

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

CASE NO. 8:24 cr 290 SDM-AEP

v.

ERIC MICHAELS BREWER

18 U.S.C. § 1365(a)

21 U.S.C. § 843(a)

INDICTMENT

The Grand Jury charges:

JUN 26 2024 PM 4:27
FILED - USDC - FLMD - TPA

COUNTS ONE THROUGH SIX
(Tampering with a Consumer Product)

A. Introduction

At all times material to this Indictment:

1. Defendant ERIC BREWER was a Florida-licensed Registered Nurse.
2. The Controlled Substances Act, 21 U.S.C. § 801 *et seq.* (the “CSA”), governed the manufacture, distribution, and dispensing of controlled substances in the United States, including narcotics that were prescribed by physicians. The CSA established certain drugs and substances as “controlled substances,” which were assigned to one of five schedules, Schedule I, II, III, IV, or V, depending on the drugs’ potential for abuse, likelihood of physical or psychological dependency, and accepted medical use.
3. The term “Schedule II” denoted controlled substances with a currently accepted medical use in treatment in the United States and which had a high

potential for abuse—abuse that could lead to severe physical or psychological dependence. Fentanyl was a Schedule II controlled substance and the generic name for a highly addictive prescription opioid medication, the abuse of which could lead to severe psychological or physical dependence, or overdose.

B. The Charges

4. On or about the date set forth below in each count, in the Middle District of Florida, the defendant,

ERIC BREWER,

with reckless disregard for the risk that another person would be placed in danger of bodily injury and death, and under circumstances manifesting extreme indifference to such risk, did tamper, and attempt to tamper, with a consumer product that affected interstate commerce, specifically injectable Fentanyl, and with the container for such product.

| Count | Date |
|-------|--------------------|
| ONE | June 2, 2023 |
| TWO | July 10, 2023 |
| THREE | July 24, 2023 |
| FOUR | August 1, 2023 |
| FIVE | August 27, 2023 |
| SIX | September 12, 2023 |

In violation of 18 U.S.C. § 1365(a).

COUNTS SEVEN THROUGH ~~TWELVE~~
(Acquiring a Controlled Substance by Misrepresentation)

1. Part A of Count One of this Indictment is realleged and incorporated as though fully set forth herein.

2. On or about the date set forth below in each count, in the Middle District of Florida, the defendant,

ERIC BREWER,

did knowingly and intentionally acquire and obtain possession of Fentanyl, a Schedule II controlled substance, by misrepresentation, fraud, forgery, deception, and subterfuge.

| Count | Date |
|----------|--------------------|
| SEVEN | June 2, 2023 |
| EIGHT | July 10, 2023 |
| NINE | July 24, 2023 |
| TEN | August 1, 2023 |
| ELEVEN | August 27, 2023 |
| TWELVE | September 1, 2023 |
| THIRTEEN | September 12, 2023 |

In violation of 21 U.S.C. § 843(a)(3) and 18 U.S.C. § 2.

FORFEITURE

1. The allegations contained in Counts One through Thirteen of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to 21 U.S.C. § 853.

2. Upon conviction of a violation of 21 U.S.C. § 843, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853, all of her interest in:

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

3. The property to be forfeited includes but is not limited to the proceeds the defendant obtained as a result of the offenses.

4. If any of the property described above, 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 party;
- 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 divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

A TRUE BILL,

Foreperson

ROGER B. HANDBERG
United States Attorney

By: _____

Michael M. Gordon
Assistant United States Attorney

By: _____

Rachelle DesVaux Bedke
Assistant United States Attorney
Chief, Economic Crimes Section

FORM OBD-34

June 24

No.

UNITED STATES DISTRICT COURT

Middle District of Florida

Tampa Division

THE UNITED STATES OF AMERICA

vs.

ERIC MICHAELS BREWER

INDICTMENT

Violations: 18 U.S.C. § 1365(a)

21 U.S.C. § 843(a)

A true bill,

Foreperson

Filed in open court this 26th day

Of June 2024.


Clerk

Bail \$ _____
