

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

CLINTON E. BANE, III, individually,
and CLINT'S PHARMACY, INC.

Defendants.

Civil Action No. 5:26-cv-554-DCB-BWR

JURY TRIAL DEMANDED

COMPLAINT

The United States of America alleges as follows:

INTRODUCTION

1. The United States of America (“United States”) brings this civil enforcement action against Clinton E. Bane, III (“Bane”), individually, and Clint’s Pharmacy, Inc. (“Clint’s Pharmacy”), (collectively referred to as “Defendants”), seeking civil and monetary penalties for Defendants’ violations of the Comprehensive Drug Abuse Prevention Control Act of 1970 (“Controlled Substances Act” or “CSA”), 21 U.S.C. §§ 801, *et seq.*, and its implementing regulations. 21 C.F.R. § 1301, *et seq.*

2. From December 4, 2023, to December 8, 2023, the Drug Enforcement Administration (“DEA”) conducted an on-site regulatory inspection of Clint’s Pharmacy located at 201 Highway 51 North, Brookhaven, Mississippi, 39601. The DEA gathered and reviewed additional records and information from January 8, 2024, to January 25, 2024.

3. DEA Diversion Investigators (“DIs”) examined inventory records, prescriptions and related documents, and pharmacy controls and operations.

4. Clint's Pharmacy is required by law to maintain accurate records for all controlled substances it receives, delivers, or dispenses.

5. Clint's Pharmacy is required by law to implement effective controls and procedures to prevent diversion and to only fill legitimate prescriptions.

6. Bane was responsible for and had a duty to ensure that the recordkeeping and reporting requirements of the CSA and its enabling regulations were followed.

7. Bane held a corresponding duty to ensure that only legitimate prescriptions of controlled substances were filled.

8. Bane engaged in the distribution of controlled substances through Clint's Pharmacy and derived benefits and profits from its operations.

9. The strict regulations governing the handling of controlled substances are the primary tool that DEA uses to prevent these potentially dangerous drugs from being diverted for abuse or sale on the street.

10. By knowingly filling an invalid prescription, failing to implement effective controls and procedures, and failing to account for the controlled substances it received and dispensed, Defendants placed patients, staff, and the public at increased risk and undermined DEA's efforts to halt the diversion of dangerous prescription drugs.

11. By negligently failing to comply with statutory and regulatory requirements, as discussed below, Bane and Clint's Pharmacy violated the CSA and are subject to civil penalties.

JURISDICTION AND VENUE

12. This Court has jurisdiction over the claims in this action pursuant to 21 U.S.C. § 842(c)(1)(A), and 28 U.S.C. §§ 1331, 1345, and 1355(a).

13. Venue in this District is proper pursuant to 28 U.S.C. §§ 1391(b)(2), and 1395, because a substantial part of the events and omissions giving rise to the claim occurred within this District and because Defendants can be found in this District.

PARTIES

14. Plaintiff is the United States of America on behalf of the DEA, an agency within the United States Department of Justice. The DEA is responsible for enforcing the provisions of the Controlled Substances Act.

15. Defendant Clint's Pharmacy is registered with the DEA as a retail pharmacy and is authorized to dispense Schedules II–V controlled substances under DEA Registration Number FC1762017. Clint's Pharmacy is a corporation organized and existing under the laws of the state of Mississippi, with its principal place of business at 201 Highway North in Brookhaven, Mississippi.

16. Defendant Bane is a resident of this District and serves as the owner and registered agent of Clint's Pharmacy. At all times relevant to the allegations in this complaint, Bane owned, operated, was a principal of, and exercised control over Clint's Pharmacy. Bane is a pharmacist formerly licensed with the State of Mississippi.

LEGAL BACKGROUND

A. The Controlled Substances Act Regulates the Handling of Controlled Substances.

17. The CSA establishes a closed system to deter, detect, and eliminate the diversion of controlled substances into the illicit market while ensuring an adequate supply of controlled substances is available for legitimate medical, scientific, and research purposes.

18. The CSA categorizes controlled substances into five schedules.

- a. Schedule I includes drugs with a “high potential for abuse” that have “no currently acceptable medical use” and lack “accepted safety for use of the drug ... under medical supervision.” 21 U.S.C. § 812(b)(1). Heroin and LSD are examples of Schedule I controlled substances.

- b. Schedule II includes drugs with “a high potential for abuse” that “may lead to severe psychological or physical dependence” but that have “a currently accepted medical use in treatment.” 21 U.S.C. § 812(b)(2). Fentanyl and morphine are examples of Schedule II controlled substances.
- c. Schedule III includes drugs with a “potential for abuse less than the drugs” in Schedules I and II that may lead to “moderate or low physical dependence or high psychological dependence” and that have “a currently accepted medical use in treatment.” 21 U.S.C. § 812(b)(3). Ketamine and anabolic steroids are examples of Schedule III controlled substances.
- d. Schedule IV includes drugs with a “low potential for abuse” compared to drugs in Schedule III that may lead to “limited physical or psychological dependence” and have a “currently accepted medical use in treatment.” 21 U.S.C. § 812(b)(4). Midazolam (Versed) and alprazolam (Xanax) are examples of Schedule IV controlled substances.
- e. Schedule V includes drugs with a “a low potential for abuse” compared to drugs in Schedule IV that may lead to “limited physical or psychological dependence” and have a “currently accepted medical use in treatment.” 21 U.S.C. § 812(b)(5). A cough preparation with less than 200 milligrams of codeine per 100 milliliters is an example of a Schedule V controlled substance.

19. The CSA makes it unlawful for any person to knowingly or intentionally manufacture, distribute, or dispense any controlled substance except as authorized by provisions of the CSA. 21 U.S.C. § 841(a)(1).

20. The Attorney General is authorized “to promulgate rules and regulations and to charge reasonable fees relating to the registration and control of the manufacture, distribution, and dispensing of controlled substances.” 21 U.S.C. § 821.

21. The Attorney General has delegated responsibility for registrations under the CSA, as well as certain activities related to CSA enforcement, to the DEA.

22. Any person who dispenses controlled substances is required to obtain a registration from the Attorney General. 21 U.S.C. §§ 822(a)(1)-(2).

23. A retail pharmacy that delivers controlled substances directly to patients pursuant to the lawful order of a practitioner is considered a “dispenser.” 21 U.S.C. §§ 802(10), and (21).

24. A registrant is permitted to dispense controlled substances only “to the extent authorized by their registration and in conformity with the [CSA].” 21 U.S.C. § 822(b).

B. The CSA Imposes Strict Limitations on Dispensing Controlled Substances.

25. The CSA establishes strict limitations on when a controlled substance can be dispensed. Unless a non-pharmacy practitioner dispenses directly or there is an emergency, Schedule II-IV controlled substances can only be dispensed upon a “prescription.” 21 U.S.C. §§ 829(a)-(b).

26. Schedule II controlled substances cannot be refilled. 21 U.S.C. § 829(a); 21 C.F.R. § 1306.12(a).

27. Schedule III and IV controlled substances are limited to five refills and cannot be filled or refilled more than six months after the date the prescription is issued. 21 U.S.C. § 829(b); 21 C.F.R. § 1306.22(a).

28. The prescription must also satisfy various other written requirements outlined in 21 C.F.R. §§ 1306.05, and 1306.11.

29. A prescription is effective only if issued for a “legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.” 21 C.F.R. § 1306.04(a).

30. The CSA’s implementing regulation provides direction specifically for pharmacists stating that “[a] prescription for a controlled substance may only be filled by a pharmacist, acting in the usual course of his professional practice and either registered individually or employed in a registered pharmacy” 21 C.F.R. § 1306.06.

31. Any person “who is subject to the requirements of Part C [of the CSA who] distribute[s] or dispense[s] a controlled substance in violation of [the valid prescription requirement in] section 829 of this title” is subject to a significant civil penalty per violation. 21 U.S.C. §§ 842(a)(1), and (c)(1)(A).

32. Each violation exposes the pharmacy and pharmacist to “a civil penalty of not more than \$25,000” for each violation on or before November 2, 2015, and not more than \$82,950 for each violation after November 2, 2015. 21 U.S.C. § 842(c)(1)(A); 28 C.F.R. § 85.5.

C. DEA Registrants Must Comply with Strict Recordkeeping Obligations.

33. Entities registered with the DEA to dispense controlled substances are also obligated to comply with important record-keeping and accountability measures to protect against the loss and diversion of controlled substances.

34. Every registrant must maintain “a complete and accurate record of each substance manufactured, imported, received, sold, delivered, exported, or otherwise disposed of by him/her.” 21 C.F.R. § 1304.21(a).

35. These records must be maintained for two years and made readily available to DEA for inspection. 21 C.F.R. § 1304.04(a).

1. The CSA Requires Registrants to Prepare Complete and Accurate Biennial Inventories.

36. A registrant must prepare a complete and accurate inventory of controlled substances at the time the registrant begins dispensing controlled substances. 21 U.S.C. § 827(a); 21 C.F.R. § 1304.11.

37. The registrant is obligated to conduct a biennial inventory thereafter. 21 U.S.C. § 827(a); 21 C.F.R. § 1304.11.

38. Inventories must be kept available for at least two years for inspection and copying by the DEA. 21 U.S.C. § 827(b); 21 C.F.R. § 1304.04(a).

2. *The CSA Imposes Specific Recordkeeping Requirements for Schedule II and for Schedules III-IV Controlled Substances.*

39. DEA Registrants must place orders for Schedule II controlled substances using a form issued by DEA known as a "DEA Form 222," or its electronic equivalent known as an "e222". 21 U.S.C. §§ 828(a), and (c)(1); 21 C.F.R. §§ 1305.03-06.

40. DEA makes a Controlled Substance Ordering System ("CSOS") available to pharmacies to allow the secure electronic transmission of Schedule II controlled substance orders. Using a Public Key Infrastructure (PKI), CSOS requires that each individual supplier and purchaser enroll with DEA to acquire a CSOS digital certificate. 21 C.F.R. §§ 1311.10, and 1311.25.

41. Only the CSOS certificate holder may access or use his/her digital certificate and private key. 21 C.F.R. § 1311.30(a). The CSOS certificate holder must ensure that no one else uses the private key. *Id.* § 1311.30(c).

42. Regulations provide detailed instructions for obtaining, executing, and preserving Forms 222. 21 C.F.R. §§ 1305.11-1305.17.

43. The registrant must maintain all Forms 222 and/or e222s separately from all other records and they must be kept available for inspection by DEA for at least two years. 21 C.F.R. §§ 1305.17(c), and 1311.60.

44. The purchaser must record the number and date of containers ultimately received on Forms 222 or e222. 21 C.F.R. §§ 1305.13(e), and 1305.22(g).

45. A registrant may authorize one or more individuals to order Schedule II controlled substances on the registrant's behalf by executing a power of attorney for each authorized individual. 21 C.F.R. § 1305(a). The power of attorney must be available for DEA's inspection. *Id.* § 1305(c).

46. Registrants are also required to properly record the receipt of Schedule III -V controlled substances. 21 C.F.R. § 1304.21(d).

3. *CSA Regulations Require Registrants to Implement Effective Controls to Guard Against Theft and Diversion.*

47. All registrants are required to provide effective controls and procedures to guard against theft and diversion of controlled substances. 21 C.F.R. § 1301.71(a).

48. Effective controls include limiting the accessibility of controlled substance storage areas to a minimum number of specifically authorized employees. 21 C.F.R. § 1301.72(d).

49. Registrants must provide specific oversight when it is necessary for guests, visitors, or maintenance personnel to be present or pass through controlled substance storage areas. 21 C.F.R. §§ 1301.71(10)-(12), and 1301.72(d).

50. The registrant is required to notify the DEA of any theft or significant loss of controlled substances through DEA's theft and loss report. 21 C.F.R. § 1301.76(b).

4. *Each Recordkeeping Violation is Subject to a Civil Penalty.*

51. Accurate recordkeeping is necessary to permit DEA to track the distribution of controlled substances and prevent their illegal spread.

52. Each recordkeeping violation is subject to a civil penalty of up to \$19,246 per violation. 21 U.S.C. § 842(c)(1)(B)(i); 28 C.F.R. § 85.5.

FACTUAL ALLEGATIONS

A. DEA's Regulatory Inspection of Clint's Pharmacy.

53. As part of its registration and enforcement responsibilities under the CSA, DEA periodically conducts inspections of registrants to ensure that regulations are being followed, and that required documentation is maintained. 21 U.S.C. § 880(b); 21 C.F.R. § 1316.03.

54. DEA Diversion Investigators ("DIs") ensure that the registrant is creating and maintaining proper documentation to track its controlled substance inventory. When a discrepancy or violation is identified, DEA may issue a letter of admonition informing the registrant of the violation

and requesting documentation that it has been resolved or may take a wide variety of other enforcement actions, up to and including suspending or revoking the registrant's license.

55. From December 4, 2023, to December 8, 2023, DEA DIs conducted an on-site regulatory inspection of Clint's Pharmacy. Bane consented to the inspection as provided in 21 U.S.C. § 880(c)(1); 21 C.F.R. §§ 1316.06, and 1316.08.

56. On December 18, 2023, DEA DIs conducted a closing discussion with Bane outlining their findings to include numerous violations of recordkeeping and reporting requirements under the CSA and its implementing regulations.

57. DEA DIs gathered additional documents and information on Clint's Pharmacy from January 8, 2024, to January 25, 2024.

B. Bane and Clint's Pharmacy were Cited for Multiple CSA Regulatory Violations.

1. Failure to Conduct Accurate Biennial Inventories.

58. As a result of its inspection, DEA cited Bane and Clint's Pharmacy for failing to conduct accurate and complete biennial inventories for its Schedule II controlled substances and for its Schedule III-V controlled substances. 21 U.S.C. § 827(a)(1); 21 C.F.R. §§ 1304.11(a), (c), and (e)(6).

59. To establish an accurate and complete on hand inventory of Schedule II and Schedules III-V controlled substances, Clint's Pharmacy must physically count the controlled substances that are present in the pharmacy on that date.

60. Instead of performing a physical count to establish complete and accurate on-hand inventories, Clint's Pharmacy used a print-out from its RX30 computer system.

61. Clint's Pharmacy violated the CSA's inventory and record keeping requirements.

2. *Failure to Log Quantities and Dates Received of Controlled Substances.*

62. In CSOS, Bane and Clint's Pharmacy failed to create completed and archived records of the quantity and date received of Schedule II controlled substances on Forms 222 and/or e222s in violation of 21 U.S.C. § 827(a)(3); 21 C.F.R. §§ 1304.21(a), and 1305.22(g).

63. Instead of using the required Forms 222 or e222s, Bane and Clint's Pharmacy provided DEA with printed supplier confirmation order emails as a substitute for the required e222s. Bane submitted these printed emails despite the written caveat on the bottom of form stating that "[t]his is not a DEA issued Form 222. This form is available for convenience."

64. DEA DIs found that Bane and Clint's Pharmacy failed to document the date and quantity received of 639 Schedule II drugs in violation of 21 U.S.C. § 827(a)(3); 21 C.F.R. §§ 1305.13(a), (e), 1304.21(a), and 1305.22(g).

65. DEA DIs also reviewed 26 Schedule III-V controlled substance invoices. Bane and Clint's Pharmacy did not document the date the controlled substances were received in violation of 21 C.F.R. § 1304.21(d).

C. Bane and Clint's Pharmacy Failed to Implement Effective Controls and Procedures to Guard Against Theft or Diversion.

66. During the regulatory inspection, DEA DIs evaluated security measures, pharmacy operations, dispensing procedures, and other factors to evaluate the effectiveness of Clint's Pharmacy's security controls and procedures. *See* 21 C.F.R. §§ 1301.71(a)-(b).

67. DEA DIs determined through its inspection and audit that Clint's Pharmacy's controls and procedures were nonexistent and/or ineffective to guard against theft and diversion.

68. Unauthorized personnel routinely ordered Schedule II controlled substances in CSOS.

69. At all relevant times to the complaint, Bane was the only person authorized to order Schedule II controlled substances. However, Bane readily shared his CSOS password with pharmacy technicians to place such orders in violation of 21 C.F.R. §§ 1311.25, and 1311.30(a).

70. Bane did not execute or maintain a power of attorney that authorized any personnel to order controlled substances on his behalf in violation of 21 C.F.R. §§ 1305.05, and 1311.45.

71. Without a system in place to finalize dates and quantities received in CSOS, Clint's Pharmacy's inventory of Schedule II controlled substances were easily manipulated.

72. Bane and Clint's Pharmacy allowed customers, pharmacy personnel, building tenants and employees, and other members of the public unsupervised access to pharmacy area workstations and Schedule II-V controlled substances.

73. In Clint's Pharmacy, the pharmacy area was separated from the customer area by a wall with a long rectangular plexiglass look through. Two doors, one on each end of the partition wall, connected the customer area to the pharmacy area. These two doors, although identified with "RESTRICTED AREA, EMPLOYEES ONLY" remained propped open during business hours.

74. Directly behind the wall/plexiglass in the pharmacy area, Clint's Pharmacy maintained a long dispensing counter and workstation for filling prescriptions.

75. During the inspection, DEA DIs observed numerous controlled and non-controlled pills, or pieces of pills, all over the pharmacy counter and workstation. Bane did not have an explanation for their presence.

76. Also in the pharmacy area, Clint's Pharmacy maintained a safe for Schedule III-V controlled substances and a safe for Schedule II controlled substances. The doors to these two safes remained open during pharmacy hours. There were guns located in the open Schedule III-V safe.

77. Several rows of free-standing shelves of non-controlled substances were also located in the pharmacy area.

78. An office, a records storage area, and a break room with bathroom were in the back of the pharmacy area. The doors to these three rooms remained open into the pharmacy area.

79. Bane rented office space behind these three rooms to two nurse practitioners. The nurse practitioners and their employees appeared to have access to the breakroom and the pharmacy area.

80. Customers had direct access to the pharmacy counter/workstation where the loose pills were found as well as the two open safes that contained controlled substances.

81. DEA DIs watched customers routinely walk from the customer area through the “restricted access” propped open doors to the pharmacy area without an escort to use the restroom.

82. DEA DIs observed what appeared to be an employee of Bane’s tenants in the breakroom eating lunch with full access to the pharmacy area and unsecured controlled substances.

83. DEA DIs witnessed a sheriff’s deputy in the pharmacy area behind the dispensing counter pick up his own prescription bag from behind the counter.

84. DEA DIs learned through pharmacy personnel that an employee’s child regularly sat in the storage room in the back of the pharmacy area unaccompanied after school. The child also had direct access to the unsecured controlled substances.

D. DEA’s Controlled Substance Audit Revealed Significant Pill Count Discrepancies.

85. DEA has the authority to conduct an audit to ensure that the registrant can account for all controlled substances it has received. Such an audit compares the amounts of controlled substances received to the amounts dispensed or transferred and the inventory on hand to verify that no controlled substances have been lost, stolen, or diverted.

86. DEA conducted an audit of Clint’s Pharmacy’s Schedule II-IV controlled substances for a twenty-one month period from March 18, 2022, to December 4, 2023.

87. DEA DIs selected a total of ten (10) controlled substances commonly found in the illicit market and/or diverted within the State of Mississippi.

88. Four (4) of the controlled substances audited revealed negative pill counts that reflected the number of pills Clint's Pharmacy received and now were missing. There was no record of these pills being dispensed, transferred, or destroyed in the ordinary course of business.

89. The negative pill count differences are indicators of diversion.

90. The significant pill shortages included the following:

a. Oxycodone-Acetaminophen 10-325 mg tablets	-201
b. Dextro-Amphetamine 20 mg tablets	-764
c. Tramadol HCL 50 mg tablets	-447
d. Pregbalin 150 mg capsules	-201

91. Six (6) of the audited drugs contained significant overages that reflected the number of pills on hand that exceeded the number of pills received in the ordinary course of business.

92. The positive differences demonstrate an inaccurate and faulty record system as well as a manipulation of records as a means to hide diversion.

93. The significant pill overages included the following:

a. Hydrocodone-Acetaminophen 10-325 mg tablets	+1,241
b. Oxycodone HCL 10 mg tablets	+ 174
c. Morphine Sulfate ER 30 mg tablets	+4,335
d. Methylphenidate 10 mg tablets	+ 359
e. Buprenorphine/Naloxone 8mg/2mg Sublingual tablets	+2,890
f. Alprazolam 1 mg tablets	+1,241

94. Bane and Clint's Pharmacy could not account for 11,853 controlled substance pills.

95. Each unaccounted pill constitutes a CSA recordkeeping violation.

E. Bane and Clint's Pharmacy Unlawfully Dispensed a Controlled Substance.

96. On May 12, 2023, Clint's Pharmacy filled a prescription for Lorazepam 1 mg tablets (50) that was written almost 20 years prior on December 30, 2004, to patient SF.

97. Lorazepam is a Schedule IV controlled substance.

98. Even though Schedule IV controlled substances cannot be filled more than six months after they are issued, Clint's Pharmacy records identified the December 30, 2004, prescription status as "Refillable", and that the patient paid and picked up the filled prescription on May 12, 2023.

99. DEA DIs confirmed with the prescribing physician on the original December 30, 2004, prescription that he had not written or called in a prescription for patient SF in a long time.

100. Bane and Clint's Pharmacy knew that the prescription for Lorazepam 1 mg tablets (50) for patient SF filled on May 12, 2023, was not prescribed within the ordinary course of professional practice or for a legitimate medical purpose.

101. Bane and Clint's Pharmacy knowingly and unlawfully dispensed a controlled substance in violation of the CSA.

F. Bane and Clint's Pharmacy Have a History of Record Keeping and Unlawful Dispensing Violations.

102. The Mississippi Board of Pharmacy ("MS Board") has audited Bane and Clint's Pharmacy on several occasions that resulted in fines and administrative violations.

103. In 2018, the MS Board issued a second warning to Bane for the following two record keeping violations: 1) failure to maintain separate records for Schedule II and Schedule III-V controlled substances, and 2) failure to reconcile CSOS records.

104. In May 2022 the MS Board fined Clint's Pharmacy \$1,250 for allowing a pharmacy technician to work without a valid registration.

105. In November 2022 the MS Board suspended Bane's pharmacist license for dispensing medications without a valid prescription and for failing to maintain records of controlled medications to include lack of acquisition records, missing drugs, and failure to maintain dispensing records.

106. In 2024, the MS Board fined Bane \$10,133.67 for practicing as a pharmacist without an active license from May 18, 2023, to October 24, 2023.

107. In 2024, the MS Board fined Clint's Pharmacy \$6,133.67 for allowing a pharmacist to practice without a license and for improperly labeling dispensed prescriptions.

CLAIMS

COUNT I

**Refusal to Comply with Controlled Substances Act Record-Keeping Requirements:
Violations of 21 U.S.C. § 842(a)(5), and 21 U.S.C. §§ 827(a) and (b)**

108. The United States re-alleges and re-incorporates the allegations in Paragraphs 1-107 as if fully restated herein.

109. The CSA requires Clint's Pharmacy and Bane to make, keep, and furnish required records and reports.

110. Bane was responsible for and had a duty to ensure that these records, reports, notifications, declarations, orders, order forms, statements, invoices, and other information were accurately prepared and maintained.

111. By failing to maintain effective controls against theft or diversion; failing to maintain complete and accurate records for numerous controlled substances received, sold, and/or inventoried; failing to maintain complete and accurate biennial inventories; failing to properly receive Schedule III-V controlled substance invoices; and failing to record the date received of Scheduled II controlled substances on DEA Forms 222 or electronic equivalent, Defendants violated 21 U.S.C. § 842(a)(5), and 21 U.S.C. §§ 827(a) and (b).

112. Such failure was at least negligent as to each Defendant.

113. Bane and Clint's pharmacy are each liable, jointly and severally, to the United States for a civil penalty for each violation of 21 U.S.C. § 842(a)(5), in an amount not to exceed \$19,246.

COUNT II

**Unlawful Dispensing of a Controlled Substance:
Violations of 21 U.S.C. §§ 842(a)(1), 829(b), and 21 C.F.R. §§ 1306.21, and 1306.22**

114. The United States repeats and re-alleges the allegations in Paragraphs 1-113 as if fully restated herein.

115. The CSA and its implementing regulations prohibited Bane and Clint's Pharmacy from dispensing controlled substances without a legitimate medical purpose and outside the usual course of professional practice.

116. The CSA and its implementing regulations prohibited Bane and Clint's Pharmacy from filling or refilling a Schedule IV prescription more than six months after the date on which the prescription was issued.

117. Defendants knowingly dispensed a controlled substance without a legitimate medical purpose and/or outside the usual course of professional practice by dispensing a fraudulent and invalid prescription in violation of 21 U.S.C. § 829(b), and 21 C.F.R. §§ 1306.21, and 1306.22.

118. Pursuant to 21 U.S.C. § 842(c)(1), and 28 C.F.R. § 85.5, the United States is entitled to recover a penalty of up to \$82,950 for each violation of 21 U.S.C. § 842(a)(1) set forth above.

PRAYER FOR RELIEF

WHEREFORE, the United States respectfully requests judgment to be entered in its favor and against all Defendants, jointly and severally, as follows:

- A. Civil penalties of up to \$19,246 for each violation pursuant to 21 U.S.C. § 842(c)(1)(B), as set forth in Count One;
- B. Civil penalties of \$82,950 for each violation pursuant to 21 U.S.C. § 842(c)(1)(A), as set forth in Count Two; and
- C. Such further relief, including costs, as the Court may deem proper and equitable.

Date: June 22nd, 2026

Respectfully submitted,

J.E. Baxter Kruger
United States Attorney

s/ James E. Graves, III.

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