

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL DOCKET
VERSUS * NO: 10-140
PATRICIA K. LANDRY * SECTION : "S"
 * * *

FACTUAL BASIS

If this matter were to proceed to trial, the government would prove the following facts through competent evidence:

_____A physician would testify that she is a dermatologist who operates a medical practice in New Orleans. She would state that the defendant, Patricia K. Landry, was an employee of the medical practice in the position of office manager. The dermatologist would testify about Landry's duties which included making cash and check deposits and that the deposits represented payments for medical procedures she performed on patients.

The dermatologist would testify that she maintained bank account no. 6309XXXX at J. P. Morgan Chase Bank on behalf of her medical practice. Bank records from that account would be introduced into evidence. The dermatologist and bank representatives would testify about who had authority to withdraw funds from the account and, specifically, that Patricia K. Landry did not have authority to withdraw funds from the account.

Hope Juarez would testify that she worked as a medical receptionist for the dermatologist and that her duties included collecting payments from patients and recording the payment on a “superbill.” The information from the superbill, particularly the receipt of the cash payment, was then entered into an “ACS” system. Ms. Juarez would testify that when patients paid with cash, at the end of the day the total cash receipts were given to Patricia Landry. Lisa Babin would testify about the ACS system, which can produce reports to show the receipt of cash payments.

The dermatologist would testify that in February of 2010, she learned that her bank account, which usually maintained a large balance, was overdrawn. The dermatologist’s accountant, Cynthia Lebreton, would testify that in January of 2010, she noticed that there were too many bank charges on the medical practice’s account and about how she believed that Patricia Landry might be embezzling funds. The dermatologist would testify that she went to a storage facility to retrieve bank statements and learned that there were missing pages on all of the statements which represented electronic withdrawals from the bank account. The dermatologist would testify that she then ordered from her bank a copy of all of her statements and, upon receipt of those records, found that Patricia Landry had routinely been making electronic withdrawals to make payments on several credit card accounts.

Records from Chase bank regarding three credit card accounts and from Citibank/Shell regarding one credit card account, all in the name of Patricia Landry, would be introduced into evidence. The records would demonstrate that the defendant routinely and consistently made electronic withdrawals from the dermatologist’s Chase practice account in order to make payments on her own personal credit card accounts. The credit card records would also indicate habitual visits to gambling establishments throughout the time period of the withdrawals .

An analysis of the ACS system would illustrate the cash received from patients: In 2007-
\$26,633.23; in 2008 - \$46,771.39; and, in 2009, \$50,705.19. Deposits into the Chase account for
the medical practice would indicate that little or no cash deposits were made by the defendant in
the time period of the indictment.

JIM LETTEN
UNITED STATES ATTORNEY

PATRICE HARRIS SULLIVAN
Assistant United States Attorney

PATRICIA K. LANDRY
Defendant
Date: _____

JOHN S. MCLINDON
Attorney for the Defendant
Bar Roll No.
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