

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
FILED 3-27-2019  
WILLIAM W. BLEVINS  
CLERK

(B)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	CRIMINAL NO. 18-202
v.	*	SECTION: "I"
SHALLON DAVIS DUNMILES	*	
LASHONDA MELANCON	*	
ANDREA STALKS	*	
EBONY STEWART	*	
DANYELLE TUCO	*	
CORTAZ WILLIAMS	*	
DANIELLE ANDERSON	*	

\* \* \*

FACTUAL BASIS SUMMARY

The defendants, **SHALLON DAVIS DUNMILES** and **LASHONDA MELANCON** have agreed to enter pleas of guilty to Count One of the Indictment, charging them with conspiracy to possess with the intent to distribute dextroamphetamine/Adderall and promethazine with codeine, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(C). The defendants, **ANDREA STALKS**, **EBONY STEWART**, **DANYELLE TUCO**, **CORTAZ WILLIAMS**, and **DANIELLE ANDERSON** have agreed to enter pleas of guilty to Count Two of the Indictment, charging them with conspiracy to acquire or obtain possession of dextroamphetamine/Adderall and promethazine with codeine by misrepresentation, fraud, forgery,

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Defendants	AS, ES, ST, LM, SD, D.A.
Defense Counsel	JL, LST, SJ, HA, [Signature]

deception, or subterfuge, in violation of Title 21, United States Code, Sections 846 and 843(a).

Should this matter have proceeded to trial, both the Government and the defendants, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendants are pleading guilty. The Government and the defendants further stipulate that the Government would have proven, through the introduction of competent testimony from, *inter alia*, Special Agents and forensic examiners from the Drug Enforcement Administration, officers from the St. John the Baptist Parish Sherriff's Office, and admissible tangible exhibits, including documentary evidence and phone records, the following facts, beyond a reasonable doubt, to support the allegations in the Indictment now pending against the defendants. Unless stated otherwise, the following acts occurred within the jurisdiction of the Eastern District of Louisiana.

**Facts Relating to All Defendants**

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 have a high potential for abuse, with use potentially leading to severe

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psychological or physical dependence. These drugs are also considered dangerous, and abuse can lead to addiction, overdose, and sometimes death. Dextroamphetamine, more commonly referred to by its brand name, Adderall, is classified as a Schedule II controlled substance. Adderall is a central nervous system stimulant that increases the activity of neurotransmitters in nerves and the brain which help with attention-deficit hyperactivity disorder (ADHD), impulse control, and excessive sleepiness (narcolepsy). Adderall and other prescription stimulants are often abused for purposes of weight loss, performance enhancement, or to induce a sense of euphoria.

Schedule V drugs or substances have a lower potential for abuse and a low risk of dependence and consist of preparations containing limited quantities of certain narcotics. Promethazine with codeine syrup is classified as a Schedule V controlled substance. It is used to relieve cough, runny or stuffy nose, sneezing, or other symptoms caused by allergies or the common cold. Promethazine is an antihistamine. Codeine is a narcotic analgesic or pain medicine. Codeine acts on the central nervous system to relieve pain. When taken in sufficiently high doses, promethazine with codeine can lead to sleepiness, altered thoughts, and impaired motor functions. Promethazine with codeine is often abused by mixing the syrup with a soda. This combination is referred to by popular street names such as, for example, “drink”, “drank”, and “syrup.”

**Facts Relating to DUNMILES**

In or around April 2017, and continuing through February 2018, **DUNMILES**, who was employed as a receptionist and sole employee of a pediatrician (“Physician 1”), began creating fictitious prescriptions for controlled substances using Physician 1’s prescription pad. As a result of her employment, **DUNMILES** had access to Physician 1’s prescription pad and was familiar

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with how Physician 1 signed prescriptions. **DUNMILES** created the fraudulent prescriptions using Physician 1's DEA number and forged signature and distributed them without knowledge or consent of Physician 1. Sometimes she would handwrite the prescriptions and other times she would either print the prescriptions on tamper resistant paper using an electronic template or telephone them in to various pharmacies. All of the pharmacies where the fraudulent prescriptions were filled were located in the Eastern District of Louisiana.

The other defendants learned that they could obtain fraudulent prescriptions from **DUNMILES** by providing their personal identifying information (name, date of birth, telephone number) ("PII") or the PII of others individuals. As the clinic was a pediatrician's office, the PII often corresponded with a minor child associated with the defendants. While some of the minor children were patients at the clinic, all of the fraudulent prescriptions were provided without a medical examination and without the knowledge or consent of Physician 1.

**DUNMILES** employed various methods in order to avoid detection and further the conspiracy. In some cases, she altered the caption of Physician 1's electronic prescription template to refer to a family clinic instead of a pediatric clinic because some of the prescriptions were written in the names of adults. **DUNMILES** also directed her co-defendants to specific pharmacies after particular ones questioned the legitimacy of the prescriptions. In some cases, **DUNMILES** also altered the dates on the prescriptions in order to comply with applicable refill restrictions. Finally, in some instances, **DUNMILES** distributed the actual pills that she had fraudulently obtained by filling a prescription rather distributing the prescription itself.

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During a search of **DUNMILES'** residence incident to her arrest, law enforcement recovered an unused prescription pad belonging to Physician 1, a cellphone, several medication samples addressed to Physician 1, a bottle of promethazine with codeine with a damaged prescription label, and a prescription bottle for antibiotics for **DUNMILES** issued under Physician 1's name. Even after her arrest, **DUNMILES** sought to refill a fraudulently-obtained prescription for antibiotics in her own name.

**Facts Relating to MELANCON and DUNMILES**

**MELANCON** was introduced to **DUNMILES** through a mutual friend, **ANDERSON**. **MELANCON** actively worked with **DUNMILES** to distribute the prescriptions by providing her with the PII of her own minor child and other associates, and working with **DUNMILES** to sell the fraudulently-obtained prescriptions for money. **MELANCON** also served as an intermediary between **DUNMILES** and at least three other co-conspirators who were seeking fraudulent prescriptions.

Text messages retrieved incident to a search of **DUNMILES'** cellphone reflect numerous communications between **MELANCON** and **DUNMILES** with respect to obtaining and distributing prescriptions. On or about January 29, 2018, **DUNMILES** writes to **MELANCON**, utilizing telephone number (985) 703-2793, which is registered to **LASHONDA MELANCON** and listed as "Shonda" in **DUNMILES'** contacts, ". . . shit getting too funny with the scripts now. It gotta chill for a while." **MELANCON** responds, "Damn, ight, somebody had wanted 60 more Addy's," referring to Adderall. **DUNMILES** responds, "You would have to go very far to fill the script because they are aware now."

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Nevertheless, **MELANCON** and **DUNMILES** resumed their distribution activities. For example, on or about February 4, 2018, **MELANCON** asks **DUNMILES**, “Can u do like two drinks [referring to promethazine with codeine] and two Addy’s for tomorrow cause I gotta go to kenner and I got plenty sales for tomorrow so that would be bout 120 a piece for u plus the 30 I got for u already.” **MELANCON** then provides the PII for two minors: “[T.R.] [address] [D.O.B.] [phone number] (12) u can do 1 drink, & 1 Addy for him [J.H.] [address] [D.O.B.] (15) [phone number] 1 drink & 1 Addy for her also.” Pharmacy records corroborate that on or about February 5, 2018, four prescriptions, including two for promethazine with codeine and two for Adderall, were picked up from various pharmacies in the names of the aforementioned minors.

There is evidence that **DUNMILES** and **MELANCON** were selling the prescriptions, and in some cases the fraudulently-obtained controlled substances, in exchange for money. In text communications, **DUNMILES** references her “cut,” referring to her portion of the drug proceeds, and asks **MELANCON** if she has made “any sales?”

Even after she was terminated by Physician 1, **DUNMILES** continued to write fraudulent prescriptions. On or about February 14, 2018, in a text conversation with **MELANCON**, **DUNMILES** writes, “Girl u will still get the hook up! I got rx pads and I have all the info lol.” **MELANCON** then asks **DUNMILES** for seven different prescriptions for Adderall, referred to as “tabs”, using the names of minors J.H., D.M., T.R., K.R., and K.A. In other text messages, **MELANCON** asks **DUNMILES** for four prescriptions for promethazine with codeine, using the names **WILLIAMS**, T.R., and J.H. These text messages, and others, reveal that throughout the conspiracy **MELANCON** provided the names of minors and adults, including **WILLIAMS** and

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Wilfred Perrilloux, to **DUNMILES** in order to obtain and subsequently sell the fraudulent prescriptions. **DUNMILES** and **MELANCON** then shared the proceeds of the drug sales.

In sum, the Government's evidence would prove that **DUNMILES** and **MELANCON** conspired to possess with the intent to distribute Adderall and promethazine with codeine. The entire conspiracy, which spanned from on or about April 2017 through on or about February 2018, involved approximately 148 fraudulent prescriptions. The universe of fraudulent prescriptions included a wide variety of drugs, however, the majority of the prescriptions were for Adderall and promethazine with codeine. Specifically, the conspiracy involved 73 prescriptions for Adderall (9 prescriptions for 30 count 10 mg pills; 18 prescriptions for 30 count 20 mg pills; 46 prescriptions for 30 count 30 mg pills) and 46 prescriptions for promethazine with codeine syrup (240 ml/bottle).

**Facts Relating to STALKS and DUNMILES**

**STALKS** met **DUNMILES** at Physician 1's clinic, where her minor son was a patient. The fraudulent prescriptions were issued utilizing the PII of her minor son, K.W., and minor daughter, K.S. There is evidence that **STALKS** paid **DUNMILES** for at least one of the prescriptions.

On or before October 25, 2017, **STALKS** provided her juvenile son's PII to **DUNMILES** so that she could create two fictitious prescriptions for Adderall. The next day, **STALKS** filled both prescriptions, receiving 60 pills of Adderall. **STALKS** paid for these prescriptions using Medicaid.

On or before November 6, 2017, **STALKS** provided her minor daughter's PII to **DUNMILES** so that she could create two more fictitious prescriptions for Adderall. The next day,

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**STALKS** filled the prescriptions, receiving another 60 pills of Adderall. **STALKS** paid for this prescription using Medicaid.

Text messages retrieved incident to a search of **DUNMILES'** cellphone reflect communications between **STALKS** and **DUNMILES** with respect to obtaining a fraudulent prescription. On or about February 8, 2018, **STALKS**, utilizing telephone number (504) 495-2412, which was listed as "Andrea" in **DUNMILES'** cellphone contacts, asks **DUNMILES**, "How much you would charge me to rite me a script for [K.S.] the 30mg adderalls if u can if not that's fine." In response, **DUNMILES** asks, "where do you get it filled at." **STALKS** replies, "My Walgreens." **DUNMILES** states, "don't go to gyms or Walgreens laplace." **STALKS** responds with the location of the Walgreens store where she was employed at the time, and **DUNMILES** replies, "Okay cool just \$20." **DUNMILES** then asks **STALKS** what her daughter's last name is and states, "I'll just act like you forgot an excuse for [K.W.]," referring to **STALKS'** minor son. During the course of the conversation, **STALKS** also requests that **DUNMILES** write a letter excusing both of her children from school that day. After arriving at the clinic, **STALKS** asks, "you want us to come in are you coming outside." Referring to Physician 1, **DUNMILES** replies, "Gimme a minute im waiting til he goes in the back." This communication shows that **STALKS** requested to purchase a fraudulent prescription for Adderall in her minor child's name from **DUNMILES**, and that **DUNMILES** agreed to the same in exchange for a payment of \$20.

On February 9, 2018, four days after this text communication, **STALKS** filled an Adderall prescription written in her minor daughter's name, receiving 30 capsules of Adderall 30mg. **STALKS** paid for this prescription using Medicaid.

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In total, between October 2017 and February 2018, **STALKS** obtained five (5) medically unnecessary and fraudulent prescriptions from **DUNMILES**. All five prescriptions were for Adderall, and each prescription was for 30 pills each.

**Facts Relating to STEWART and DUNMILES**

On or before November 15, 2017, **STEWART** provided her PII to **DUNMILES** so that **DUNMILES** could create two fictitious prescriptions for Adderall and alprazolam/Xanax. The same day, **STEWART** filled the prescription for alprazolam/Xanax, receiving 30 tablets of alprazolam 2mg. The next day, **STEWART** filled the prescription for Adderall, receiving 30 tablets of 30mg Adderall. **STEWART** paid for these prescriptions using Medicaid.

On or before December 11, 2017, **STEWART** provided her PII to **DUNMILES** so that she could create another fictitious prescription for Adderall. The next day, ~~the~~ **STEWART** filled the prescription, receiving 30 tablets of Adderall 30mg. **STEWART** paid for this prescription using Medicaid.

Text messages retrieved incident to a search of **DUNMILES**' cellphone reflect communications between **STEWART** and **DUNMILES** with respect to obtaining fraudulent prescriptions for Adderall and Xanax. On or about December 12, 2017, **STEWART**, utilizing telephone number (337) 290-0448, which is registered to **STEWART** and listed as "Ebony" in **DUNMILES**' cellphone contacts, writes "They didn't fill the xans," referring to Xanax. **DUNMILES** responds, "Who gave you xanax . . . I did?" **STEWART** responds, "Oh I didn't know what u gave." **DUNMILES** responds, "I'm asking you lol," to which **STEWART** responds, "Idk," meaning she did not know, and "I think u did both" and "No u left them out."

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In a later communication, on or about December 21, 2017, STEWART asks “you gone still write the script for the xanax.” DUNMILES replies, “I left it under the door mat for you my love.” STEWART responds, “Kk I’m going get now.” The next day, STEWART informs DUNMILES, “Girl I’m trying get this other meds to ware out my system first before I start taking the xanax.” She further states, “Also I had to take the adderal to wake me up but I take it when I work.”

In a later text exchange, STEWART asks DUNMILES for more medication and DUNMILES offers STEWART a prescription in DUNMILES’ own name. Specifically, on or about January 9, 2018, STEWART asks DUNMILES, “do you have some meds to spare me,” “like two of them,” and DUNMILES replies, “I can give you an adderall script in my name and you could go to Winn Dixie because I fill my medications there so I’m in the computer.” DUNMILES continues, “Or just come get a few from me,” “I have 9 left.”

In total, between November and December 2017, STEWART obtained three medically unnecessary and fraudulent prescriptions from DUNMILES. Two prescriptions were for Adderall 30mg and one prescription was for alprazolam/Xanax 2mg. All three prescriptions were for 30 pills each.

**Facts Relating to TUCO and DUNMILES**

Text messages retrieved incident to a search of DUNMILES’ cellphone reflect communications between TUCO and DUNMILES with respect to obtaining the fraudulent prescriptions. On or about January 22, 2018, TUCO, utilizing telephone number (985) 201-5804, which is registered to DANYELLE TUCO, sends a text to DUNMILES which reads, “Hey girl

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this Danyelle. The 2 papers from last time I couldn't do it cause my cousin didn't have no ID but she got one now. When u can do 1 for the Xanax and the promethazine this time." Witnesses would testify that in this context "2 papers" is a reference to two prescriptions. **DUNMILES** responds, "I gotta see about xanax chich [sic]." **TUCO** then writes, "Ok if u can't do the Xanax my that's cool. But see if you can do the drink da sure." The next day, **DUNMILES** responds, "Yall gotta use pharmacies that are not on that side of the river because they all know that e-scribes." Witnesses would testify that "e-scribes" is a reference to electronically-transmitted prescriptions. **TUCO** responds, "ok."

In sum, on or about January of 2018, **TUCO** conspired with **DUNMILES** to acquire and obtain possession of at least four (4) medically unnecessary and fraudulent prescriptions from **DUNMILES** either in her own name or the name of her cousin. These include prescriptions for promethazine with codeine and Xanax.

**Facts Relating to WILLIAMS, DUNMILES, and MELANCON**

**WILLIAMS** knew of **DUNMILES** through **MELANCON**. He provided his PII to **MELANCON**, who relayed the information to **DUNMILES** to create fictitious prescriptions.

On or before January 11, 2018, **WILLIAMS** provided his PII to **MELANCON** so that **DUNMILES** could create a fictitious prescription for promethazine with codeine for him. On January 13, 2018, **WILLIAMS** filled the prescription, receiving a 240 ml bottle of promethazine with codeine syrup. **WILLIAMS** paid for this prescription using his Medicaid benefits.

On or about February 15, 2018, local law enforcement was contacted by a pharmacy located in the Eastern District of Louisiana to alert to two fraudulent prescriptions for

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promethazine with codeine that had been called in by **DUNMILES** earlier that day. One of the prescriptions was in the name of **WILLIAMS**. Later the same day, law enforcement was notified that **WILLIAMS** had picked up the prescription that was in his name. Upon picking up the prescription, **WILLIAMS** was intercepted and arrested by detectives from the St. John the Baptist Sherriff's Office for possession of 240ml of promethazine with codeine syrup. The full bottle of syrup, bearing a prescription label for **WILLIAMS**, was still inside the pharmacy bag. A receipt, dated February 15, 2018, and corresponding to the purchase of the prescription, was also recovered. A search of **WILLIAMS**' car incident to his arrest further resulted in an empty bottle of promethazine with codeine that corresponded with the prescription that he had fraudulently obtained the prior month.

**WILLIAMS** is referenced in text communications between **DUNMILES** and **MELANCON**. Specifically, on February 9, 2018, **MELANCON** asks **DUNMILES**, "Hey can u do another quick 1 in Cortez Williams name again." **MELANCON** follows up with **WILLIAMS**' name and address. **DUNMILES** then asks whether **MELANCON** already has **WILLIAMS**' insurance information. **DUNMILES** then writes, "ok for drink." Later the same day, **MELANCON** writes, "Hey da 1 for Cortez, he said he think the pharmacy in d han (a reference to Destrehan) called the office cause they told him that they gonna call him when he can pick it up," "and he say sound like he heard the answering machine an they left a message." **DUNMILES** responds, "Wow!! They did that yesterday as well! Don't go to them anymore." **DUNMILES** further states, "No one will answer the because I only answer the phone." The fact of **WILLIAMS**' arrest on February 15, 2018 while in possession of the fraudulently obtained

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promethazine with codeine bottles is also referenced in text exchanges between **DUNMILES** and **MELANCON**.

In total, between January and February 2018, **WILLIAMS** obtained two (2) medically unnecessary and fraudulent prescriptions from **MELANCON**. Both prescriptions were for promethazine with codeine syrup (240 ml/bottle).

**Facts Relating to ANDERSON, DUNMILES, and MELANCON**

**ANDERSON** was friends with **MELANCON** and introduced **MELANCON** to **DUNMILES** so that **MELANCON** could obtain fraudulent prescriptions from **DUNMILES** for further distribution.

Text messages retrieved incident to a search of **DUNMILES**' cellphone reflect communications between **ANDERSON** and **DUNMILES** with respect to obtaining fraudulent prescriptions for Adderall. On or about December 12, 2017, **ANDERSON**, utilizing telephone number (504) 473-5018, which is registered to **ANDERSON** and listed as "Danielle" in **DUNMILES**' cellphone contacts, sends **DUNMILES** the PII of J.H., a minor child of **MELANCON**, and asks, "Can u do the 30 tab Adderall for her also." Two days later, **DUNMILES** responds, "But I still ain't get a cut from the last script. Or y'all just wanna pay me for the scripts." **ANDERSON** responds, "How much," to which **DUNMILES** states, "I can do 30 a script." Pharmacy records would corroborate that on or about December 15, 2017, a prescription was obtained in the name of J.H. for 30 mg Adderall.

In text communications the following month, **ANDERSON** asks, "When is it due because I don't remember." **DUNMILES** responds, "The same date you got it filled." **ANDERSON**

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Defense Counsel J  
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replies, "I don't remember imma have to ask Shanda . . . Shonda." "Shonda" is a nickname for **LASHONDA MELANCON**.

On or before September 18, 2017, **ANDERSON** provided the PII of her minor son, R.M., to **DUNMILES** so that she could create two fictitious prescriptions for Adderall. The same day, **ANDERSON** filled the two prescriptions, receiving 60 tablets of Adderall. **ANDERSON** paid for these prescriptions using Medicaid.

On or before January 24, 2018, **ANDERSON** provided the PII of her minor daughter, K.M., to **DUNMILES** so that she could create fictitious prescriptions for promethazine with codeine. The same day, **ANDERSON** filled two prescriptions, receiving two bottles of 240 ml promethazine with codeine. The two prescriptions included a refill, and on February 2, 2018, **ANDERSON** refilled both prescriptions, obtaining two additional bottles of 240 ml promethazine with codeine.


In total, between September 2017 and February 2018, **ANDERSON** obtained seventeen (17) medically unnecessary and fraudulent prescriptions from **DUNMILES**. Nine (9) prescriptions were for Adderall (30mg or 20mg) and eight (8) prescriptions were for promethazine with codeine (240 ml / bottle).

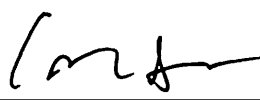
In sum, the Government's evidence would prove that **STALKS, STEWART, TUCO, WILLIAMS**, and **ANDERSON** conspired to acquire and obtain possession of Adderall and promethazine with codeine by fraud.

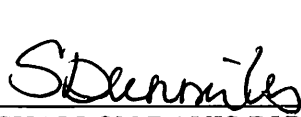
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**Limited Nature of Factual Basis**

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


  
SHIRIN HAKIMZADEH 3/27/19  
(Date)  
Assistant United States Attorney


  
IAN ATKINSON 3/27/19  
(Date)  
Counsel for Shallon Davis Dunmiles






  
SHALLON DAVIS DUNMILES 3/27/19  
(Date)  
Defendant

  
SCOTT JOANEN 3/27/19  
(Date)  
Counsel for Lashonda Melancon

  
LASHONDA MELANCON 3/27/19  
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ERIC HESSLER 3/27/19  
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ANDREA STALKS 3-27-19  
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SAMUEL SCILLITANI (Date)  
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EBONY STEWART (Date)  
Defendant

*Warren McKenna* 3/27/19  
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*Jerome W. Matthews, Jr.* 3-27-19  
JEROME W. MATTHEWS, JR. (Date)  
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Defendants *AS* *ES*  
*LM* *DR* *DA*  
Defense Counsel *JA*  
*JMS*, *LST*  
*JA* *SV*