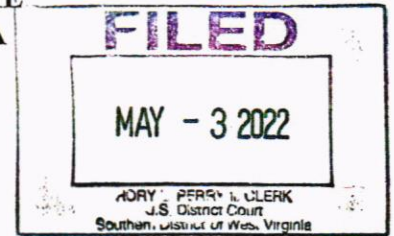


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2022
MAY 3, 2022 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:22-cr-00092
21 U.S.C. § 841(a)(1)
21 U.S.C. § 843(a)(2)

FREDERICK DE MESA

INDICTMENT

The Grand Jury Charges:

At all times material to this Indictment:

BACKGROUND

1. Defendant FREDERICK DE MESA worked at Squire Medical Center, located in War, West Virginia.
2. Defendant FREDERICK DE MESA's relative was a medical doctor ("Doctor 1") who had an active U.S. Drug Enforcement Administration ("DEA") registration number that allowed Doctor 1 to prescribe controlled substances, including Schedule IV controlled substances, consistent with that registration.
3. Defendant FREDERICK DE MESA was not a licensed medical professional and did not possess an active DEA registration number.
4. Under the Controlled Substances Act, Title 21, United States Code, Section 841(a), et seq., and Title 21, Code of Federal Regulations, Section 1306.03, the only persons entitled to issue prescriptions for controlled substances were practitioners who were (i) authorized to

prescribe controlled substances by the jurisdiction in which they were licensed to practice their profession, and (ii) registered with the DEA, or otherwise exempt from DEA registration.

5. Tramadol was a Schedule IV controlled substance.

6. Defendant FREDERICK DE MESA prescribed Schedule IV controlled substances, namely Tramadol, by using Doctor 1's DEA registration.

COUNTS ONE AND TWO

7. Paragraphs one through six of this Indictment are realleged and incorporated by reference as though fully set forth herein.

8. On or about the dates set forth in each count below, at or near War, McDowell County, West Virginia, and elsewhere, within the Southern District of West Virginia, defendant FREDERICK DE MESA knowingly and intentionally, and without authority, distributed a mixture and substance containing a detectable amount of tramadol, a Schedule IV controlled substance, as listed below, each of which constitutes a separate count of this Indictment:

Count	Approximate Date of Distribution	Individual	Controlled Substance
1	February 16, 2022	P.M.	Tramadol
2	April 15, 2022	P.M.	Tramadol

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(2).

COUNTS THREE AND FOUR

9. Paragraphs one through six of this Indictment are realleged and incorporated by reference as though fully set forth herein.

10. On or about the dates set forth in each count below, in War, McDowell County, West Virginia, and elsewhere, within the Southern District of West Virginia, defendant FREDERICK DE MESA knowingly and intentionally used a registration number issued to Doctor 1, in the course of distributing and dispensing a controlled substance, each of which constitutes a separate count of this Indictment:

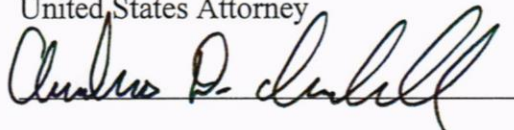
Count	Approximate Date of Distribution	Patient	Controlled Substance
3	February 16, 2022	P.M.	Tramadol
4	April 15, 2022	P.M.	Tramadol

In violation of Title 21, United States Code, Section 843(a)(2).

WILLIAM S. THOMPSON

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By:



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