of Clarence, N.Y., with unlawfully distributing and dispensing controlled substances, including oxycodone and oxymorphone, from his home and his medical office other than for a legitimate medical purpose and not in the usual course of professional medical practice.

Each count carries a maximum penalty of 20 years in prison and a \$1,000,000 fine. The Indictment also seeks forfeiture of Bennett's office building and his residence. The defendant, whose medical practice was located in North Tonawanda, closed his practice after a search warrant was executed at his medical office on August 10, 2012.

Assistant U.S. Attorney Timothy C. Lynch, who is handling the case, stated that on seven occasions between May and July 2012, Bennett issued prescriptions for controlled substances to undercover law enforcement officers without a proper medical examination and outside the norms of professional medical treatment. In addition, on several occasions, Bennett gave prescriptions to the undercover officers in exchange for items such as paper products and a gas grill.

The Criminal Complaint is the result of an investigation by the Drug Enforcement Administration, under the direction of Brian R. Crowell, Special Agent in Charge, New York Field Division, the Niagara County Drug Task Force, under the direction of Sheriff James Votour, the Amherst Police Department, under the direction of Chief John Askey, the Buffalo Police Department, under the direction of Commissioner Daniel Derenda, the Lancaster Police Department, under the direction of Chief Gerald Gill, the West Seneca Police Department, under the direction of Chief Edward Gehen, and the New York State Attorney General's Medicaid Fraud Control Unit, under the direction of Monica Hickey-

Martin.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

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