



Department of Justice

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DOCTOR SENTENCED TO 10 YEARS IN PRISON FOR ILLEGAL PRESCRIPTIONS

Dr. Phil Astin III Supplied Drugs to Many of His Patients

Newnan, Georgia--PHILIP C. ASTIN, III, 52, of Carrollton, Georgia, was sentenced today by United States District Judge Jack T. Camp to serve 10 years in federal prison for his conviction on 175 counts of illegally dispensing prescription drugs from 2002 until his arrest in 2007.

David E. Nahmias, United States Attorney for the Northern District of Georgia, said, "The long prison sentence imposed today reflects the egregious conduct over many years by this doctor, whose willingness to give powerful and dangerous prescription drugs to addicts harmed his patients and our community. We hope that this sentence and the wide attention this case has received will convince other doctors not to participate in prescription drug abuse, which is a violation of their oath that can lead them to years behind bars."

Rodney G. Benson, Special Agent in Charge of the DEA Atlanta Field Division said, "DEA continues to target those who violate the law by illegally distributing prescription drugs. Dr. Astin continuously betrayed the trust of his patients. His deplorable actions caused many to become addicted and even cost one individual her life. After today he will have plenty of time to think about his actions and will spend well-deserved time in prison. This investigation would have not been possible without the unified efforts of our federal, state and local law enforcement counterparts."

ASTIN was sentenced to 10 years in federal prison. There is no parole in the federal system. He was also ordered to serve 3 years supervised release, and ordered to perform 250 hours of community service.

According to United States Attorney Nahmias and the information in court: On January 29, 2009, ASTIN pleaded guilty to offenses relating to 19 patients who received hundreds of illegal prescriptions for methadone, Percocet, Oxycontin, M.S. Contin, Demerol, Lorcet, Ritalin, Vicodin, Klonopin, Vicoprofen, Xanax, Adderall, and Soma.

Through his plea agreement, ASTIN further admitted that the prescriptions he issued resulted in the death of one patient when she overdosed on the drugs. Finally, ASTIN admitted that he wrote and filled 16 prescriptions for Lortab, Xanax, Dexedrine, Adderall, and Ritalin in the names of two patients without their knowledge.

During the sentencing hearing today, prosecutors and witnesses described the scope of ASTIN's illegal conduct, which involved dozens of patients and illegal prescriptions for abused drugs from as early as 1999. Some patients received popularly abused painkillers, amphetamines, anxiety medications, and muscle relaxers for more than five years without a legitimate medical examination, diagnosis, or monitoring by ASTIN. A pharmacologist explained the severe damage that these drugs inflict upon the body, as well as the overwhelming physical and psychological dependence that results from abusing the drugs.

According to the evidence presented during the sentencing hearing, from approximately May 2002 until the date of his arrest in July 2007, ASTIN intentionally wrote prescriptions for controlled substances that were not for a legitimate medical purpose and were not in the usual course of a doctor's professional practice. ASTIN dispensed these prescriptions without conducting the appropriate physical examinations and diagnoses to justify the prescriptions and, as a result, many of the patients who received these illegitimate prescriptions became addicts. The evidence showed that ASTIN's notoriety grew among pill-abusing patients from across Georgia, Alabama, and other states, as well as professional wrestlers.

ASTIN also admitted to writing multiple prescriptions for the same drug on the same date, sometimes as many as four simultaneous Percocet prescriptions to the same patient for the same 30-day period, and wrote undated prescriptions as well. Federal law requires medical practitioners to sign and date each prescription for controlled substances on the date that it is issued. Finally, ASTIN dispensed methadone as a maintenance therapy without the proper license to dispense drugs in this fashion and in quantities and durations that readily perpetuated the addiction of these patients.

The evidence presented at the sentencing hearing included descriptions of several of the patients to whom ASTIN wrote illegal drugs. On June 20, 2007, one patient overdosed on Lortab, Xanax, and Soma that were prescribed by ASTIN and died from acute toxicity of the drugs, and prosecutors further described another patient who died, in part, from an overdose of Soma that had been prescribed by ASTIN. Other evidence included instances where ASTIN was alerted to the abuse and addiction of certain patients, yet continued to give them prescriptions for years.

The evidence showed that a professional wrestler said that it was widely known in the professional wrestling community that ASTIN would dispense prescriptions without performing a medical examination. This patient received prescription drugs, including

Lorcet, Percocet, Xanax, and Soma, from ASTIN from December 2004 until November 2005, and said that he did not receive a legitimate medical examination or testing from ASTIN during that time. The wrestler developed an addiction to the drugs, and ASTIN never questioned his addiction and instead simply wrote prescriptions for larger quantities of pills. The patient said that his girlfriend at the time and a number of professional wrestlers obtained prescription drugs from ASTIN for the purpose of abusing the drugs, adding that some of these wrestlers also were addicted to the drugs.

Prosecutors emphasized that these patients comprised only a portion of patients to whom ASTIN gave illegal prescriptions. According to a map presented during the hearing, ASTIN drew patients from throughout north Georgia, as well as other states, because it became well known among those who abuse prescription drugs that he was willing to give prescriptions without a legitimate medical examination or diagnosis.

This case was investigated by Diversion Investigators of the Drug Enforcement Administration (DEA), the National Drug Intelligence Center (NDIC), and the Fayette County Sheriff Department's Drug Suppression Task Force with the assistance of the West Georgia Drug Task Force, and the Carroll County Sheriff's Department.

This case was prosecuted by Assistant United States Attorneys John Horn and Jeffrey Davis.

For further information please contact David E. Nahmias, United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.