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Southern District of New York*

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**WEST HARRISON, NEW YORK, PHARMACIST SENTENCED  
IN WHITE PLAINS FEDERAL COURT TO TWO YEARS IN PRISON  
FOR ILLEGALLY DISPENSING PRESCRIPTION DRUGS**

PREET BHARARA, the United States Attorney for the Southern District of New York, announced that SCOTT BURKO, 47, a pharmacist, of West Harrison, Westchester County, New York, was sentenced today in White Plains federal court to two years in prison for participating in a conspiracy to dispense prescription drugs without valid prescriptions and dispensing prescription drugs unlawfully and with intent to defraud and mislead. United States District Judge KENNETH M. KARAS imposed the sentence.

In imposing the sentence on BURKO, Judge KARAS, citing the defendant's "brazen and longstanding criminal conduct" and the fact that his conduct required "planning, guile, and attention to detail," underscored the need to impose a sentence that would deter others from engaging in similar conduct.

On November 30, 2010, BURKO pled guilty to three counts of an Indictment. The first count to which BURKO pled guilty charged that BURKO participated in a conspiracy from at least 2003 through March 31, 2006, to cause the dispensing without valid prescriptions of prescription drugs held for sale after shipment in interstate commerce. According to the Indictment, BURKO worked as a pharmacist for a company that operated pharmacies in Rockland County, Orange County, Dutchess County, and Westchester County. The second and third counts to which BURKO pled guilty charged that BURKO dispensed Prednisone on April 8, 2005, and March 31, 2006, pursuant to fraudulent prescriptions. As charged in the Indictment, on both occasions, BURKO dispensed Prednisone, a steroid, in 10 milligram tablets, pursuant to fraudulent prescriptions BURKO issued in the names of fictitious patients.

According to statements made by the Government during

prior proceedings in this matter and in the Government's submission filed in advance of the sentencing proceeding:

On 163 occasions, BURKO falsified pharmacy records and filled and dispensed Prednisone prescriptions for fictitious individuals. The dispensing of Prednisone pursuant to the fraudulent prescriptions was part of a larger scheme by which BURKO and at least one co-conspirator stole drugs from the pharmacies at which BURKO worked. Burko falsified pharmacy records to make it appear that he had received oral prescriptions (via telephone calls from doctors) for Prednisone for fictitious patients. BURKO then "filled" the false prescriptions and dispensed the medication to a co-conspirator, who came to the pharmacy to pick up the medication. When the co-conspirator left the pharmacy, he left with a bag containing the Prednisone, as well as numerous other medications.

In addition to his sentence of two years in prison, BURKO was also ordered to pay \$400,000 in restitution. Judge KARAS also imposed a term of three years' supervised release.

Mr. BHARARA praised the efforts of the Federal Bureau of Investigation in connection with this matter. Mr. BHARARA thanked the Clarkstown Police Department for its assistance in the investigation.

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This case is being handled by the White Plains Division of the United States Attorneys Office. Assistant United States Attorney MARCIA S. COHEN is in charge of the prosecution.

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