

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

**v.**

**JOSEPH POUNDS**

**\* CRIMINAL NO.: 15-131**

**\* SECTION: "N"**

**\* VIOLATIONS: 21 USC § 841(a)(1)  
21 USC § 841(b)(1)(C)**

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**\* \* \***

**FACTUAL BASIS**

Had this matter proceeded to trial, the government would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimony and other evidence, the following facts to support the allegations against the defendant, **JOSEPH POUNDS**.

In December 2011, agents of the Drug Enforcement Administration ("DEA") began investigating reports of widespread illegal street sales of Roxicodone pills in and around the City of Bogalusa, within the Eastern District of Louisiana. Roxicodone was a brand of prescription drug containing up to thirty milligrams (30 mg) per tablet of pure oxycodone, a Schedule II drug controlled substance and a highly addictive and abused semi-synthetic opioid. DEA agents were aware from previous investigations that OxyContin, another brand of oxycodone that was available in extended-release strengths of up to eighty milligrams (80 mg), had at one time been

one of the most coveted prescription drugs among drug abusers, many of whom would crush the tablets and then snort the powder, or dissolve and inject it, for an effect similar to heroin, a drug with similar chemical properties. DEA agents were also aware that, after the manufacturer's reformulation of OxyContin to resist snorting and intravenous use, maximum-strength Roxicodone 30 mg became the top choice among oxycodone abusers and traffickers on the black market.

DEA agents began gathering intelligence and conducting undercover purchases of Roxicodone tablets from known pill traffickers in the Bogalusa area. Agents found that Roxicodone 30 mg tablets were being sold by pill traffickers for approximately twenty-five to thirty dollars (\$25-30) per tablet. Agents further learned that many of these sellers were patients or close associates of patients of Clinic A. The investigation ultimately revealed that Clinic A was an unregistered pain management clinic operating as a 'pill mill,' dispensing Roxicodone prescriptions in exchange for cash outside the scope of professional medical practice and not for a legitimate medical purpose. Clinic A changed locations multiple times during the investigation, operating at times in the New Orleans area and in Kiln, Mississippi. Clinic A also changed names on paper, although no signage was ever posted outside the clinic stating the clinic's name or otherwise indicating that a medical practice was operating therein. The investigation further showed that nearly every 'patient' of Clinic A was receiving a prescription for a high number of maximum-strength Roxicodone 30 mg tablets every month. Clinic A accepted cash only, no insurance, and charged approximately two hundred eighty to three hundred dollars (\$280-300) per visit during the investigation. On numerous occasions, Clinic A staff operated the clinic without a doctor present, charging 'patients' the regular price for a doctor's visit in exchange for prescriptions for high numbers of Roxicodone 30 mg tablets.

During the investigation, DEA agents conducted three undercover purchases of Roxicodone 30 mg pills from the defendant, **JOSEPH POUNDS**.

On May 20, 2013, DEA conducted an undercover purchase of Roxicodone tablets from the defendant, **JOSEPH POUNDS**. An undercover DEA agent ("UA") directed a confidential source ("CS"), who previously had been in contact with **JOSEPH POUNDS**, to call **JOSEPH POUNDS** to arrange for the UA to purchase the pills from him. The UA and CS then met **JOSEPH POUNDS** at his apartment in Bogalusa for the transaction. **JOSEPH POUNDS** counted out forty (40) Roxicodone 30 mg tablets on a table. The UA confirmed the count, collected the pills, and handed **JOSEPH POUNDS** \$1,000.00 U.S. Currency for the purchase. **JOSEPH POUNDS** held up the cash and said, "You see, this means less traffic," meaning less pill purchasers coming to his apartment. **JOSEPH POUNDS** also advised the UA that his next doctor's appointment was scheduled for June 17, 2013, and he could sell more Roxicodone tablets to the UA on that date.

On June 17, 2013, DEA conducted another undercover purchase of Roxicodone tablets from the defendant, **JOSEPH POUNDS**. The UA directed the CS to call **JOSEPH POUNDS** to arrange a meeting for the transaction at a Walmart parking lot in Bogalusa, which the CS did. The UA and CS then drove to the Walmart parking lot and observed **JOSEPH POUNDS** drive up in a pick-up truck. **JOSEPH POUNDS** exited the truck and entered the UA's vehicle. Inside the vehicle, **JOSEPH POUNDS** handed the UA a bottle containing sixty (60) Roxicodone 30 mg tablets, and the UA handed **JOSEPH POUNDS** \$1,400.00 U.S. Currency. After **JOSEPH POUNDS** counted the money, he told the UA that his brother, EDGAR POUNDS, who was waiting in the pick-up truck, was going to the doctor on June 24, 2013, and **JOSEPH POUNDS** asked whether the UA wanted to buy Roxicodone pills from his brother. **JOSEPH POUNDS**

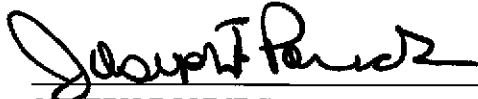
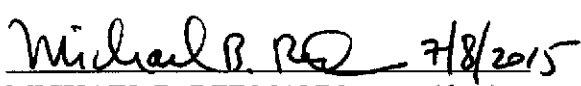

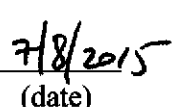
then introduced the UA to EDGAR POUNDS, and the UA and EDGAR POUNDS agreed to get in touch again for the purpose of setting up a Roxicodone transaction.

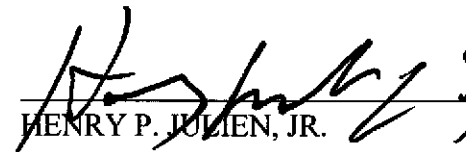
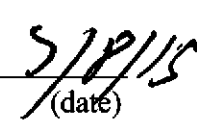
On July 15, 2013, DEA conducted another undercover purchase of Roxicodone tablets from the defendant, **JOSEPH POUNDS**. The UA directed the CS to call **JOSEPH POUNDS** to arrange a meeting for the transaction at a Walmart parking lot in Bogalusa, which the CS did. The UA and CS then drove to the Walmart parking lot and observed **JOSEPH POUNDS** arrive in a pick-up truck driven by his brother, EDGAR POUNDS. The UA approached the passenger side of the vehicle on foot and greeted the occupants. **JOSEPH POUNDS** handed the CS one (1) Roxicodone 30 mg tablet, and handed the UA a bottle containing forty (40) Roxicodone 30 mg tablets. The UA handed **JOSEPH POUNDS** \$1,000.00 U.S. Currency. The UA told EDGAR POUNDS that he would see him next Monday (July 22, 2013), and EDGAR POUNDS said that he would be ready.

**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts known by the defendant, **JOSEPH POUNDS**, but rather is a minimum statement of facts intended to prove the necessary factual predicate for the guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the defendant's plea of guilty to Counts 10, 11, and 13 of the Indictment.

**APPROVED AND ACCEPTED:**

	
JOSEPH POUNDS	MICHAEL B. REDMANN
Defendant	Assistant United States Attorney
	
(date)	(date)

	
HENRY P. JULIEN, JR.	(date)
Counsel for Defendant	