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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Zahid Quraishi
:
:
v. :
:
:
: 21 U.S.C. § 846
APRIL A. SEIFERT, : 21 U.S.C. § 841(a)
a/k/a "April Proniewski" : 18 U.S.C. § 2

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INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Camden,
charges:

COUNT 1

(Conspiracy to Distribute Controlled Substances)

1. Unless otherwise indicated, at all times relevant to this Indictment:

The Defendant and Relevant Individuals

a. Defendant APRIL A. SEIFERT, a/k/a "April Proniewski," was
a resident of New Jersey and was licensed as an advanced practice nurse by the
State of New Jersey.

b. Defendant APRIL A. SEIFERT maintained a Drug Enforcement
Administration ("DEA") registration number in New Jersey. Defendant APRIL A.
SEIFERT was authorized to issue prescriptions for Schedule II through Schedule
V controlled substances in the usual course of professional practice and for a
legitimate medical purpose.

c. Individual 1, a co-conspirator not charged in this Indictment, received prescriptions from, and delivered controlled substances to, defendant APRIL A. SEIFERT in New Jersey.

d. Individual 2, a co-conspirator not charged in this Indictment, received prescriptions from, and delivered controlled substances to, defendant APRIL A. SEIFERT in New Jersey.

The Controlled Substances Act

e. The Controlled Substances Act ("CSA"), codified in Title 21 of the United States Code, and its promulgating regulations, classified drugs into five schedules depending on a drug's acceptable medical use and its potential for abuse and dependency.

f. Schedule I controlled substances, such as heroin, did not have an acceptable medical use, while Schedule II through Schedule V controlled substances did.

g. Schedule II controlled substances, such as fentanyl, oxycodone, branded drugs containing oxycodone (such as OxyContin® and Percocet®), morphine, amphetamine, and branded drugs containing amphetamine (such as Adderall®), had a high potential for abuse, and abuse of such a drug or other substance could lead to severe psychological or physical dependence.

h. Schedule III controlled substances had a potential for abuse less than the drugs or other substances in Schedule I and Schedule II. Abuse of

such a drug or other substance could lead to moderate or low physical dependence or high psychological dependence.

i. Schedule IV controlled substances, such as alprazolam, branded drugs containing alprazolam (such as Xanax®), lorazepam, branded drugs containing lorazepam (such as Ativan®), clonazepam, branded drugs containing clonazepam (Klonopin®), carisoprodol, and branded drugs containing carisoprodol (such as Soma®) had a lower potential for abuse relative to substances that were listed as Schedule II and Schedule III controlled substances. Abuse of such a drug or other substance could lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

j. Concurrent use of some Schedule II controlled substances (such as opioids) and Schedule IV controlled substances (such as benzodiazepines) significantly increased an individual's risk of overdose and death.

k. The CSA authorized Schedule II through Schedule V controlled substances to be dispensed to individuals by a valid prescription. 21 U.S.C. § 829.

l. Chapter 21, 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."

Manner and Means of the Conspiracy

4. The manner and means by which defendant APRIL A. SEIFERT and others sought to accomplish the goal of the conspiracy included, among other things, the following:

a. Defendant APRIL A. SEIFERT issued prescriptions for controlled substances, including opioids such as oxycodone, to individuals (the "Co-Conspirators"), including Individual 1 and Individual 2, contingent upon the Co-Conspirators agreeing to return a portion of the pills to defendant APRIL A. SEIFERT after the prescription was filled.

b. Defendant APRIL A. SEIFERT included false information on the prescription blanks that she issued to the Co-Conspirators, such as the medical conditions that the controlled substances would supposedly be used to treat. For example, defendant APRIL A. SEIFERT falsely included on prescription blanks for oxycodone that the medication was for the treatment of "chronic intractable pain."

c. Defendant APRIL A. SEIFERT at times drove the Co-Conspirators to pharmacies to fill the controlled substance prescriptions.

d. Defendant APRIL A. SEIFERT at times paid the Co-Conspirators' insurance copays for the controlled substances.

e. Defendant APRIL A. SEIFERT at times left signed prescription blanks in her unlocked car for the Co-Conspirators to retrieve.

f. The Co-Conspirators filled the prescriptions and returned an agreed-upon portion of the pills to defendant APRIL A. SEIFERT.

g. The Co-Conspirators at times returned an agreed-upon portion of the pills to defendant APRIL A. SEIFERT by leaving the pills in defendant APRIL A. SEIFERT's unlocked car.

All in violation of Title 21, United States Code, Section 846.

COUNTS 2 – 5
(Distribution of Controlled Substances)

1. Paragraphs 1 and 3–4 of Count 1 are realleged here.
2. On or about the dates set forth below, in the District of New Jersey, and elsewhere, defendant

APRIL A. SEIFERT

did knowingly and intentionally distribute and dispense, outside the usual course of professional practice and not for a legitimate medical purpose, mixtures and substances containing detectable amounts of a Schedule II controlled substance, each of which constitutes a separate count as follows:

Count	Approximate Date of Distribution	Recipient	Controlled Substance
2	January 25, 2017	Individual 1	Oxycodone
3	March 22, 2017	Individual 1	Oxycodone
4	December 10, 2018	Individual 2	Oxycodone
5	January 3, 2019	Individual 2	Oxycodone

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATIONS
21 U.S.C. § 853

1. The allegations contained in Counts 1 through 5 of this Indictment are realleged here for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. As a result of committing controlled substance offenses as charged in Counts 1 through 5 of this Indictment, defendant

APRIL A. SEIFERT

shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in this Indictment.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:


- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property

pursuant to Title 21, United States Code, Section 853(p).

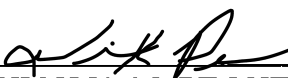
A True Bill

Foreperson


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CASE NUMBER: 21-717 (ZNQ)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

APRIL A. SEIFERT

INDICTMENT FOR

**21 U.S.C. §§ 846, 841(a)
18 U.S.C. § 2**

A True Bill, /

Foreperson

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