

Department of Justice

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Western District of New York

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NIAGARA FALLS MAN PLEADS GUILTY
TO UTILIZING FRAUDULENT PRESCRIPTION
TO OBTAIN CONTROLLED SUBSTANCE

BUFFALO, N.Y.-- U.S. Attorney William J. Hochul, Jr. announced today that James Respress, 54, of Niagara Falls, pleaded guilty to attempting to obtain a controlled substance by fraud. The charge carries a maximum penalty of four years in prison, a fine of \$250,000, or both.

Assistant U.S. Attorney John E. Rogowski, who is handling the case, stated that in November 2010, the defendant utilized a prescription he knew was fraudulent to acquire Opana, a prescription drug containing oxymorphone, a controlled substance, from a pharmacy in Niagara Falls, New York. The prescription was purportedly authorized by Dr. Pravin Mehta, a doctor who closed his Niagara Falls medical office after being arrested on federal drug distribution charges on January 27, 2011. In pleading guilty, Respress admitted that he was never a patient of Mehta and obtained the prescription by paying an employee of the Mehta office staff for a forged prescription. The defendant paid for the fraudulent prescription with his New York State Medicaid card.

Respress was arrested along with 13 others in January 2011. To date, seven defendants have been convicted.

The guilty plea is the result of an investigation on the part of Special Agents of the United States Drug Enforcement Administration, under the direction of John P. Gilbride, Special Agent in Charge, New York Field Division, the Niagara Falls Police Department, under the direction of John Chella, the New York State Bureau of Narcotic Enforcement (NYS-BNE), the Internal Revenue Service, the New York State Medicaid Fraud Control Unit and the Niagara County Sheriff's Drug Task Force.

Sentencing is scheduled for January 6, 2012 at 1:00 pm before Judge Arcara.

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