

U.S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
FILED 12-18-2019  
WILLIAM W. BLEVINS  
CLERK

*(Signature)*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA \* CRIMINAL NO. 18-138

v. \* SECTION: I

BENNIE RUTH HARRIS \*

\* \* \*

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 4 of the indictment now pending against the defendant, **BENNIE RUTH HARRIS**, charging her with a violation of Title 21, United States Code, Section 843(a)(3) and Title 18, United States Code, Section 2, namely, acquiring or obtaining possession of oxycodone, a Schedule II controlled substance, by fraud.

1. 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.

2. On or about August 7, 2017, the defendant, a resident of Jefferson Parish, Louisiana, received a fraudulent prescription for 120 30 mg oxycodone pills written in her name

DOJ Trial Attorney *JH*  
Defendant *BIH*  
Defense Counsel *Sm*

from Individual 1. The prescription was authorized by Physician 1; however, the defendant had never been a patient of and had never been examined by Physician 1. Physician 1's prescription template had been stolen and used by Individual 1 and others to create fraudulent prescriptions for oxycodone. On August 7, 2017, upon receiving the fraudulent prescription, the defendant and Individual 2 traveled together to a pharmacy in ~~New Orleans, Louisiana~~ <sup>the Eastern District of Louisiana</sup>, where the defendant filled the fraudulent prescription and took possession of the oxycodone pills.

3. In sum, the Government's evidence would prove the defendant, **BENNIE RUTH HARRIS**, on or about August 7, 2017, acquired and obtained possession of oxycodone by fraud by filling the fraudulent prescription.

**Limited Nature of Factual Basis**

This proffer of evidence is not intended to constitute a complete statement of all facts. 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 plea of guilty to the charged offense by **HARRIS**.

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

Bennie Ruth Harris  
BENNIE RUTH HARRIS  
Defendant

Sheila C. Myers  
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