

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
JOHN ALLEN DOUBLEDAY *
* * *

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 the indictment now pending against the defendant, JOHN ALLEN DOUBLEDAY, charging him 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 controlled substances, namely 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.

DOJ Trial Attorney SLH
Defendant [Signature]
Defense Counsel [Signature]




Schedule II drugs or substances have some accepted medical use, but with severe restrictions, and 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 March 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 was not a patient of Physician 1 and had never been examined by Physician 1.

4. The defendant supplied his personal identifying information (name, date of birth, telephone number) ("PII") to Lesslie for the purpose of having Lesslie create fictitious prescriptions in the defendant's name for oxycodone. After the defendant supplied Lesslie with his PII, Lesslie created and returned the fictitious prescriptions to him. The defendant then filled the prescriptions at a pharmacy located in the Eastern District of Louisiana. After the defendant filled the prescriptions, the defendant delivered a portion of the pills to Lesslie and another individual, who the defendant knew sold oxycodone pills. The defendant kept the remainder of the pills and sold a portion of those pills on the black market in the Eastern District of Louisiana.

5. Beginning in or around March 2017 and continuing through in or around June 2017,

DOJ Trial Attorney 
Defendant 
Defense Counsel 




in the Eastern District of Louisiana, the defendant filled at least four fictitious prescriptions for oxycodone that Lesslie created for him and sold a portion of the oxycodone pills that he obtained with the fictitious prescriptions on the black market.

6. Specifically, on or about March 9, 2017, April 7, 2017, April 27, 2017, and June 2, 2017, the defendant filled fictitious prescriptions that Lesslie had created for the defendant using his PII at a pharmacy located in the Eastern District of Louisiana. After filling those fictitious prescriptions that Lesslie had created for the defendant, the defendant provided a portion of the pills to Lesslie, another individual who the defendant knew to sell oxycodone pills, and kept the remainder of the pills. The defendant then sold a portion of the oxycodone pills that he kept on the black market in the Eastern District of Louisiana.

7. Additionally, the defendant also referred other individuals to Lesslie for the purpose of having Lesslie use those individuals' PII to create fictitious prescriptions for oxycodone (collectively, "Co-conspirators"). The defendant referred Co-conspirator S.M. to Lesslie. Lesslie used Co-conspirator S.M.'s PII to create a fictitious prescription for oxycodone. On or about June 9, 2017, Co-conspirator S.M. filled a fictitious prescription for oxycodone that Lesslie created using the stolen template form Physician 1. Co-conspirator S.M. provided a portion of the oxycodone pills that Co-conspirator S.M. obtained using this prescription to the defendant, who in turn, kept a portion of those pills and sold a portion of those pills on the black market.

8. In total, between March 2017 and June 2017, the defendant conspired and was aided and abetted Co-conspirators in acquiring and obtaining possession of approximately 4,500 milligrams of oxycodone by fraud and distributing the same on the black market.

9. In sum, the Government's evidence would prove the defendant, **JOHN ALLEN DOUBLEDAY**, conspired to acquire and obtain possession of oxycodone by fraud, and to possess

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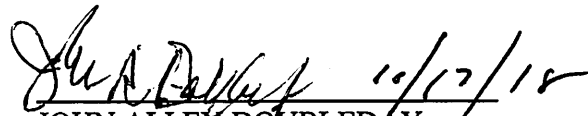
with the intent to distribute, and distribute oxycodone, a Schedule II controlled substance.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by **DOUBLEDAY**, and/or the government, and it is not a complete statement of all facts described by **DOUBLEDAY** to the Government. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his 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 **DOUBLEDAY**.

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.

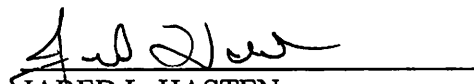
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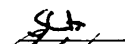

JOHN ALLEN DOUBLEDAY
Defendant



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