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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK CHAVEZ,

Defendant.

CR No. 2:24-CR-00492-MWF

I N F O R M A T I O N

[21 U.S.C. § 846: Conspiracy to
Distribute Ketamine]

The United States Attorney charges:

[21 U.S.C. § 846]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Information:

1. Defendant MARK CHAVEZ was a medical doctor licensed to practice in the State of California. Defendant CHAVEZ had applied for and obtained authorization from the Drug Enforcement Administration ("DEA") to dispense, administer, and prescribe narcotics and other controlled substances, so long as such prescriptions were for a legitimate medical purpose.

2. Defendant CHAVEZ knew that ketamine was a Schedule III controlled substance that was FDA-approved for induction and maintenance of general anesthesia during surgical procedures. Due to

1 medical risks associated with ketamine, defendant CHAVEZ understood
2 it was necessary for a health care provider to monitor a patient who
3 had just been given ketamine, and during that observation period,
4 have access to certain lifesaving equipment, including a
5 defibrillator, a supply of supplemental oxygen, equipment to monitor
6 the patient's heart rate and breathing, and medication to ensure
7 patient safety, including medication to control unsafe spikes in
8 blood pressure.

9 3. Defendant CHAVEZ was aware that selling vials of ketamine
10 to a patient for self-administration was illegal, far outside the
11 scope of professional practice, and without a legitimate medical
12 purpose. Defendant CHAVEZ similarly knew it was illegal to obtain a
13 prescription of a controlled substance in the name of a patient
14 without the patient's knowledge or consent.

15 4. On or about July 17, 2023, defendant CHAVEZ submitted a
16 fraudulent prescription to Pharmacy 1 to obtain thirty 200mg ketamine
17 lozenges in the name of Patient V.B. without Patient V.B.'s knowledge
18 or consent. Pharmacy 1 subsequently filled the fraudulent
19 prescription and sent defendant CHAVEZ ten 200mg ketamine lozenges in
20 V.B.'s name (the "Fraudulent V.B. Prescription").

21 B. OBJECT OF THE CONSPIRACY

22 Beginning on a date unknown but no later than September 2023,
23 and continuing until at least on or about October 28, 2023, in Los
24 Angeles County, within the Central District of California, and
25 elsewhere, defendant CHAVEZ conspired with others known and unknown
26 to the United States Attorney, to knowingly and intentionally
27 distribute ketamine, a Schedule III controlled substance, while
28 acting and intending to act outside of the usual course of

1 professional practice, and without a legitimate medical purpose, in
2 violation of Title 21, United States Code, Sections 841(a)(1),
3 841(b)(1)(E)(i).

4 C. MANNER AND MEANS OF THE CONSPIRACY

5 The object of the conspiracy was to be accomplished, in
6 substance, as follows:

7 1. Co-Conspirator 1 would contact defendant CHAVEZ about
8 purchasing ketamine from defendant CHAVEZ so that Co-Conspirator 1
9 could sell the ketamine to Victim M.P.

10 2. Defendant CHAVEZ would communicate with Co-Conspirator 1
11 about the type and quantity of ketamine that defendant CHAVEZ had
12 available for sale, and about the price in which Co-Conspirator 1
13 intended to charge Victim M.P. for ketamine.

14 3. To ensure that defendant CHAVEZ and Co-Conspirator 1 had a
15 sufficient supply of ketamine to sell to Victim M.P., defendant
16 CHAVEZ would order ketamine from medical distributors and, in doing
17 so, submit false certifications stating, among other things, that
18 defendant CHAVEZ would not be selling or transferring the ketamine to
19 another doctor.

20 4. Defendant CHAVEZ would advise Co-Conspirator 1 how to
21 administer ketamine to Victim M.P. and urge him to sell ketamine to
22 Victim M.P. for profit, including selling the Fraudulent V.B.
23 Prescription.

24 5. Co-Conspirator 1 would administer ketamine to Victim M.P.
25 via intermuscular injections and sell vials of ketamine which he
26 would provide to Victim M.P. for self-administration by another co-
27 conspirator.

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1 6. Co-Conspirator 1 would communicate with defendant CHAVEZ
2 about his interactions with Victim M.P., including adverse reactions
3 that Victim M.P. experienced when Co-Conspirator 1 administered a
4 large dose of ketamine.

5 D. OVERT ACTS

6 On or about the following dates, in furtherance of the
7 conspiracy and to accomplish its object, defendant CHAVEZ and others
8 known and unknown to the United States Attorney, committed various
9 overt acts within the Central District of California, and elsewhere,
10 including, but not limited to, the following:

11 Overt Act No. 1: On September 30, 2023, Co-Conspirator 1
12 contacted defendant CHAVEZ about purchasing ketamine from defendant
13 CHAVEZ so that Co-Conspirator 1 could sell the ketamine to Victim
14 M.P.

15 Overt Act No. 2: On September 30, 2023, defendant CHAVEZ
16 agreed to sell ketamine to Co-Conspirator 1.

17 Overt Act No. 3: On September 30, 2023, in text messages,
18 defendant CHAVEZ also told Co-Conspirator 1 that he had ketamine
19 lozenges available and sent Co-Conspirator 1 a photograph of the
20 Fraudulent V.B. Prescription with Patient V.B.'s name concealed by
21 black marker.

22 Overt Act No. 4: On September 30, 2023, in response to Co-
23 Conspirator 1 asking "If I can get you 2k would you meet me
24 halfway?", defendant CHAVEZ stated, "yes."

25 Overt Act No. 5: On September 30, 2023, defendant CHAVEZ met
26 Co-Conspirator 1 in or around Costa Mesa, California and transferred
27 the following to Co-Conspirator 1: at least four vials of liquid
28

1 ketamine, nine ketamine lozenges from the Fraudulent V.B.
2 Prescription, gloves, and syringes.

3 Overt Act No. 6: On September 30, 2023, Co-Conspirator 1
4 traveled to Victim M.P.' residence in Los Angeles County, where he
5 injected Victim M.P. with ketamine, and left behind at least one vial
6 of ketamine and multiple syringes.

7 Overt Act No. 7: On September 30, 2023, Co-Conspirator 1 sent
8 text messages to defendant CHAVEZ describing the meeting with Victim
9 M.P., stating it was "like a bad movie."

10 Overt Act No. 8: On or about September 30, 2023, Co-
11 Conspirator 1 paid defendant CHAVEZ a portion of the money Co-
12 Conspirator 1 had received from selling ketamine to Victim M.P.

13 Overt Act No. 9: On October 2, 2023, ahead of a planned
14 meeting with Victim M.P. and in response to Co-Conspirator 1 stating,
15 "[i]f today goes well we may have repeat business," defendant CHAVEZ
16 sent a text message stating: "Let's do everything we can to make it
17 happen."

18 Overt Act No. 10: On October 2, 2023, defendant CHAVEZ told
19 Co-Conspirator 1: "[y]ou should sell him the troches," referring to
20 the ketamine obtained via the Fraudulent V.B. Prescription.

21 Overt Act No. 11: On October 2, 2023, Co-Conspirator 1
22 traveled to Victim M.P.'s residence to inject him with ketamine and
23 to sell additional ketamine, including the Fraudulent V.B.
24 Prescription.

25 Overt Act No. 12: On October 2, 2023, Co-Conspirator 1
26 provided updates to defendant CHAVEZ over text message regarding his
27 visit to Victim M.P.'s residence, advising that he planned to give
28 Victim M.P. 360 milligrams of ketamine over the span of an hour.

1 Overt Act No. 13: On October 2, 2023, Co-Conspirator 1
2 informed defendant CHAVEZ that he would need additional ketamine to
3 sell to Victim M.P.

4 Overt Act No. 14: On October 2, 2023, defendant CHAVEZ
5 attempted to place an order for 10 vials of ketamine from a wholesale
6 distributor of controlled substances ("Wholesale Ketamine Distributor
7 1") for the purpose of obtaining additional ketamine to transfer to
8 Co-Conspirator 1.

9 Overt Act No. 15: On October 2, 2023, defendant CHAVEZ
10 submitted a License Authorization Form to a different wholesale
11 distributor of controlled substances ("Wholesale Ketamine Distributor
12 2") for the purpose of obtaining additional ketamine to transfer to
13 Co-Conspirator 1. Among other things, the License Authorization Form
14 contained false statements, including that defendant CHAVEZ worked
15 for the facility "Dreamscape Ketamine - The Health MD" and a
16 certification that the drugs "will be used only by the organization"
17 and "will not be sold to a third party, distributed or used for any
18 other purpose."

19 Overt Act No. 16: On October 4, 2023, in or around Irvine,
20 California, defendant CHAVEZ transferred eight vials of liquid
21 ketamine to Co-Conspirator 1, for which defendant CHAVEZ was later
22 compensated.

23 Overt Act No. 17: On October 4, 2023, Co-Conspirator 1
24 traveled to Victim M.P.'s residence to transfer and sell multiple
25 vials of ketamine.

26 Overt Act No. 18: On October 4, 2023, in text messages, Co-
27 Conspirator 1 told defendant CHAVEZ the following: "any trouble
28 finding more ketamine . . . in case this continues with this guy,

1 and I think it would be best served not having him look elsewhere and
2 [b]e his go to."

3 Overt Act No. 19: On October 4, 2023, in response to the text
4 messages described in Overt Act No. 18, defendant CHAVEZ stated he
5 was "working on getting more" ketamine.

6 Overt Act No. 20: On October 4, 2023, defendant CHAVEZ
7 submitted an order for 10 vials of ketamine to Wholesale Ketamine
8 Distributor 2, which he intended to distribute to Co-Conspirator 1 to
9 be sold to Victim M.P.

10 Overt Act No. 21: On October 4, 2023, in response to an email
11 from Wholesale Ketamine Distributor 1 requesting that defendant
12 CHAVEZ complete a "Know Your Customer" DEA Questionnaire, defendant
13 CHAVEZ completed the form and submitted it to Wholesale Ketamine
14 Distributor 1 knowing that it contained materially false statements,
15 including stating "No" in response to the question, "Do you sell any
16 products to other []practitioners?"

17 Overt Act No. 22: On October 6, 2023, defendant CHAVEZ advised
18 Co-Conspirator 1 over text message that he had "found a pharmacy that
19 has Ketamine," and that the co-conspirators could obtain ketamine
20 sooner than expected.

21 Overt Act No. 23: On October 9, 2023, defendant CHAVEZ
22 received the ketamine shipment from Wholesale Ketamine Distributor 1
23 and sent a text message to Co-Conspirator 1 advising, "Are we still
24 meeting tomorrow. We got the Shipment today. One box of 10 vials."

25 Overt Act No. 24: On October 9, 2023, in response to the text
26 message referenced in Overt Act No. 23, Co-Conspirator 1 stated:
27 "Great. Yes. I'm going to probably come to you[] mid day."
28

1 Overt Act No. 25: On October 10, 2023, defendant CHAVEZ met
2 Co-Conspirator 1 in Irvine, California and transferred 10 vials of
3 ketamine to Co-Conspirator 1 so that they could be sold to Victim
4 M.P.

5 Overt Act No. 26: On October 10, 2023, Co-Conspirator 1 called
6 defendant CHAVEZ and informed him that Co-Conspirator 1 had just
7 injected Victim M.P. with ketamine while Victim M.P. was in the back
8 seat of a vehicle parked in a public parking lot in Long Beach,
9 California.

10 Overt Act No. 27: On October 12, 2023, Co-Conspirator 1
11 administered a large dose of ketamine to Victim M.P. which caused an
12 adverse medical reaction, including a significant spike to Victim
13 M.P.'s systolic blood pressure and causing him to freeze up, such
14 that Victim M.P. could not speak or move.


15 Overt Act No. 28: October 13, 2023, in response to a text
16 messages from Co-Conspirator 1 asking if he would be interested in
17 running a ketamine clinic with Co-Conspirator 1, defendant CHAVEZ
18 said: "interesting," and "as long as we are doing things on the up
19 and up we can start ASAP All done legally without any shady
20 stuff. Having them come to the clinic will insure this."

21 Overt Act No. 29: On October 13, 2023, in response to Co-
22 Conspirator PLASENCIA's question, "Oh so you dont agree with the
23 method I am currently doing?", defendant CHAVEZ stated: "It's not
24 what I think it's what an entity like the California medical board
25 would view it Or the DEA" and forwarded Co-Conspirator
26 PLASENCIA a screenshot of an October 12, 2023 email that defendant
27 CHAVEZ received notifying him that he was under investigation by the
28 California Board of Medicine.

1 Overt Act No. 30: On October 19, 2023, when he was interviewed
2 by investigators from the DEA and the Medical Board of California
3 about the ketamine lozenges prescribed in Patient V.B.'s name missing
4 from defendant CHAVEZ's former ketamine clinic, defendant CHAVEZ
5 concealed from investigators the fact that he had transferred
6 ketamine to Co-Conspirator 1 to sell to Victim M.P. and instead
7 claimed that he had thrown the lozenges away because they had melted
8 in his car.

9 Overt Act No. 31: On or after October 28, 2023, after learning
10 about Victim M.P.'s death, defendant CHAVEZ called Co-Conspirator 1
11 to discuss whether Co-Conspirator 1 was concerned that the ketamine
12 they distributed to Victim M.P. may have been the cause of his death.

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