

FILED
VANESSA L. ARMSTRONG, CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

JUN 17 2015

U.S. DISTRICT COURT
WEST'N. DIST. KENTUCKY

UNITED STATES OF AMERICA

INDICTMENT

v.

NO. 3:15-cr-58-DJH

CYNTHIA ALLEN
TERRY COTTON, a/k/a Daddy O
TERRY JENKINS

18 U.S.C. § 982(a)(7)
18 U.S.C. § 1347
18 U.S.C. § 1349
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(E)(i)
21 U.S.C. § 846
21 U.S.C. § 853

The Grand Jury charges:

INTRODUCTION

1. At all times material to this Indictment, the defendants, **CYNTHIA ALLEN**, **TERRY COTTON** and **TERRY JENKINS**, conspired with one another and others to commit the following offenses.

COUNT 1

(Conspiracy – Health Care Fraud)

On or about and between November 27, 2012, and continuing through October 16, 2013, in the Western District of Kentucky, Jefferson County, Kentucky, the defendants, **CYNTHIA ALLEN**, **TERRY COTTON** and **TERRY JENKINS**, did knowingly and willfully combine, conspire and confederate and agree with each other and others, known and unknown to the Grand Jury, to violate Title 18, United States Code, Section 1347, that is, to knowingly and willfully execute, and attempt to execute, a scheme and artifice to obtain, by means of false or fraudulent pretenses, representations, and promises, money and property, owned by and under the custody or control of health care benefit programs, in connection with the delivery of, and

payment for, health care benefits, items, and services, to wit: **CYNTHIA ALLEN**, **TERRY COTTON**, and **TERRY JENKINS** recruited individuals to participate in staged automobile accidents, where one vehicle intentionally struck another vehicle.

OBJECT OF THE CONSPIRACY

2. The object and purpose of the conspiracy was to obtain money and property under the custody and control of health care benefit programs, and to receive controlled substances.

OVERT ACTS

3. In furtherance of the conspiracy, and to accomplish the object thereof, the defendants committed the following Overt Acts, among others, in the Western District of Kentucky:

- a. **CYNTHIA ALLEN** directed staged accident passenger participants to seek chiropractic treatment at the clinic at which she was employed.
- b. **CYNTHIA ALLEN** and **TERRY COTTON** then directed passenger participants to seek pain management treatment, including receiving pain medication, at Injury Rehab Specialists of Lou., PLLC, where **CYNTHIA ALLEN** subsequently became employed.
- c. As a result of these acts, among others, automobile insurance companies were billed for and paid for unnecessary treatment at the chiropractic clinic, Injury Rehab Specialists of Lou., PLLC, and other medical providers.

In violation of Title 18, United States Code, Section 1349.

The Grand Jury further charges:

COUNT 2
(Health Care Fraud)

On or about and between November 27, 2012, and continuing through on or about October 16, 2013, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, the defendant, **TERRY JENKINS**, knowingly and willfully executed, and attempted to execute, a scheme and artifice to defraud a health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, to wit: **TERRY JENKINS** fraudulently submitted a settlement demand for \$14,882.29 to Safe Auto Insurance Company for alleged injuries he sustained in a staged automobile accident, and received a settlement of \$11,000.00.

In violation of Title 18, United States Code, Section 1347.

The Grand Jury further charges:

COUNT 3
(Conspiracy – Unlawful Distribution)

On or about and between June 20, 2012, and continuing through on or about January 17, 2014, in the Western District of Kentucky, Jefferson County, Kentucky, and elsewhere, the defendant, **TERRY COTTON**, and others, known and unknown to the Grand Jury, did conspire with each other to knowingly and intentionally distribute and dispense, and caused to be distributed and dispensed, a mixture and substance containing a detectable amount of Hydrocodone, a Schedule III Controlled Substance.

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(E)(i), and 846.

NOTICE OF FORFEITURE

If convicted of any violation of Title 18, United States Code, Sections 1347 and 1349, and Title 21, United States Code, Sections 841 and 846, the defendants, **CYNTHIA ALLEN**, **TERRY COTTON**, and **TERRY JENKINS**, shall forfeit to the United States, any property constituting or derived from any proceeds obtained, directly or indirectly, as the result of any such violation, and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation.

Pursuant to Title 18, United States Code, Sections 982(a)(7), and Title 21, United States Code, Section 853.

A TRUE BILL.

Redacted

FOREPERSON

John E. Kuhn, Jr.
JOHN E. KUHN, JR.
ACTING UNITED STATES ATTORNEY

JEK:JRA:LJW:20150610