

FILED
MARTELL ARMSTRONG, CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

JUN 27 2017

U.S. DISTRICT COURT
WESTN. DIST. KENTUCKY

UNITED STATES OF AMERICA

v.

CLAUDIA LOPEZ

INDICTMENT

NO.

3 17 CR-86-TBR

18 U.S.C. § 2

18 U.S.C. § 982(a)(7)

18 U.S.C. § 1347

18 U.S.C. § 1702

The Grand Jury charges:

COUNT 1

(Health Care Fraud-Fraudulent Billings)

On or about and between June 20, 2014, and November 31, 2014, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, the defendant, **CLAUDIA LOPEZ**, and others, aided and abetted by others, known and unknown to the Grand Jury, knowingly and willfully executed, and attempted to execute, a scheme and artifice to obtain, by means of false or fraudulent pretenses, representations, and promises, money and property owned by and under the custody and control of health care benefit programs, in connection with the delivery of and payment for health care benefits, items, and services, to wit: **CLAUDIA LOPEZ**, and others, while operating the Top Care Chiropractic and Wellness Center Corporation, fraudulently billed United Health Care for medical services never provided.

In violation of Title 18, United States Code, Sections 1347 and 2.

The Grand Jury further charges:

COUNT 2
(Mail Theft)

Beginning on or about March 30, 2015, and continuing until at least and on or about May 6, 2015, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **CLAUDIA LOPEZ**, and others, aided and abetted by others, known and unknown to the Grand Jury, did open, secrete, embezzle, and destroy items of mail matter, letters, postal cards, and packages addressed to Neurology and Neurosurgical Associates ("NNA"), at 3934 Dixie Highway, Louisville, Kentucky 40216, which had been in a post office and an authorized depository for mail matter, and in the custody of a mail carrier before it had been delivered to the address for NNA as listed below.

DATE	CHECK NUMBER	AMOUNT
03/30/2015	****3378	\$6,352.00

In violation of Title 18, United States Code, Sections 1702 and 2.

The Grand Jury further charges:

COUNT 3
(Mail Theft)

Beginning on or about October 25, 2014, and continuing until at least and on or about April 1, 2015, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **CLAUDIA LOPEZ**, and others, aided and abetted by others, known and unknown to the Grand Jury, did open, secrete, embezzle, and destroy items of mail matter, letters, postal cards, and packages addressed to Neurology and Neurosurgical Associates ("NNA"), at 3934 Dixie Highway, Louisville, Kentucky 40216, which had been in a post office and an authorized

depository for mail matter, and in the custody of a mail carrier before it had been delivered to the address for NNA as listed below.

DATE	CHECK NUMBER	AMOUNT
01/21/2015	****7595	\$372.00
10/25/2014	****6916	\$396.00

In violation of Title 18, United States Code, Sections 1702 and 2.

The Grand Jury further charges:

COUNT 4
(Mail Theft)

Beginning on or about November 20, 2014, and continuing until at least and on or about February 11, 2015, in the Western District of Kentucky, Jefferson County, Kentucky, the defendant, **CLAUDIA LOPEZ**, and others, aided and abetted by others, known and unknown to the Grand Jury, did open, secrete, embezzle, and destroy items of mail matter, letters, postal cards, and packages addressed to Neurology and Neurosurgical Associates ("NNA"), at 3934 Dixie Highway, Louisville, Kentucky 40216, which had been in a post office and an authorized depository for mail matter, and in the custody of a mail carrier before it had been delivered to the address for NNA as listed below.

DATE	CHECK NUMBER	AMOUNT
11/20/2014	****8332	\$291.00
11/20/2014	****8331	\$56.00
11/20/2014	****8330	\$105.00
11/20/2014	****8329	\$145.00
11/20/2014	****8328	\$145.00
11/20/2014	****8327	\$145.00

11/20/2014	****8326	\$40.00
11/20/2014	****8325	\$154.36

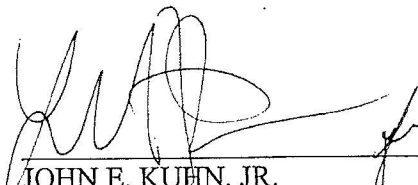
In violation of Title 18, United States Code, Sections 1702 and 2.

NOTICE OF FORFEITURE

If convicted of any violation of Title 18, United States Code, Section 1347, the defendant, **CLAUDIA LOPEZ**, shall forfeit to the United States, any property constituting or derived from any proceeds obtained, directly or indirectly, as the result of any such violation.

Pursuant to Title 18, United States Code, Sections 982(a)(7).

A TRUE BILL.



JOHN E. KUHN, JR.
UNITED STATES ATTORNEY

FOREPERSON

JEK:JRA:LJW:06/27/2017

UNITED STATES OF AMERICA v. CLAUDIA LOPEZ

PENALTIES

Count 1: NM 10 yrs./\$250,000/both/NM 3 yrs. Supervised Release
Counts 2-4: NM 5 yrs./\$250,000/both/NM 3 yrs. Supervised Release (each count)
Forfeiture

NOTICE

ANY PERSON CONVICTED OF AN OFFENSE AGAINST THE UNITED STATES SHALL BE SUBJECT TO SPECIAL ASSESSMENTS, FINES, RESTITUTION & COSTS.

SPECIAL ASSESSMENTS

18 U.S.C. § 3013 requires that a special assessment shall be imposed for each count of a conviction of offenses committed after November 11, 1984, as follows:

Misdemeanor:	\$ 25 per count/individual	Felony:	\$100 per count/individual
	\$125 per count/other		\$400 per count/other

FINES

In addition to any of the above assessments, you may also be sentenced to pay a fine. Such fine is due immediately unless the court issues an order requiring payment by a date certain or sets out an installment schedule. You shall provide the United States Attorney's Office with a current mailing address for the entire period that any part of the fine remains unpaid, or you may be held in contempt of court. 18 U.S.C. § 3571, 3572, 3611, 3612

Failure to pay fine as ordered may subject you to the following:

1. INTEREST and PENALTIES as applicable by law according to last date of offense.

For offenses occurring after December 12, 1987:

No INTEREST will accrue on fines under \$2,500.00.

INTEREST will accrue according to the Federal Civil Post-Judgment Interest Rate in effect at the time of sentencing. This rate changes monthly. Interest accrues from the first business day following the two week period after the date a fine is imposed.

PENALTIES of:

10% of fine balance if payment more than 30 days late.

15% of fine balance if payment more than 90 days late.

2. Recordation of a LIEN shall have the same force and effect as a tax lien.
3. Continuous GARNISHMENT may apply until your fine is paid.

18 U.S.C. §§ 3612, 3613

If you **WILLFULLY** refuse to pay your fine, you shall be subject to an **ADDITIONAL FINE** of not more than the greater of \$10,000 or twice the unpaid balance of the fine; or **IMPRISONMENT** for not more than 1 year or both. 18 U.S.C. § 3615

RESTITUTION

If you are convicted of an offense under Title 18, U.S.C., or under certain air piracy offenses, you may also be ordered to make restitution to any victim of the offense, in addition to, or in lieu of any other penalty authorized by law. 18 U.S.C. § 3663

APPEAL

If you appeal your conviction and the sentence to pay your fine is stayed pending appeal, the court shall require:

1. That you deposit the entire fine amount (or the amount due under an installment schedule during the time of your appeal) in an escrow account with the U.S. District Court Clerk, or
2. Give bond for payment thereof.

18 U.S.C. § 3572(g)

PAYMENTS

If you are ordered to make payments to the U.S. District Court Clerk's Office, certified checks or money orders should be made payable to the Clerk, U.S. District Court and delivered to the appropriate division office listed below:

LOUISVILLE: Clerk, U.S. District Court
106 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202
502/625-3500

BOWLING GREEN: Clerk, U.S. District Court
120 Federal Building
241 East Main Street
Bowling Green, KY 42101
270/393-2500

OWENSBORO: Clerk, U.S. District Court
126 Federal Building
423 Frederica
Owensboro, KY 42301
270/689-4400

PADUCAH: Clerk, U.S. District Court
127 Federal Building
501 Broadway
Paducah, KY 42001
270/415-6400

If the court finds that you have the present ability to pay, an order may direct imprisonment until payme

FORM DBD-34
JUN.85

No. _____

UNITED STATES DISTRICT COURT

Western District of Kentucky
Louisville Division

THE UNITED STATES OF AMERICA

vs.

CLAUDIA LOPEZ

INDICTMENT

**Title 18 U.S.C. §§ 1347; 2; 1702:
Aiding and Abetting; Health Care Fraud; Mail
Theft.**

A true bill.

Foreman

Filed in open court this 27th day, of June, 2017.

Clerk

Bail, \$

FILED
VANESSA L. KIRKLAND, CLERK

JUN 27 2017

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