

AFFIDAVIT

I, Brian Aust, being duly sworn, do hereby depose and state:

1. I am a Special Agent (SA) with the United States Department of Housing and Urban Development - Office of Inspector General ("HUD") in Baton Rouge, Louisiana, and have been so employed in that capacity for approximately 1.5 years. I have been employed in various positions within law enforcement for approximately 16 years. I am currently assigned to the National Disaster Fraud Task Force, and my duties include the investigation of federal crimes including fraudulent applications for and receipts of federal benefits related to HUD, within the Eastern District of Louisiana and elsewhere.

2. LIONEL PERKINS, JR., a/k/a Terry L. Perkins, a/k/a Terry Lee Perkins ("LIONEL PERKINS"), was born on or about March 30, 1954, in New Orleans, Louisiana, within the Eastern District of Louisiana, to Miriam Sanchez and Lionel Perkins, Sr.

3. On or about April 21, 1968, the defendant, LIONEL PERKINS, JR; applied to the United States Social Security Administration ("SSA") for a Social Security Number. As a result of that application, the defendant, LIONEL PERKINS, JR., was assigned Social Security Number XXX-XX-5805.

4. On or about June 27, 1956, Terry Lee Perkins, brother to the defendant, LIONEL PERKINS, JR., was born in New Orleans, Louisiana, within the Eastern District of Louisiana, to Miriam Sanchez and Lionel Perkins, Sr.

5. Prior to reaching the age of majority, and while still a minor, Terry Lee Perkins, brother to the defendant, LIONEL PERKINS, died.

6. On or about March 15, 1988, LIONEL PERKINS, submitted to the United States Social Security Administration an "Application For A Social Security Number Card" (SSA Form 5), posing as and representing himself to be Terry Lee Perkins, his deceased brother.

7. As a result of the representations made by LIONEL PERKINS on his "Application For A Social Security Number Card" (SSA Form 5), in which he posed as and represented himself to be Terry Lee Perkins, the United States Social Security Administration issued Social Security Number XXX-XX-3508 to "Terry Lee Perkins" on or about March 15, 1988. LIONEL PERKINS then began using the additional identity of "Terry L. Perkins" and the new Social Security Number, XXX-XX-3508, to apply for and receive numerous forms of government assistance and aid, while posing as Terry Lee Perkins.

8. On November 18, 2009, a superseding Bill of Information was filed in the Eastern District of Louisiana charging LIONEL PERKINS, JR. with, *inter alia*, Social Security Fraud, in violation of Title 42, United States Code, Section 408(a)(7)(B) (No. 09-178). On December 2, 2009, LIONEL PERKINS, JR. appeared in open court and waived prosecution by indictment.

9. One type of benefit LIONEL PERKINS, JR. sought and received as a result of his false and fraudulent statements concerning his identity was personal healthcare benefits under the Medicaid program. Medicaid is a public insurance (assistance) program that provides health care coverage to low-income families and persons with medical disabilities.

10. LIONEL PERKINS, JR. has recently submitted, or caused to be submitted, false claims for payment of Medicaid benefits, by posing as Terry L. Perkins and representing that his Social Security Number is XXX-XX-3508.

11. In particular, and as an example, on December 9, 2009, LIONEL PERKINS visited a Rite-Aid pharmacy located at 2152 Sherwood Forest Boulevard, Baton Rouge, Louisiana 70816, represented himself to be Terry Lee Perkins, and he caused a bill for services to be submitted to Medicaid in the amount of \$134.99. On or about December 15, 2009 , a payment in the amount of \$103.21 was paid by Medicaid based on this claim.

12. Also, on January 22, 2010, he visited a Rite-Aid pharmacy located at 4115 Jefferson Highway, Jefferson, Louisiana 70121, in the Eastern District of Louisiana, represented himself to be Terry Lee Perkins, and caused a bill for services to be submitted in the amount of \$134.99. On or about February 2, 2010, a claim for \$103.21 was paid by Medicaid based on this claim.

13. On or about February 4, 2010, just five (5) days ago, LIONEL PERKINS contacted a Medicaid analyst by telephone and requested to be recertified for Medicaid benefits. As part of the recertification process, LIONEL PERKINS, JR. represented himself to be Terry Lee Perkins and that his Social Security Number was XXX-XX-3508.

14. Based on the above information, your Affiant believes there is probable cause to believe that LIONEL PERKINS, JR., a/k/a Terry L. Perkins, a/k/a Terry Lee Perkins, knowingly

and willfully executed and attempted to execute a scheme and artifice to defraud a health care benefit program on December 15, 2009, January 22, 2010, and February 4, 2010; all in violation of Title 18, United States Code, Section 1347.

Brian Aust
Special Agent
U.S. Department of Housing and Urban Development-OIG

Sworn to before me and subscribed in my presence, at New Orleans, Louisiana, on this 9th day of February, 2010.

Alma L. Chasez
United States Magistrate Judge