

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
2018 SEP 21 P 3:15
WILLIAM W. BLEVINS
CLERK

FELONY

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

**SECOND SUPERSEDING INDICTMENT FOR VIOLATIONS OF THE
FEDERAL CONTROLLED SUBSTANCES ACT, CONSPIRACY TO COMMIT
MONEY LAUNDERING, STRUCTURING, AND OBSTRUCTION OF JUSTICE**

UNITED STATES OF AMERICA

v.

WAYNE CELESTINE, M.D.

*** CRIMINAL NO. 18-083**

*** SECTION: "H"**

*** VIOLATION: 21 U.S.C. § 846
21 U.S.C. § 841(a)(1)
* 21 U.S.C. § 841(b)(1)(C)
21 U.S.C. § 841(b)(1)(E)
* 21 U.S.C. § 841(b)(2)
18 U.S.C. § 2
* 18 U.S.C. § 1956(a)(1)(B)(ii)
18 U.S.C. § 1956(h)
* 18 U.S.C. § 1512(b)(3)
31 U.S.C. § 5324(a)(3)
* 31 C.F.R. § 103.11**

*** * ***

The Grand Jury charges that:

COUNT 1

(Conspiracy to Dispense Controlled Substances)

Beginning at a time unknown, but prior to 2008, and continuing until on or about April 20, 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **WAYNE**

Fee USA
Process _____
X Dkid _____
CtRmDop _____
Doc. No. _____

CELESTINE, M.D., and others known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons to dispense, outside the scope of professional practice and not for a legitimate medical purpose, quantities of oxycodone, oxycodone/acetaminophen, oxycontin HCL, oxymorphone HCL, hydromorphone, opana, fentanyl, suboxone, and morphine sulfate, Schedule II drug controlled substances, and hydrocodone/acetaminophen, a Schedule III drug controlled substance until October 6, 2014, thereafter, a Schedule II drug controlled substance, and alprazolam, diazepam, and carisoprodol, Schedule IV drug controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and (E), and 841(b)(2); all in violation of Title 21, United States Code, Section 846.

COUNT 2

(Illegal Dispensing by Prescribing Controlled Substances)

In or about September 2016, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly and intentionally dispense outside the scope of professional practice and not for a legitimate medical purpose, a quantity of oxycodone and oxycontin, both Schedule II drug controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 3

(Illegal Dispensing by Prescribing Controlled Substances)

In or about October 2017, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly and intentionally dispense outside the scope of professional practice and not for a legitimate medical purpose, a quantity of oxycodone, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 4

(Illegal Dispensing by Prescribing Controlled Substances)

In or about October 2017, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly and intentionally dispense outside the scope of professional practice and not for a legitimate medical purpose, a quantity of oxycodone, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 5

(Illegal Dispensing by Prescribing Controlled Substances)

In or about February 2018, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly and intentionally dispense outside the scope of professional practice and not for a legitimate medical purpose, a quantity of hydrocodone, a Schedule II drug controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and Title 18, United States Code, Section 2.

COUNT 6

(Conspiracy to Commit Money Laundering)

A. BACKGROUND

1. Title 31, United States Code, Section 5313 and the regulations promulgated thereunder require any financial institution that engages in a currency transaction (*e.g.*, a deposit or withdrawal) in excess of \$10,000 with a customer to report the transaction to the Department of the Treasury by filing a Currency Transaction Report (“CTR”). These regulations also require that multiple transactions be treated as a single transaction if the financial institution has knowledge that they are by, or on behalf of, the same person, and they result in either currency

received or disbursed by the financial institution totaling more than \$10,000 during any one-business day.

2. CTRs are often used by law enforcement to uncover a wide variety of illegal activities such as money laundering. Many individuals engaged in such illegal activities are aware of such reporting requirements and take active steps to cause financial institutions to fail to file CTRs, such as, for example, making multiple cash deposits in amounts less than \$10,000 on the same day or on consecutive days. These active steps are often referred to as “structuring.” Structuring cash deposits to avoid triggering the filing of a CTR by a financial institution is prohibited by Title 31, United States Code, Section 5324(a).

3. JPMorgan Chase Bank, Capital One Bank and First NBC Bank are domestic financial institutions.

B. CONSPIRACY

4. On or before January 1, 2008, and continuing to on or about April 20, 2018, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, and others known and unknown to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree to conduct and attempt to conduct financial transactions affecting interstate commerce, to wit, making cash deposits of United States Currency, which involved the proceeds of a specified unlawful activity, that is conspiracy to illegally dispense, outside of the scope of professional practice and not for legitimate purpose, quantities of Schedule II, III and IV drugs, in violation of Title 21, United States Code, Sections 846 and 841(a)(1), knowing that the transactions were designed in whole and in part to avoid a transaction reporting requirement under federal law and that while conducting and attempting to conduct such financial transactions knew that the cash deposits of United States Currency totaling a substantial amount

represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii); all in violation of Title 18, United States Code, Section 1956(h).

COUNT 7
(Structuring)

A. BACKGROUND

Paragraph A. of Count 6 is realleged and incorporated by reference as though fully set forth herein.

B. STRUCTURING

On or about the dates set forth below, in the Eastern District of Louisiana, the defendant, **WAYNE CELESTINE, M.D.**, knowingly and for the purpose of evading the reporting requirements of Title 31, United States Code, Section 5313(a), and the regulations promulgated thereunder, did structure, assist in structuring, and cause others to structure, or attempt to structure the following transactions amongst others with domestic financial institutions, and did so while violating other laws of the United States, that is, a conspiracy to dispense controlled substances and conspiracy to commit money laundering, and as part of a pattern of illegal activity involving more than \$100,000 in a 12-month period:

Bank	Account Number	Transaction Time	Post Date	Cash Deposit	Branch
JP Morgan Chase	x9625	11:10am	2/2/2012	\$8,522.00	4100 Lapalco Blvd
JP Morgan Chase	x9625	11:44am	2/2/2012	\$6,352.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	11:44am	3/1/2012	\$8,000.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	2:36pm	3/1/2012	\$5,203.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	10:07am	3/26/2012	\$9,560.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	10:58am	3/26/2012	\$9,850.00	4400 General De Gaulle

Bank	Account Number	Transaction Time	Post Date	Cash Deposit	Branch
JP Morgan Chase	x9625	12:01pm	3/26/2012	\$8,201.00	4100 Lapalco Blvd
JP Morgan Chase	x9625	3:04pm	4/27/2012	\$8,800.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	3:54pm	4/27/2012	\$6,415.00	4400 General De Gaulle
JP Morgan Chase	x9625	12:03pm	5/14/2012	\$7,820.00	2320 Belle Chasse Blvd
JP Morgan Chase	x9625	4:11pm	5/14/2012	\$9,800.00	4100 Lapalco Blvd
JP Morgan Chase	x9625	12:12pm	6/11/2012	\$9,286.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	12:20pm	6/11/2012	\$9,000.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	12:33pm	6/11/2012	\$9,310.00	4100 Lapalco Blvd
JP Morgan Chase	x9625	1:43pm	6/11/2012	\$9,500.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	2:14pm	6/11/2012	\$9,430.00	4400 General De Gaulle
JP Morgan Chase	x9625	3:34pm	7/23/2012	\$10,000.00	2320 Belle Chasse Blvd
JP Morgan Chase	x9625	5:44pm	7/23/2012	\$3,285.00	2340 Manhattan Blvd
First NBC	x6678	2:28pm	10/23/2012	\$4,400.00	Manhattan
First NBC	x6678	2:40pm	10/23/2012	\$6,480.00	Lapalco
JP Morgan Chase	x9625	N/A	11/26/2012	\$9,486.00	2340 Manhattan Blvd
JP Morgan Chase	x9625	N/A	11/26/2012	\$1,220.00	4400 General De Gaulle
First NBC	x6678	2:32pm	1/22/2013	\$6,660.00	
JP Morgan Chase	x9625	N/A	1/22/2013	\$6,900.00	
First NBC	x6678	2:44pm	1/28/2013	\$6,500.00	
JP Morgan Chase	x9625	N/A	1/28/2013	\$5,290.00	
First NBC	x6678	2:48pm	3/4/2013	\$6,000.00	
Capital One	x9954	2:57pm	3/4/2013	\$6,900.00	
First NBC	x6678	11:13am	3/14/2013	\$6,500.00	
Capital One	x9954	2:21pm	3/14/2013	\$7,100.00	
Capital One	x9954	3:35pm	5/7/2013	\$6,598.00	
First NBC	x6678	3:45pm	5/7/2013	\$7,420.00	
First NBC	x6678	12:28pm	6/17/2013	\$7,700.00	Manhattan

Bank	Account Number	Transaction Time	Post Date	Cash Deposit	Branch
First NBC	x6678	4:32pm	6/17/2013	\$4,666.00	Manhattan
First NBC	x6678	11:02am	7/15/2013	\$6,480.00	Manhattan
First NBC	x6678	4:42pm	7/15/2013	\$7,179.00	Manhattan
Capital One	x9954	10:21am	8/19/2013	\$3,535.00	
First NBC	x6678	4:04pm	8/19/2013	\$7,440.00	
First NBC	x6678	3:14pm	9/16/2013	\$5,645.00	
Capital One	x9954	3:28pm	9/16/2013	\$8,960.00	
First NBC	x6678	12:59pm	10/10/2013	\$6,402.00	
Capital One	x9954	5:31pm	10/10/2013	\$8,020.00	
Capital One	x9954	12:19pm	1/13/2014	\$6,400.00	Hwy 190 Covington
Capital One	x9954	4:59pm	1/13/2014	\$7,100.00	Manhattan Branch Harvey
First NBC	x6678	3:40pm	1/21/2014	\$6,020.00	Manhattan
First NBC	x6678	4:41pm	1/21/2014	\$6,255.00	Manhattan
Capital One	x9954	12:07pm	1/21/2014	\$8,080.00	Hwy 190 Covington
Capital One	x9954	3:59pm	1/21/2014	\$7,150.00	Manhattan Branch Harvey
First NBC	x6678	10:37am	2/6/2014	\$6,980.00	
Capital One	x9954	10:50am	2/6/2014	\$5,980.00	
Capital One	x9954	12:57pm	3/3/2014	\$4,639.00	Hwy 190 Covington
Capital One	x9954	5:25pm	3/3/2014	\$7,263.00	Manhattan Branch Harvey
Capital One	x9954	12:29pm	4/7/2014	\$4,340.00	
First NBC	x6678	4:43pm	4/7/2014	\$4,705.00	
First NBC	x6678	11:59am	5/5/2014	\$7,005.00	
Capital One	x9954	12:16pm	5/5/2014	\$9,760.00	
Capital One	x9954	1:05pm	7/21/2014	\$6,080.00	Belle Promenade Marrero
Capital One	x9954	4:46pm	7/21/2014	\$7,005.00	Manhattan Branch Harvey
First NBC	x6678	11:36am	12/8/2014	\$3,686.00	Manhattan
First NBC	x6678	3:49pm	12/8/2014	\$7,220.00	Terrytown

<u>Bank</u>	<u>Account Number</u>	<u>Transaction Time</u>	<u>Post Date</u>	<u>Cash Deposit</u>	<u>Branch</u>
First NBC	x6678	12:06pm	1/14/2015	\$4,324.00	
Capital One	x9954	5:36pm	1/14/2015	\$7,700.00	
Capital One	x9954	11:02am	1/22/2015	\$6,600.00	
First NBC	x6678	11:13am	1/22/2015	\$5,000.00	
First NBC	x6678	10:08am	1/26/2015	\$6,848.00	Terrytown
First NBC	x6678	11:13am	1/26/2015	\$6,098.00	Gause East
First NBC	x6678	11:16am	1/29/2015	\$3,720.00	
Capital One	x9954	12:04pm	1/29/2015	\$7,547.00	
First NBC	x6678	2:30pm	2/5/2015	\$4,171.00	
Capital One	x9954	3:24pm	2/5/2015	\$6,820.00	
First NBC	x6678	4:28pm	2/12/2015	\$5,376.00	
Capital One	x9954	4:53pm	2/12/2015	\$6,000.00	
First NBC	x6678	3:56pm	2/24/2015	\$4,685.00	Terrytown
First NBC	x6678	4:16pm	2/24/2015	\$5,400.00	Terrytown
First NBC	x6678	8:59am	3/5/2015	\$5,116.00	
Capital One	x9954	9:21am	3/5/2015	\$6,800.00	
Capital One	x9954	8:43am	3/17/2015	\$9,900.00	
First NBC	x6678	4:54pm	3/17/2015	\$6,160.00	
First NBC	x6678	11:31am	5/4/2015	\$9,300.00	Gause East
First NBC	x6678	12:46pm	5/4/2015	\$5,800.00	Terrytown

Total Structured Amount \$540,848.00

All in violation of Title 31, United States Code, Section 5324(a)(3); Title 31, Code of Federal Regulations, Section 103.11; and Title 18, United States Code, Section 2.

COUNT 8
(Obstruction of Justice)

In or about February or March 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly attempt to corruptly persuade another person and engage in misleading conduct toward that person with the intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission of federal offenses as set forth in Counts 1 and 7 of this second superseding indictment, and specifically, **WAYNE CELESTINE'S** involvement in the conspiracy to illegally dispense controlled substances and the related structuring of cash in violation of Title 21, United States Code, Section 846 and Title 31, United States Code, Section 5324, all in violation of Title 18, United States Code, Section 1512(b)(3).

COUNT 9
(Obstruction of Justice)

In or about February or March 2018, in the Eastern District of Louisiana and elsewhere, the defendant, **WAYNE CELESTINE, M.D.**, did knowingly attempt to corruptly persuade another person and engage in misleading conduct toward that person with the intent to hinder, delay, and prevent the communication to a law enforcement officer of the United States of information relating to the commission of federal offenses as set forth in Counts 1 and 4 of this second superseding indictment, and specifically, **WAYNE CELESTINE'S** involvement in the conspiracy to illegally dispense controlled substances in violation of Title 21, United States Code, Section 846 and his illegal dispensing of controlled substances in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 18, United States Code, Section 1512(b)(3).

NOTICE OF DRUG FORFEITURE

1. The allegations of Counts 1, 2, 3, 4, and 5 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the offenses alleged in Counts 1, 2, 3, 4, and 5, the defendant, **WAYNE CELESTINE, M.D.**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts 1, 2, 3, 4, and 5 of this Second Superseding Indictment, including but not limited to the following described properties:

\$23,853 U.S. Currency;

2007 Hummer H2, bearing Vehicle Identification Number:
5GRGN23U67H109101;

2008 Mercedes Benz S550, bearing Vehicle Identification Number:
WDDNG71X38A181077;

2009 Fleetwood Springer Pulse Motorhome, bearing Vehicle
Identification Number: WDXPF445589374016;

2008 BMW 750, bearing Vehicle Identification Number:
WBAHL83538DT11245;

2009 BMW 328, bearing Vehicle Identification Number:
WBAWL13589PX26172;

2011 Audi R8, bearing Vehicle Identification Number:
WUAVNAFG1BN001457;

2013 Mercedes Benz ML350, bearing Vehicle Identification Number: 4JGDA5JB1DA162940;

2014 Porsche Cayenne, bearing Vehicle Identification Number: WP1AF2A23ELA37868;

2015 Porsche 911 Turbo S; bearing Vehicle Identification Number: WP0AD2A94FS166231;

2016 Honda Accord, bearing Vehicle Identification Number: 1HGCT1B7XGA011257;

2009 Ford Mustang, Vehicle Identification Number: 1ZVHT88S295139753;

Assorted Jewelry;

\$160,759.52 seized from Whitney Bank, Account Number: 110036678, in the name of Integrity Pain Management;

\$85,894.63 seized from Whitney Bank, Account Number: 300050953, in the name of Dr. Wayne J. Celestine;

\$19,477.01 seized from Whitney Bank, Account Number: 300273241, in the name of Dr. Wayne J. Celestine;

\$773.62 seized from Whitney Bank, Account Number: 800087655, in the name of Dr. Wayne J. Celestine;

\$250.36 Seized from cash accounts, money funds, stocks, bonds, commodities, securities, and/or other items of value or the liquidated value thereof in the name of or held on behalf of Dr. Wayne J. Celestine, M.D., Irrevocable Life Insurance Trust, in possession of Whitney Bank, Account Number: 110089093;

\$168,153.10 seized from cash accounts, money funds, stocks, bonds, commodities, securities, and/or other items of value or the liquidated value thereof in the name of or held on behalf of Integrity Pain Management, LLC, and Dr. Wayne J. Celestine, in possession of Penn Mutual Life Insurance Account Number: 8360723;

\$262,443.64 seized from cash accounts, money funds, stocks, bonds, commodities, securities, and/or other items of value or the liquidated value thereof in the name of or held on behalf of Dr. Wayne J. Celestine, in possession of Penn Mutual Life Insurance, Account Number: 8948631;

\$169,702.40 seized from cash accounts, money funds, stocks, bonds, commodities, securities, and/or other items of value or the liquidated value thereof in the name of or held on behalf of Wayne Celestine, in possession of New York Life Insurance and Annuity Account Number: 58514998;

\$100,164.48 seized from cash accounts, money funds, stocks, bonds, commodities, securities, and/or other items of value or the liquidated value thereof in the name of or held on behalf of Wayne Celestine, in possession of Fidelity Investments SEP-IRA Account Number: 216-570330;

\$20,400 U.S. Currency on deposit in Hancock Whitney Bank, Account Number: 60290203, in the name of Wayne Jerome Celestine M.D. Irrevocable Life Insurance Trust.

Property currently recorded in the name of 525 Commerce, LLC, and described as follows: All that certain portion of ground, together with all the buildings and improvements thereon and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Jefferson, State of Louisiana, in that part known as Oakdale Subdivision, Section C designated as Lot C-10 of Farm Block 6 or Lot 6, bounded by Belle Chasse Highway, Wall Boulevard, Commerce Street and an unnamed street on the easterly side, all on a plan approved by the Jefferson Parish Council on August 7, 1985, Ordinance No. 16524, registered in COB 1313, Folio 302, on August 7, 1985, said portion of ground being more fully described as follows: Lot C-10 measures 201.65 feet on Commerce Street, by a width in the rear (adjoining Lot C-5) of 159.72 feet, by a depth of 357.40 feet on Wall Boulevard side and a depth of 480.51 feet on the easterly side, between parallel (but not equal) lines, all as more specifically set out on the above mentioned

survey. The improvements thereon bear the municipal number: 525 Commerce Street, Gretna, Louisiana;

Property currently recorded in the name of Wayne J. Celestine and described as follows: That certain portion of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Fifth District of the City of New Orleans, Parish of Orleans, State of Louisiana, in that part thereof known as English Turn Subdivision, Phase II, a plan of which subdivision prepared by J. J. Krebs & Sons, Inc. dated 5/10/1990, is registered in Conveyance Instrument No. 35681, Orleans Parish, Louisiana. According to said plan lot is designated as Lot 37 and is bounded by English Turn Drive, 105' drainage servitude and Lot GC, and is more particularly described as follows: Lot 37 measures 139.89' front on English Turn Drive, has a width in the max of 115.27', has a depth along the sideline adjacent to Lot 36 of 195' and has a depth along the sideline adjacent to Lot 38 of 191.31'. The improvements thereon bear the municipal number: 91 English Turn Drive, New Orleans, Louisiana;

Property currently recorded in the name of Wayne J. Celestine and described as follows: All that certain piece of ground together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining thereto situated in that subdivision known as Military Heights Subdivision in Section 42, Township 6 South, Range 11 East, St. Tammany Parish, Louisiana/as shown on a survey by Lowell E. Cummings, dated February 17, 1960 in map file number 27-C of the Clerks Office and more particularly described as follows, to-wit:

Parcel II:

All the certain piece of ground, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining thereto situated in that subdivision knows as Military Heights Subdivision, designated as Lot 12-A, as shown on

a plan of resubdivision by John G. Cummings, dated June 7, 2006 entitled "A Resubdivision of Lots 4 & 5, Square 29, Garlands Covington and Claiborne Addition, and Lots 12 & 13, Military Heights Subdivision, located in Section 42, Township 6 South, Range 11 East, St. Tammany. Lot 12-A is composed all of former Lot 12, Military Heights Subdivision and a portion of Lot 5, Garland Addition to Covington. The improvements thereon bear the municipal number: 20415 Military Heights, Covington, Louisiana;

Property currently recorded in the name of Wayne Jerome Celestine and described as follows: A certain lot of ground, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in the Sixth District of the City of New Orleans, in Square No. 200, West Bouligny, bounded by Magazine, Constance, Cadiz, and Valence Streets, designated as Lot No. 5 on a survey made by F.G. Stewart, dated December 5, 1962, a copy of which is annexed to act before August J. Ritter, Notary Public, on December 11, 1962 and recorded in DOB 649, Folio 300, and according thereto said lot commences at a distance of 120 feet from the corner of Magazine and Cadiz Streets, and measures thence 30 feet front on Magazine Street, by a depth of 128 feet 4 inches, actual measurement (128 feet, more or less, title measurement), between equal and parallel lines. The said property has the same location and designations in accordance with survey of Gilbert & Kelly dated September 22, 1982 with the exception that the distance from the corner of Cadiz Street and Magazine Street above shows 120 feet Title, 121.5.0 Actual. The improvements thereon bear the municipal numbers 4616-18 Magazine Street, New Orleans, Louisiana;

Property currently recorded in the name of Wayne J. Celestine and described as follows: A certain lot of ground, together with all the buildings and improvements thereon, and all of the rights ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining situated in the Parish of Plaquemines, State of Louisiana, in that part thereof known as Point Celeste Farms Subdivision, per plan by Tildon J. Dufrene, Jr., dated January 22, 1996, last revised March 17, 1997, approved by Plaquemines Parish Council Ordinance No. 97-101, registered in

COB 911, Folio 137, conveyance records of Plaquemines Parish, Louisiana. And according to said plan, said lot is designated as Lot 43 and is located and measures as follows: Commencing at the intersection of the northeasterly right of way line of Louisiana Highway No. 23 and the upper or northwesterly line of property belonging (now or formerly) to Horace Wilkinson, which point of intersection is the southeasterly corner of Point Celeste Farms Subdivision and which point bears Louisiana Plan Coordinate System (NAD '83) coordinates X=3,757,921.74 and Y=397,825.99, proceed thence north 53 degrees 30 minutes 17 seconds west, on said line of Louisiana Highway No. 23, a distance of 234.77 feet to a point of curvature; thence northwesterly, on said line of Louisiana Highway No. 23, on a curve to the right having a radius of 11,349.16 feet, an arc distance of 511.72 feet to a point of tangency; Thence north 50 degrees 55 minutes 16 seconds west, on said line of Louisiana Highway No. 23, a distance of 560.70 feet to the southeasterly or southerly-most corner of Lot 43 and the point of beginning. From said point of beginning continue thence north 50 degrees 55 minutes 16 seconds west, on said line of Louisiana Highway No. 23, a distance of 213.33 feet to the line common to lots 43 and 42, Point Celeste Farms Subdivision; Thence north 20 degrees 11 minutes 23 seconds east, on said common line, a distance of 1,580 feet, more or less, to the mean low waterline of the Mississippi River; Thence southeasterly, on the meander of the mean low water line of the Mississippi River, a distance of 212 feet, more or less, to the intersection of said mean low water line with the line common to Lots 43 and 44, Point Celeste Farms Subdivision, and bearing north 20 degrees 08 minutes 53 seconds east from the aforesaid point of beginning; Thence south 20 degrees 08 minutes 53 seconds west, on the said line common to lots 43 and 44, Point Celeste Farms Subdivision, a distance of 1,580 feet, more or less, to the northeasterly right of way line of Louisiana Highway No. 23 and the point of beginning. The improvements thereon bear the municipal number: 21641 Highway 23, Port Sulphur, Louisiana.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

NOTICE OF MONEY LAUNDERING FORFEITURE

1. The allegations of Count 6 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 982.

2. As a result of the offenses alleged in Count 6 defendant, **WAYNE CELESTINE, M.D.**, shall forfeit to the United States all property real or personal, involved in the aforesaid offenses and all property traceable to such property which was involved in the said violations of Title 18, United States Code, Sections 1956(a)(1)(B)(ii), 1956(h) and 982, including but not limited to the following property:

\$160,759.52 seized from Whitney Bank, Account Number:
110036678, in the name of Integrity Pain Management;

The government specifically provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b)(1) to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Section 982.

NOTICE OF STRUCTURING FORFEITURE

1. The allegations of Count 7 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 31, United States Code, Sections 5324 and 5317(c)(1).

2. As a result of the offense alleged in Count 7, the defendant, **WAYNE CELESTINE, M.D.,** shall forfeit to the United States all property, real or personal, involved in the offenses, and any property traceable thereto. The government specifically provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c)(1)(B), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 31, United States Code, Sections 5324 and 5317(c)(1).

NOTICE OF OBSTRUCTION OF JUSTICE FORFEITURE

1. The allegations of Counts 8 and 9 of this Second Superseding Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Sections 1512 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Counts 8 and 9, defendant, **WAYNE CELESTINE, M.D.**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c), any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1512(b)(3). The government specifically

provides notice of its intent to seek a personal money judgment against the defendant in the amount of the fraudulently-obtained proceeds.

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 1512 and 981(a)(1)(C), made applicable through Title 28, United States Code, Section 2461(c).

A TRUE BILL:

A black rectangular redaction box covering a signature, with a horizontal line extending to the right from its center.

PETER G. STRASSER
UNITED STATES ATTORNEY


JOHN F. MURPHY
Assistant United States Attorney

New Orleans, Louisiana
September 21, 2018