

United States District Court  
District of New Jersey

ORIGINAL FILED  
AUG 30 2011  
MADELINE COX ARLEO  
U.S. MAG. JUDGE

UNITED STATES OF AMERICA : Hon. Madeline Cox Arleo  
:   
:   
v. : **CRIMINAL COMPLAINT**  
:   
SHIRLEY BASS, a/k/a "Pee Wee," and : Magistrate No. 11-8160  
SHAREE BASS, a/k/a "Bambi"

I, David J. Formalarie, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. From at least on or about March 8, 2011, through on or about August 11, 2011, in Essex County, in the District of New Jersey and elsewhere, defendants did:

SEE ATTACHMENT A

contrary to Title 21, United States Code, Section 841(a) and (b)(1)(C), and in violation of Title 21, United States Code, Section 846.

I further state that I am a Task Force Officer with the Drug Enforcement Administration and that this complaint is based on the following facts:

SEE ATTACHMENT B

  
\_\_\_\_\_  
David J. Formalarie  
Task Force Officer  
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

August 30, 2011 at  
Date

Newark, New Jersey  
City and State

  
\_\_\_\_\_  
Honorable Madeline Cox Arleo  
United States Magistrate Judge

## ATTACHMENT A

knowingly and intentionally conspire and agree with each other and with others to distribute and to dispense a mixture or substance containing a detectable amount of oxycodone, a Schedule II controlled substance, contrary to Title 21, United States Code, Section 841(a)(1) and (b)(1)(C), and in violation of Title 21, United States Code, Section 846.

## ATTACHMENT B

I, David J. Formalarie, am a Task Force Officer with the Drug Enforcement Administration ("DEA"). The facts set forth below to the best of my knowledge and belief are based on information provided by a cooperating witness working with the DEA, consensually recorded conversations and meetings, physical and electronic surveillance, and my discussions with other individuals involved in this investigation.

1. Since at least December 2010, the DEA has been working with a cooperating witness ("CW-1") who has proven reliable and credible. CW-1 informed the DEA, inter alia, that twin sisters SHIRLEY BASS and SHAREE BASS were counterfeiting medical prescriptions for oxycodone in Newark, New Jersey, and using numerous co-conspirators to fill the prescriptions at pharmacies located across the State, which pills were then redistributed.

2. Oxycodone is an orally active opioid analgesic approximately twice the potency of morphine designed for the treatment of chronic pain. Oxycodone is a Schedule II controlled substance, meaning that it has a high potential for abuse, a currently accepted medical use with severe restrictions, and abuse of the drug or other substance may lead to severe psychological or physical dependence. Oxycontin, manufactured by Purdue Pharma, Roxicodone, manufactured by Xanodyne Pharmaceuticals, Inc., and Percocet/Endocet, manufactured by Endo Pharmaceuticals, are brand-name pills that contain 80 milligram, 30 milligram, and 2.5-10 milligram amounts of oxycodone, respectively.

3. CW-1 advised that SHIRLEY BASS and SHAREE BASS have access to medical prescription paper and utilize sophisticated computer equipment to forge physician information and the prescriptions. Such prescription paper is otherwise available only to printing companies authorized by the State of New Jersey to print medical prescription pads. Evidence developed by the DEA demonstrates that counterfeit prescriptions created by the BASS sisters were used to obtain oxycodone from pharmacies in Essex County and at least as far south as Ocean County.

4. On or about March 8, 2011, CW-1 purchased from SHIRLEY BASS and SHAREE BASS ten counterfeit prescription blanks in exchange for \$300 in U.S. currency. Five of the prescriptions subsequently were completed by a co-conspirator for oxycodone. On or about June 14, 2011, CW-1 purchased from SHIRLEY BASS and SHAREE BASS five counterfeit prescriptions for oxycodone in exchange for \$200 in U.S. currency. During this time, CW-1 observed SHAREE BASS sell pharmaceutical drug controlled substances to others who entered the premises. On or about July 7, 2011, CW-1 purchased from SHIRLEY BASS and SHAREE BASS ten counterfeit prescriptions, six of which were completed for oxycodone, in exchange for \$410 in U.S. currency. During this time, CW-1 observed SHIRLEY BASS sell counterfeit prescriptions and pharmaceutical drug controlled substances to others who entered the premises. On or about July 28, 2011, CW-1 purchased from SHIRLEY BASS and SHAREE BASS five counterfeit prescriptions for oxycodone in exchange for \$220 in U.S. currency. On or about August 11, 2011, CW-1 purchased from SHIRLEY BASS and SHAREE BASS five counterfeit prescriptions for oxycodone in exchange for \$260 in U.S. currency.

5. Except as noted above, each prescription purchased by CW-1 had the names, dates of birth, and addresses of fictitious patients (provided by CW-1), and the prescription for oxycodone, printed on it. In contrast, the doctor's handwritten signature was forged. Of the 35 prescriptions purchased by CW-1 from the BASS sisters alone, the names of 11 different physicians – from Bergen, Essex, Middlesex, Morris and Passaic Counties – were counterfeited.