

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

UNITED STATES OF AMERICA

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

v.

*** SECTION: "N"**

WALLACE STOGNER

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

*** * ***

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, **WALLACE STOGNER**.

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 two undercover purchases of Roxicodone 30 mg pills from the defendant, **WALLACE STOGNER**, together with DEBRA WALKER.

On September 18, 2012, DEA conducted an undercover purchase of Roxicodone tablets from the defendant, **WALLACE STOGNER**, and DEBRA WALKER. A confidential source (“CS”), at the direction of an undercover DEA agent (“UA”), contacted WALKER, a patient of Clinic A, to arrange a purchase by the UA of Roxicodone 30 mg pills at an apartment in Bogalusa, Louisiana. When the UA arrived at the apartment, **STOGNER** and WALKER were already present, and there were eight piles of Roxicodone 30 mg pills, and one extra pill, set up on a table. The UA counted 81 pills on the table in all, and said that he wanted to buy 100. WALKER replied that they only had 81 pills. The UA asked how much it would be, and both WALKER and **STOGNER** replied, \$2,125.00. The UA asked if they could break a \$100 bill, and the said that they could not. The UA said that he would have to owe them \$25, and they agreed. The UA counted out \$2,100.00 in U.S. Currency and handed it to **STOGNER**, who then verified the count. The UA took the pills from the table. WALKER advised that she was going back to Clinic A on October 15, 2012, and could then “do 120.” The UA said he would get back with them.

On October 15, 2012, DEA conducted a second undercover purchase of Roxicodone tablets from the defendant, **WALLACE STOGNER**, and DEBRA WALKER. The CS again contacted WALKER by telephone to arrange a purchase of Roxicodone pills by the UA at a Bogalusa apartment. The CS and UA arrived at the apartment and were greeted by **STOGNER** and WALKER. **STOGNER** said that he had 125 Roxicodone pills for sale, and motioned towards a table covered with piles of pills. The UA advised that he only wanted to buy 100. The

UA counted out 100 Roxicodone 30 mg pills, and WALKER reminded him that he owed them \$25.00 from the last time. The UA handed **STOGNER** \$2,525.00, and **STOGNER** counted out the money while the UA took the pills.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by the defendant, **WALLACE STOGNER**, 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 6 and 7 of the Indictment.

APPROVED AND ACCEPTED:

Wallace Stogner 6/14/16
WALLACE STOGNER (date)
Defendant

Michael B. Redmann 6/14/2016
MICHAEL B. REDMANN (date)
Assistant United States Attorney

Eric Hessler 6/14/16
ERIC HESSLER (date)
Counsel for Defendant