

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 10-17-2018
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 18-138
v. * SECTION: I
VICKI JATHO SKELDON *
* * *

FACTUAL BASIS

Should this matter have gone to trial, the government would have proved through the introduction of competent testimony and admissible tangible exhibits, including documentary evidence, the following to support the allegations charged by the government in Count 1 of the indictment now pending against the defendant, **VICKI JATHO SKELDON**, charging her with a violation of Title 21, United States Code, Sections 846, 843(a)(3), 841(a)(1), and 841(b)(1)(C) namely, conspiracy to acquire or obtain possession of oxycodone by fraud and to possess with the intent to distribute, and to distribute oxycodone.

1. The Controlled Substances Act (“CSA”), Title 21, United States Code, Section 801, *et seq.*, and its implementing regulations set forth which drugs and other substances are defined by law as “controlled substances.” Those controlled substances are then assigned to one of five schedules – Schedule I, II, III, IV, or V – depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision. A substance listed on Schedule I has a higher abuse potential than a substance on Schedule II. The abuse potential decreases as the Schedule numbers increase. Schedule II drugs or substances have some accepted medical use, but with severe restrictions, and

DOJ Trial Attorney JW
Defendant VJS
Defense Counsel WJ

have a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous, and abuse can lead to addiction, overdose, and sometimes death.

2. Oxycodone is classified as a Schedule II controlled substance. Oxycodone is the generic name for a highly addictive prescription analgesic. The use of oxycodone in any form can lead to physical and/or psychological dependence, and abuse of the drug may result in addiction. Oxycodone is sold generically or under a variety of brand names, including OxyContin and Roxicodone.

3. In or around February 2017, the defendant, a resident of Jefferson Parish, Louisiana, was introduced to Danielle Lesslie, who was known to the defendant to create fictitious prescriptions for oxycodone using a prescription template that had been stolen from an area physician (“Physician 1”). The defendant, for her part, knew and had access to co-conspirators willing to provide their personal identifying information (name, date of birth, telephone number) (“PII”) to Lesslie for the purpose of having Lesslie create fictitious prescriptions in their names for oxycodone (collectively “Individuals”). The defendant supplied Lesslie with the PII of Co-Conspirators, and Lesslie created and returned the fictitious prescriptions to Individuals, who then filled the prescriptions at pharmacies located in the Eastern District of Louisiana.

4. After Individuals filled the fictitious prescriptions, Co-Conspirators delivered a portion of the pills to Lesslie and a portion of the pills to the defendant, and kept the remainder. In turn, the defendant would then sell the portion of the pills that she received on the black market in the Eastern of District Louisiana. The defendant also knew that certain Co-Conspirators also sold the pills that they obtained on the black market.

5. Beginning in or around February 2017, and continuing through in or around

November 2017, in the Eastern District of Louisiana, the defendant referred at least eight Co-Conspirators to Lesslie, none of whom were patients of, or were ever examined by Physician 1.

6. Specifically, on or about April 25, 2017, July 26, 2017, September 18, 2017, and October 20, 2017, Co-Conspirator B.B., whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator B.B. provided a portion of the oxycodone pills that Co-Conspirator B.B. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black market. Additionally, on or about May 15, 2017, Co-Conspirator B.B. provided the PII of a relative to the defendant so that Lesslie could create a prescription for oxycodone in that relative's name. The defendant delivered the relative's PII to Lesslie, who created this fictitious prescription for oxycodone using the stolen template from Physician 1. Co-Conspirator B.B. then provided the defendant with a portion of the pills that Co-Conspirator B.B. obtained using this prescription to the defendant, which she then sold on the black market.

7. On or about April 14, 2017 and July 27, 2017, Co-Conspirator J.B. whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator J.B. provided a portion of the oxycodone pills that Co-Conspirator J.B. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

8. On or about May 18, 2017, June 26, 2017, August 2, 2017, and September 3, 2017, Co-Conspirator C.B., whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator C.B. provided a portion of the oxycodone pills that Co-Conspirator C.B. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black

market.

9. On or about May 18, 2017, June 18, 2017, July 23, 2017, September 7, 2017, October 10, 2017, and November 15, 2017, Co-Conspirator R.F. whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator R.F. provided a portion of the oxycodone pills that Co-Conspirator R.F. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

10. On or about May 28, 2017, Individual S.L., whose PII the defendant provided to Lesslie, filled a fictitious prescription for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator S.L. provided a portion of the oxycodone pills that Co-Conspirator S.L. obtained from using this prescription to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

11. On or about July 29, 2017 and September 4, 2017, Co-Conspirator M.K., whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator M.K. provided a portion of the oxycodone pills that Co-Conspirator M.K. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

12. On or about July 28, 2017, Co-Conspirator K.R., whose PII the defendant provided to Lesslie, filled a fictitious prescription for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator K.R. provided a portion of the oxycodone pills that Co-Conspirator K.R. obtained from using this prescription to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

13. On or about April 18, 2017, May 20, 2017, June 20, 2017, July 19, 2017, and

August 19, 2017, Co-Conspirator E.S., whose PII the defendant provided to Lesslie, filled fictitious prescriptions for oxycodone that Lesslie created using the stolen template from Physician 1. Co-Conspirator E.S. provided a portion of the oxycodone pills that Co-Conspirator E.S. obtained from using these prescriptions to the defendant, who in turn, sold a portion of those oxycodone pills on the black market.

14. In total, between February 2017 and November 2017, the defendant conspired and was aided and abetted Co-conspirators in acquiring and obtaining possession of approximately 24,750 milligrams of oxycodone by fraud and distributing and reselling the same on the back market.

15. In sum, the Government's evidence would prove the defendant, **VICKI JATHO SKELDON**, conspired to acquire and obtain possession of oxycodone by fraud, and to possess with the intent to distribute, and distribute oxycodone, a Schedule II controlled substance.

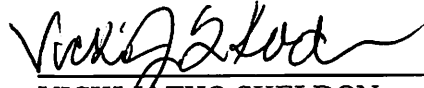
Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **SKELDON**, and/or the government, and it is not a complete statement of all facts described by **SKELDON** to the Government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for her guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the pleas of guilty to the charged offenses by **SKELDON**.

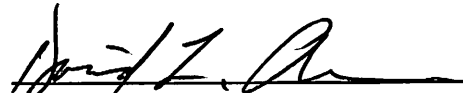
The above facts come from an investigation conducted by, and would be proven at trial by credible testimony from, *inter alia*, Special Agents and forensic examiners from the Federal Bureau of Investigation and the United States Department of Health and Human Services – Office of the Inspector General, Drug Enforcement Administration, and admissible tangible exhibits in

the custody of the FBI, HHS, and DEA.


READ AND APPROVED:



VICKI ATHO SKELDON
Defendant



DAVID L. ARENA
Counsel for Defendant



JARED L. HASTEN
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