

FILED
JAMES J. VILT, JR. - CLERK

JUN 18 2025

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY

UNITED STATES OF AMERICA

v.

MATTHEW RYAN ELKINS

INDICTMENT

NO.

3:25CR95 QJ+1

18 U.S.C. § 2118(b)

18 U.S.C. § 1365(a)

21 U.S.C. § 843(a)(3)

21 U.S.C. § 846

21 U.S.C. § 853(a)

BACKGROUND

1. Beginning in or around November 29, 2012, **MATTHEW RYAN ELKINS** was licensed as a registered nurse (RN License No. 1134026) by the Kentucky Board of Nursing. Beginning in or around January 10, 2013, **MATTHEW RYAN ELKINS** was licensed as an Advanced Practice Registered Nurse-Certified Registered Nurse Anesthetist (APRN-CRNA License No. 3007849), licensed by the Kentucky Board of Nursing. Between on or about August 1, 2017, through on or about March 21, 2024, **MATTHEW RYAN ELKINS** worked as a contract nurse anesthetist at multiple facilities in Kentucky, including a facility in Louisville, Kentucky, in Jefferson County.

2. The United States Food and Drug Administration (FDA) was an agency within the executive branch of the Government of the United States. The FDA was 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 bore true and accurate information. As part of its mission to protect the public health, the FDA, specifically,

its Office of Criminal Investigations (FDA/OCI), had the authority to investigate allegations of tampering with consumer products, including drugs.

The Grand Jury charges:

COUNT 1
(Tampering with Consumer Products)

3. On or about March 21, 2024, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **MATTHEW RYAN ELKINS**, 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, specifically one pre-filled, capped syringe containing fentanyl citrate 3,000 mcg/mL and bupivacaine HCl 3mg/mL, prescribed to PATIENT 1 by removing a portion of the listed ingredients and replacing it with another liquid.

In violation of Title 18, United States Code, Section 1365(a).

The Grand Jury further charges:

COUNT 2
*(Acquiring and Attempting to Acquire a Controlled Substance by
Misrepresentation, Fraud, Deception, and Subterfuge)*

4. On or about March 21, 2024, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **MATTHEW RYAN ELKINS**, did knowingly and intentionally acquire, obtain, and attempt to acquire and obtain a controlled substance, to wit, three injectable

vials containing a quantity of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl]-propanamide, commonly known as “fentanyl,” a Schedule II controlled substance, by misrepresentation, deception, and subterfuge.

In violation of Title 21, United States Code, Sections 843(a)(3) and 846.

The Grand Jury further charges:

COUNT 3
(Burglary Involving Controlled Substances)

5. On or about March 21, 2024, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **MATTHEW RYAN ELKINS**, without authority, intentionally and knowingly entered and attempted to enter and remain in the business premises of BUSINESS 1, a business then registered with the Drug Enforcement Administration under section 302 of the Controlled Substance Act (Title 21 U.S.C. § 822) with the intent to steal any material and compound containing any quantity of a controlled substance and whose replacement value was not less than \$500.

In violation of Title 18, United States Code, Section 2118(b).

NOTICE OF FORFEITURE

Pursuant to Title 21, United States Code, Section 853 and Fed. R. Cr. P. 32.2(a), upon conviction of any of the offenses alleged in Count 2 of this Indictment in violation of Title 21, United States Code, Section 843(a)(3), the defendant, **MATTHEW RYAN ELKINS**, shall forfeit to the United States of America, any property constituting, or derived from, proceeds obtained

directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense. The property to be forfeited includes, but is not limited to, the following:

The forfeiture of Defendant's Kentucky nursing licenses to wit, Advanced Practice Registered Nurse-Certified Registered Nurse Anesthetist (APRN-CRNA) license number 3007849 and Registered Nurse (RN) license number 1134026, as property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

A TRUE BILL.

Redacted


KYLE G. BUMGARNER
UNITED STATES ATTORNEY

KGB:EGM:06/18/2025