

United States District Court
Southern District of Texas
FILED

JUN 19 2018

David J. Bradley, Clerk of Court

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

v.

JELANI TEAMER

Defendant.

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Criminal No.

18CR336

UNDER SEAL

INFORMATION

The United States Attorney for the Southern District of Texas charges:

General Allegations

At all times material to this Information, unless otherwise specified:

1. The Controlled Substances Act (CSA) governed the manufacture, distribution, and dispensing of controlled substances in the United States. With limited exceptions for medical professionals, the CSA made it “unlawful for any person knowingly or intentionally . . . to manufacture, distribute, or dispense . . . a controlled substance” or conspire to do so.

2. The CSA and its implementing regulations set forth which drugs and other substances are defined by law as “controlled substances,” and assigned those controlled substances to one of five schedules (Schedule I, II, III, IV, or V) depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision.

3. “Schedule II” means that the drug has a high potential for abuse, the drug has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions, and abuse of the drug may lead to severe psychological or physical dependence. 21 U.S.C. § 812(b)(2).

4. Pursuant to the CSA and its implementing regulations, as of on or about October 6, 2014, Hydrocodone was classified as a Schedule II controlled substance. 21 C.F.R. § 1308.12(b). Prior to on or about October 6, 2014, Hydrocodone was classified as a Schedule III controlled substance. Hydrocodone, sometimes prescribed under brand names including Norco, Lortab, and Vicodin, was used to treat severe pain and, as with other opioids, was highly addictive.

5. Medical practitioners, such as physicians, who are authorized to prescribe controlled substances by the jurisdiction in which they are licensed to practice medicine are authorized under the CSA to prescribe, or otherwise distribute, controlled substances, if they are registered with the Attorney General of the United States. 21 U.S.C. § 822(b); 21 C.F.R. § 1306.03.

6. Chapter 21 of the Code of Federal Regulations, Section 1306.04 governed the issuance of prescriptions and provided, among other things, that a prescription for a controlled substance “must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice.” Moreover, “[a]n order purporting to be a prescription issued not in the usual course of professional treatment . . . is not a prescription within the meaning and intent of [the CSA] and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances.”

7. All prescriptions for controlled substances had to be “dated as of, and signed on, the day when issued and shall bear the full name and address of the patient, the drug name, strength, dosage form, quantity prescribed, directions for use, and the name, address and registration number

of the practitioner.” 21 C.F.R. § 1306.05(a). “The refilling of a prescription for a controlled substance listed in Schedule II is prohibited.” 21 C.F.R. § 1306.12(a); 21 U.S.C. § 829(a).

8. Defendant **JELANI TEAMER**, a resident of Harris County, Texas, and at all times relevant to this Information, was a Medical Doctor and was authorized to prescribe controlled substances in the State of Texas.

COUNT 1
Acquiring a Controlled Substance by Fraud
(21 U.S.C. § 843(a)(3))

9. Paragraphs 1 through 8 of this Information are realleged and incorporated by reference as if fully set forth herein.

10. On or about July 10, 2017, in the Houston Division of the Southern District of Texas, and elsewhere, the defendant, **JELANI TEAMER** did knowingly and intentionally acquire or obtain possession of a controlled substance, namely hydrocodone, by misrepresentation, fraud, forgery, deception, or subterfuge, by signing and authorizing prescriptions for hydrocodone, and thereby representing the hydrocodone was prescribed for a legitimate medical purpose and was prescribed in the usual course of professional practice, when it was not.

All in violation of Title 21, United States Code, Sections 843(a)(3).

NOTICE OF CRIMINAL FORFEITURE
(21 U.S.C. § 853)

11. The allegations contained in Count 1 of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

12. Pursuant to Title 21, United States Code, Section 853, the United States gives notice to the defendant **JELANI TEAMER**, that upon conviction of an offense in violation of Title 21, United States Code, Sections 843(a)(3), the following property shall be subject to forfeiture:

- a. All property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense; and
- b. All property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense.

13. In the event that a condition listed in Title 21, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of the defendants in substitution up to the total value of the property subject to forfeiture. The United States may seek the imposition of a money judgment.

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