

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	Criminal No. 20cr10114
	)	
v.	)	Violation:
	)	
MARIETTA STRICKLAND,	)	<u>Count One</u> : Tampering with a Consumer
	)	Product
Defendant	)	(18 U.S.C. § 1365(a)(4))
	)	
	)	
	)	

INFORMATION

At all times relevant to this Information:

General Allegations

1. Defendant, MARIETTA STRICKLAND (“STRICKLAND”) was a resident of Dighton, Massachusetts.
2. From on or about September 20, 2016, until on or about April 22, 2018, Strickland was a Registered Nurse working at Dighton Care and Rehabilitation Center in Dighton, Massachusetts (hereinafter “Dighton Rehab”). Dighton Rehab was a long-term care facility with about 30 patients, many of whom received benefits through Medicare and Medicaid.
3. Oxycodone was a Schedule II controlled substance. Oxycodone Hydrochloride (“Oxycodone HCL”) was a drug that contained oxycodone and was an opioid used for pain relief.
4. The United States Food and Drug Administration (hereinafter “FDA”) was an agency within the executive branch of the Government of the United States. The FDA was the agency responsible for protecting the health and safety of the public by ensuring, among other things, that drugs intended for use in humans were safe and effective for their intended uses and

that the labeling of such drugs was true and accurate. As part of its mission to protect the public health, FDA—specifically its Office of Criminal Investigations—had the authority to investigate allegations of tampering with consumer products, including drugs.

STRICKLAND's Tampering with Victim 1's Morphine

5. While working at Dighton Rehab, STRICKLAND treated a hospice patient, hereinafter "Victim 1," an 89-year-old woman who was diagnosed with Alzheimer's disease and breast cancer, among other ailments. Victim 1 was prescribed Oxycodone HCL for pain control, and ordered to take one 5 mg Oxycodone HCL tablet twice a day.

6. Beginning at least on or about March 5, 2018, and continuing through on or about April 22, 2018, STRICKLAND tampered with three blister card packages of Oxycodone HCL prescribed to Victim 1 by removing the white Oxycodone HCL tablets and replacing them with other white tablets disguised to look like Oxycodone HCL. STRICKLAND collected white tablets that resembled the Oxycodone HCL tablets and scratched off the nomenclature identifying the tablets. These tablets included lisinopril (blood pressure medication), memantine (Alzheimer's disease medication), glipizide (diabetes medication), and benztropine (anti-seizure medication). Each of these disguised drugs were prescription drugs with potential drug interactions and side effects. STRICKLAND made small slits in the plastic portion of the blister card packaging holding Victim 1's Oxycodone HCL tablets and extracted the Oxycontin tablets and replaced them with the disguised tablets. Using this method, STRICKLAND stole at least 120 Oxycodone HCL tablets. As a result, Victim 1 was deprived of her prescribed Oxycodone HCL and instead received and ingested at least 77 unnecessary prescription tablets that were disguised to look like Oxycodone HCL.

COUNT ONE  
Tampering with a Consumer Product  
(18 U.S.C. § 1365(a)(4))

7. From on or about March 5, 2018, and continuing through on or about April 22, 2018, in the District of Massachusetts, the defendant,

MARIETTA STRICKLAND,

with reckless disregard for the risk that another person would be placed in danger of death or bodily injury, and under circumstances manifesting extreme indifference to such risk, did tamper with a consumer product that affected interstate commerce, to wit, three blister card packages containing the drug Oxycodone HCL prescribed to Victim 1, bearing the prescription and lot numbers listed below:

No.	Description	Prescription No.	Lot No.
1	Oxycodone HCL; 60 tablets (5 mg)	RxC2726620	S913944
2	Oxycodone HCL; 30 tablets (5 mg)	RxC2726746	EP170492
3	Oxycodone HCL; 30 tablets (5 mg)	RxC2726805	EP170665

and with the labeling and container for such products, by removing the Oxycodone HCL tablets from the blister card packages and replacing the removed tablets with other prescription tablets that STRICKLAND altered so they resembled Oxycodone HCL.

All in violation of Title 18, United States Code, Section 1365(a)(4).

Respectfully submitted,

ANDREW E. LELLING  
United States Attorney

By: /s/ Elysa Q. Wan  
ELYSA Q. WAN  
Assistant U.S. Attorney

Date: June 15, 2020

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. 2 Investigating Agency FDA, MA DPH

City Dighton

Related Case Information:

County Bristol

Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

Defendant Information:

Defendant Name Marietta Strickland Juvenile:  Yes  No

Is this person an attorney and/or a member of any state/federal bar:  Yes  No

Alias Name \_\_\_\_\_

Address (City & State) 2598 Pleasant Street, Dighton, MA 02715

Birth date (Yr only): 1958 SSN (last4#): 0511 Sex F Race: Caucasian Nationality: US

Defense Counsel if known: Mark Shea Address 929 Massachusetts Ave., Suite 200

Bar Number 558319 Cambridge, MA 02139

U.S. Attorney Information:

AUSA Elysa Q. Wan Bar Number if applicable 569231

Interpreter:  Yes  No List language and/or dialect: \_\_\_\_\_

Victims:  Yes  No If yes, are there multiple crime victims under 18 USC§3771(d)(2)  Yes  No

Matter to be SEALED:  Yes  No

Warrant Requested  Regular Process  In Custody

Location Status:

Arrest Date \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_

Already in State Custody at \_\_\_\_\_  Serving Sentence  Awaiting Trial

On Pretrial Release: Ordered by: \_\_\_\_\_ on \_\_\_\_\_

Charging Document:  Complaint  Information  Indictment

Total # of Counts:  Petty \_\_\_\_\_  Misdemeanor \_\_\_\_\_  Felony 1

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I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 06/15/2020

Signature of AUSA:

ELYSA WAN

Digitally signed by ELYSA WAN  
Date: 2020.06.15 13:13:42 -04'00'

District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Marietta Strickland

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. 1365(a)(4)</u>	<u>Tampering with a Consumer Product</u>	<u>1</u>
Set 2	_____	_____	_____
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

**ADDITIONAL INFORMATION:** \_\_\_\_\_