

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America

v.

JACK GEHRING  
PATRICK GEHRING  
TINA GEHRING  
SEAN GRELECKI

Case No.

6:17-mj-1538, 01-04

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 2010 through April 2017 in the county of Orange and Osceola in the  
Middle District of Florida, the defendant(s) violated:

Code Section

21 U.S.C. § 846

Offense Description

Conspiracy to distribute and to possess with intent to distribute oxycodone, a controlled substance.

This criminal complaint is based on these facts:

See the attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Kelly J. Pennington, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: July 7, 2017

Judge's signature

City and state: Orlando, FL

The Hon. Thomas B. Smith

Printed name and title

STATE OF FLORIDA

Case No. 6:17-mj- 1538, 01-04

COUNTY OF ORANGE

AFFIDAVIT

I, Kelly J. Pennington, being duly sworn, depose and state the following:

Introduction

1. I make this affidavit in support of a criminal complaint charging **JACK GEHRING, PATRICK GEHRING, TINA GEHRING, and SEAN GRELECKI** with conspiracy to distribute and to possess with intent to distribute a Schedule II controlled substance, to wit: oxycodone, in violation of 21 U.S.C. §§ 841(a)(1) and 846. Specifically, as set forth below, I have probable cause to believe that **JACK GEHRING, PATRICK GEHRING, TINA GEHRING, and SEAN GRELECKI** agreed with one another and with others to purchase, possess and sell oxycodone.

2. The statements contained in this affidavit are based, in part, upon my own personal knowledge, but are also based upon information provided to me by other law enforcement officers. Because this affidavit is for the limited purpose of setting forth probable cause for a criminal complaint, I have not included every fact known to me through this investigation. I have set forth those facts I deem necessary to establish probable cause to believe that

violations of 21 U.S.C. §§ 841(a)(1) and 846, have been committed and that **JACK GEHRING, PATRICK GEHRING, TINA GEHRING, and SEAN GRELECKI** committed them.

**Affiant's Background**

3. I am a Special Agent (SA) with the Drug Enforcement Administration (DEA), where I am currently assigned to the DEA Orlando District Office Tactical Diversion Squad (TDS). The TDS is composed of DEA Special Agents, DEA Diversion Investigators, and deputized Task Force Agents (TFAs) charged with investigating drug trafficking and money laundering offenses specifically related to the diversion of pharmaceutical controlled substances. I have been a DEA Special Agent for over 29 years. I was initially assigned to the Miami Field Division (9 years) then transferred to the Orlando District Office (last 20 years). My duties include the investigation of violations of federal controlled substances laws, other criminal violations related to the illegal distribution of controlled substances, and violations of federal money laundering laws.

4. During my career in law enforcement, I have conducted narcotics investigations, served as the affiant on criminal complaints, search warrants, and wiretap affidavits related to controlled substance violations of state and federal law, and have made numerous drug-related arrests.

5. I have received extensive training in numerous types of drug and money laundering law enforcement, including advanced training courses regarding narcotics and dangerous drugs investigations, criminal investigations, advanced narcotics investigations, asset forfeiture and pharmaceutical drug diversion investigations. I have received training and information regarding the use of visual surveillance, electronic surveillance, informant interviews, interrogation, undercover operations, and investigation of criminal organizations. I am familiar with the methods of drug diversion from the legal market to the illegal market. For the past six years I have been assigned to a Tactical Diversion Squad specifically tasked with the investigation of pharmaceutical diversion of legal drugs to the illegal market.

6. I am familiar with the methods employed by drug smuggling and money laundering organizations to conduct their business, including, but not limited to: their methods of importing and distributing narcotics; the transportation routes and means of coordination organizations use to smuggle narcotics across the U.S. border, including the international and U.S. Mail system; the methods of laundering the profits derived from the sales of controlled substances; the use of vehicles to transport drugs, drug paraphernalia and drug proceeds, including how drug traffickers attempt to evade law enforcement by driving different vehicles and driving in evasive and

unusual patterns to avoid detection; and the use of telephonic and electronic devices and other telecommunications methods to conduct drug transactions and launder drug proceeds.

**Facts Supporting Probable Cause**

7. In May 2011, Orlando IRS agents contacted Orlando DEA agents and reported that **JACK GEHRING** appeared, based on one of their investigations, to be involved in the distribution of oxycodone, a Scheduled II controlled substance. Further investigation by the DEA showed that **JACK GEHRING** was personally transporting large amounts of oxycodone to customers in northern U.S. cities for subsequent distribution and that **JACK GEHRING** appeared to be working with others to divert and traffic in prescription opioids in Florida and elsewhere. Agents determined that as early as 2010, **JACK GEHRING** began hiring individuals including **TINA GEHRING** (his daughter), **PATRICK GEHRING** (his brother), **SEAN GRELECKI**, Individual #1, Individual #2, Individual #3, and Individual #4 to acquire and fill prescriptions for oxycodone, which **JACK GEHRING** would then distribute in various locations in the Northeast United States with the help of people like Individual #5.

8. DEA agents obtained telephone and travel records (rental car, airline, hotel records, etc.) documenting **JACK GEHRING's** numerous trips

from Florida to other cities, including Columbus, Ohio; Springfield, Massachusetts; and St. Louis, Missouri. Many of the trips documented in these records matched information provided by cooperating defendant INDIVIDUAL #5, and others as described below.

9. On August 8, 2011, just a few days after he had been seen by DEA agents on surveillance in the company of **JACK GEHRING** on August 4, 2011, Individual #5 was arrested at the Orlando International Airport when he was found in possession of a large quantity of oxycodone tablets. Upon being arrested, INDIVIDUAL #5 made a post-Miranda statement implicating **JACK GEHRING** as the source of supply for drugs he was in possession of at the time. In subsequent meetings with DEA agents, INDIVIDUAL #5 provided detailed information concerning his oxycodone trafficking activities with **JACK GEHRING**. INDIVIDUAL #5 explained that starting in late 2010, he and **JACK GEHRING** established an ongoing weekly oxycodone trafficking operation that lasted up until the time he (INDIVIDUAL #5) was arrested. INDIVIDUAL #5 explained that he would receive a shipment of between 400 and 1,000 oxycodone tablets from **JACK GEHRING** almost every week. In most cases, **JACK GEHRING** would deliver the drugs to INDIVIDUAL #5 in Massachusetts or Connecticut. In one instance, INDIVIDUAL #5 received a shipment of drugs from **JACK**

**GEHRING** in Buffalo, New York. On some occasions, **INDIVIDUAL #5** would travel to Orlando, Florida, to receive the oxycodone shipment from **JACK GEHRING**. It was one of these trips that resulted in **INDIVIDUAL #5's** arrest. Physical surveillance, travel and banking records obtained by DEA confirmed many of the meetings between **JACK GEHRING** and **INDIVIDUAL #5**. **INDIVIDUAL #5** was prosecuted by the State of Florida in conjunction with his DEA cooperation and is currently under a long probationary sentence that requires him to testify about **JACK GEHRING** and others with whom he was involved in criminal activity.

10. DEA agents identified both **INDIVIDUAL #3** and **INDIVIDUAL #4** as “prescription fillers” working for **JACK GEHRING**, based on their pattern of pill purchasing and contact with **JACK GEHRING**. Agents approached **INDIVIDUAL #4** and **INDIVIDUAL #3** in April 2012, and **INDIVIDUAL #4** explained that he/she had been recruited by **JACK GEHRING** to fill prescriptions for oxycodone. **INDIVIDUAL #4** stated that **JACK GEHRING** paid him/her between \$600 and \$900 plus expenses each month, depending on the number of oxycodone tablets he/she could provide. As part of the scheme, **JACK GEHRING** would pay for a health clinic visit, the cost of the oxycodone from the pharmacy, and he would then provide between \$600 and \$900 to **INDIVIDUAL #4**.

11. INDIVIDUAL #3 explained that he/she had been recruited by **JACK GEHRING** to fill prescriptions for oxycodone sometime in 2010. INDIVIDUAL #3 said that **JACK GEHRING** paid him/her between \$600 and \$900 plus expenses each month, depending on the number of oxycodone tablets he/she could provide. INDIVIDUAL #3 explained that he/she believed that **JACK GEHRING** had numerous individuals who worked for him filling prescriptions.

12. Based on pharmacy records from the State of Florida gathered for the time period between December 2010 and the beginning of INDIVIDUAL #3's and INDIVIDUAL #4's cooperation in April 2012, INDIVIDUAL #3 and INDIVIDUAL #4 each filled prescriptions for over 2,000 oxycodone tablets.

13. On July 6, 2011, DEA agents followed **JACK GEHRING** and his brother **PATRICK GEHRING** from a Central Florida pain clinic to three different pharmacies. Employees at the pharmacies told the agents that **PATRICK GEHRING** was attempting to fill a prescription for oxycodone written by a South Florida doctor. Twenty-eight days later, on August 3, 2011, DEA agents again observed **JACK GEHRING** and **PATRICK GEHRING** at the same clinic. Agents followed the **GEHRING** brothers from the clinic to a Walgreens store. The pharmacist at this location later



provided DEA agents with copies of the oxycodone prescriptions submitted by the **GEHRINGS**.

14. Agents then followed the **GEHRINGS** from that pharmacy to another nearby pharmacy where DEA agents observed **JACK GEHRING** meeting with Individual #1 in the parking lot. Pharmacy records from the State of Florida showed that Individual #1 filled two prescriptions for oxycodone on the same day he met **JACK GEHRING** in the parking lot. Florida pharmacy records also show that Individual #1 had prescriptions for oxycodone filled at Walgreens pharmacies almost every month between December 2010 and April 2012.

15. On September 29, 2011, DEA agents followed **JACK GEHRING** and his brother **PATRICK GEHRING** as they visited seven different Walgreens pharmacies in the Orlando, Florida area. On that date, **JACK GEHRING** and **PATRICK GEHRING** met with Individual #1 several times. Telephone records confirmed numerous telephone conversations between **JACK GEHRING** and Individual #1 during that day.

16. Florida pharmacy records show that **PATRICK GEHRING** filled controlled substance prescriptions almost every month between December 2010 and July of 2012 and continued regularly filling oxycodone and other opioid prescriptions through March 2014, including filling

prescriptions for the controlled substance fentanyl beginning in January 2013. Based on the records, agents estimate that **PATRICK GEHRING** filled prescriptions for over 4,000 oxycodone tablets in the State of Florida during the time period between December 2010 and March 2014.

17. On May 9, 2012, United States District Judge Roy B. Dalton signed a Title III wire intercept order in the Middle District of Florida authorizing the interception of calls made from two telephones (XXX-XXX-9574 and XXX-XXX-4889) used by **JACK GEHRING**.

18. On May 10, 2012, **JACK GEHRING** spoke with **SEAN GRELECKI** (call 15). During the call, **JACK GEHRING** asked **GRELECKI** if he got his pills "today." **JACK GEHRING** said he was concerned that he may not be able to get his prescription filled due to the 28-day waiting period between purchases. **JACK GEHRING** said he might get lucky and said that one guy finally paid \$1,250 for a bottle of "180 of them." On May 12, 2012 (call 22), **Jack GEHRING** told **GRELECKI** that he (**JACK GEHRING**) went to "about 40 pharmacies." On May 15, 2012, **GRELECKI** told **JACK GEHRING** (call 38) that he needed something for a test a doctor was going to give him "tomorrow." **JACK GEHRING** said he had "a little bit in a dollar bill" and he needed to "pour it in the piss" when he took the test. This was a reference to defeating a test given at doctor's offices to determine whether a

patient is not using the opioids previously prescribed and was likely diverting them instead.

19. On May 12, 2012, **JACK GEHRING** placed calls (calls 169 and 183) to another “prescription filler” named Individual #2. During these calls, **JACK GEHRING** gave INDIVIDUAL #2 information so that INDIVIDUAL #2 could attempt to acquire oxycodone prescriptions via mail order. Florida pharmacy records show that INDIVIDUAL #2 filled controlled substance prescriptions almost every month between December 2010 and December 2011 and continued during April and May of 2012.

20. On May 15, 2012, **JACK GEHRING** spoke to Individual #1 (call 390) about people going to Mississippi to get their prescriptions filled. **JACK GEHRING** told INDIVIDUAL #1 about mail order prescription filling, desirable because it did not report to the Florida prescription database.

21. On May 17, 2012, **JACK GEHRING** spoke to his daughter **TINA GEHRING** (call 488). During this call, **TINA GEHRING** said that she was at home and was taking people out every day to look for “them.” **JACK GEHRING** said that nobody has “them,” and **GEHRING** also said that he talked to somebody who told him they (the pharmacies) only get two bottles to fill prescriptions.

22. On May 25, 2012, **JACK GEHRING** and **SEAN GRELECKI** were intercepted agreeing to meet, and phone calls indicated that **GRELECKI** was planning to give **JACK GEHRING** \$650 and a prescription for oxycodone. Previous intercepted phone calls indicated that **GRELECKI** was going to pay **JACK GEHRING** \$400 if **JACK GEHRING** could fill the prescription for him. Agents observed **GRELECKI** handing papers to **JACK GEHRING**. Later that same day, a local pharmacist advised agents that **JACK GEHRING** had attempted to fill a prescription for 180 30mg oxycodone tablets, which was in the name of **SEAN GRELECKI**.

23. On May 25, 2012, agents watched **JACK GEHRING** meet with Individual #2. The next day (May 26, 2012), DEA agents followed **JACK GEHRING** and **INDIVIDUAL #2** to a Walgreens in Pompano Beach, Florida and then to a nearby pain clinic. While at this clinic, intercepted phone calls indicated that **JACK GEHRING** was making arrangements to drop oxycodone prescriptions off at a Hollywood, Florida pharmacy. After speaking to pharmacy personnel, **JACK GEHRING** told **SEAN GRELECKI** that he (**JACK GEHRING**) had received his prescription and was waiting for **INDIVIDUAL #2** to receive his/hers. **JACK GEHRING** then told his daughter **TINA GEHRING** that he was at the Post Haste Pharmacy in Hollywood. **JACK GEHRING** then told **GRELECKI** that he (**JACK**

**GEHRING**) and **INDIVIDUAL #2** had dropped their prescriptions off at the pharmacy.

24. On June 5, 2012, intercepted phone calls indicated that **GRELECKI** deposited drug trafficking proceeds into a bank account belonging to **TINA GEHRING**. Intercepted calls from **TINA GEHRING** then confirmed the arrival of these funds. One call indicated that **TINA GEHRING** went to an ATM to withdraw the funds that had come from **GRELECKI**. Later that day, intercepted calls with **TINA GEHRING** and Individual #2 as well as physical surveillance and banking records showed that **JACK GEHRING** used these funds to repay **INDIVIDUAL #2** for oxycodone tablets that **INDIVIDUAL #2** had given to **JACK GEHRING**.

25. **GRELECKI** was arrested by the Osceola County Sheriff's Office on May 29, 2014, for trafficking in controlled substances with a person named William Michael Moorehead III, and **GRELECKI** and Moorehead were eventually charged with conspiracy to possess oxycodone, pleaded guilty and adjudication was withheld. During the sting that led to **GRELECKI**'s arrest, Moorehead sold 60 oxycodone pills to an undercover officer for \$1,200. Florida pharmacy records show that **GRELECKI** filled controlled substance prescriptions for substances including oxycodone and other opioids nearly every month between December 2010 and July 2014. Based on the Florida

pharmacy records for this time period, agents estimate that **GRELECKI** filled prescriptions for over 6,000 oxycodone tablets in the State of Florida in addition to many other opioids. Records show that **GRELECKI** stopped filling prescriptions for oxycodone in the State of Florida in about July 2014, a couple of months after his arrest in Osceola County.

26. Pharmacy records from the State of Florida show that **TINA GEHRING** filled controlled substance prescriptions for oxycodone almost every month between December 2010 and April 2017 with the last record showing prescriptions being filled on April 25, 2017. Based on these records, agents estimate that **TINA GEHRING** filled prescriptions for over 9,000 oxycodone tablets in the State of Florida during the time period between December 2010 and April 25, 2017.

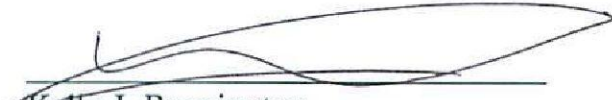
27. Pharmacy records from the State of Florida show that **JACK GEHRING** filled controlled substance prescriptions for oxycodone almost every month between December 2010 and April 2017 with the last record showing prescriptions being filled on April 24, 2017. Based on these records, agents estimate that **JACK GEHRING** personally filled prescriptions for over 11,000 oxycodone tablets in the State of Florida during the time period between December 2010 and April 24, 2017.

28. Records gathered by agents from the State of Florida also show a pronounced pattern of use of the same doctors and filling of the prescriptions on the same dates and locations for **JACK GEHRING** and **TINA GEHRING**, particularly from August 2013 through April 2017 when **Jack GEHRING** and **TINA GEHRING** went to the same three doctors to receive approximately 200 prescriptions, mostly for oxycodone, which were filled for **JACK GEHRING** and **TINA GEHRING** nearly each time at the same location and on the same dates.

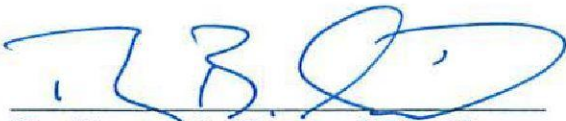
#### **Conclusion**

29. Based on the foregoing facts, and my experience and training, as well as the experience and training of other law enforcement officers, I submit that probable cause exists to believe that **JACK GEHRING** has worked and agreed with other individuals, including his brother **PATRICK GEHRING**, his daughter **TINA GEHRING**, and **SEAN GRELECKI** to acquire and

purchase and divert oxycodone for illegal distribution over a number of years, in violation of 21 U.S.C. §§ 841(a)(1) and 846. I do therefore, hereby request warrants for their arrest.

  
\_\_\_\_\_  
Kelly J. Pennington  
Special Agent  
Drug Enforcement Administration

Sworn to and subscribed before me  
this 7 day of July, 2017.

  
\_\_\_\_\_  
The Honorable Thomas B. Smith  
United States Magistrate Judge