

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEF CUNNINGHAM, JR.,  
a/k/a Carl Thomas,  
[DOB: 02/12/1986]

Defendant.

Case No. \_\_\_\_\_

**COUNT ONE:**

*(Possession of Controlled Substances with Intent to Distribute)*

21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

NMT: 20 Years Imprisonment

NMT: \$1,000,000 Fine

NLT: 3 Years Supervised Release

Class C Felony

**COUNTS TWO through SIX:**

*(Obtaining a Controlled Substance by Fraud)*

21 U.S.C. §§ 843(a)(3) and (d)(1)

NMT: 4 Years Imprisonment,

NMT: \$250,000 Fine,

NMT: 1 Year Supervised Release

Class E Felony

\$100 Mandatory Special Assessment Each  
Count

**INDICTMENT**

**THE GRAND JURY CHARGES THAT:**

**COUNT ONE**

*(Possession of Controlled Substance with Intent to Distribute)*

Between on or about April 25, 2015, and June 10, 2015, in the Western District of Missouri, the defendant, JOSEF CUNNINGHAM, JR., a/k/a Carl Thomas, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of Oxycodone, a Schedule II controlled substance, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

**COUNT TWO**  
*(Obtaining a Controlled Substance by Fraud)*

On or about April 25, 2015, at or near Smithville, Clay County, Missouri, within the Western District of Missouri, the defendant, JOSEF CUNNINGHAM, JR., a/k/a Carl Thomas, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, contrary to the provisions of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

**COUNT THREE**  
*(Obtaining a Controlled Substance by Fraud)*

On or about May 8, 2015, at or near Kansas City, Clay County, Missouri, within the Western District of Missouri, the defendant, JOSEF CUNNINGHAM, JR., a/k/a Carl Thomas, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Codeine, by misrepresentation, fraud, forgery, deception and subterfuge, contrary to the provisions of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

**COUNT FOUR**  
*(Obtaining a Controlled Substance by Fraud)*

On or about May 9, 2015, at or near Kansas City, Clay County, Missouri, within the Western District of Missouri, the defendant, JOSEF CUNNINGHAM, JR., a/k/a Carl Thomas, did knowingly and intentionally acquire and obtain possession of a controlled substance, that is, Oxycodone, by misrepresentation, fraud, forgery, deception and subterfuge, contrary to the provisions of Title 21, United States Code, Sections 843(a)(3) and (d)(1).

**COUNT FIVE**  
*(Obtaining a Controlled Substance by Fraud)*

On or about May 12, 2015, at or near Smithville, Clay County, Missouri, within the Western District of Missouri, the defendant, JOSEF CUNNINGHAM, JR., a/k/a Carl Thomas, did

