

ALSD Local 91 (Rev. 5/18) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Alabama

United States of America

v.

KEVIN RYAN JONES

Case No. 18-mj-75

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 2016 - June 6, 2018 in the county of Mobile and Baldwin in the Southern District of Alabama, the defendant(s) violated:

Code Section

Offense Description

Title 21 USC 846
Title 21 USC 841 (a)(1)

Conspiracy to possess with intent to distribute a Controlled Substance
Possession with intent to distribute a Controlled Substance

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.

Handwritten signature of William Givens

Complainant's signature

TFO William Givens, DEA

Printed name and title

Sworn to before me and attestation acknowledged pursuant to Fed. R. Crim. P. 4.1.

Date: June 19, 2018

Judge's signature

City and state: Mobile, AL

P, Bradley Murray, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ARREST WARRANT**

I, William (Billy) Givens, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

I make this affidavit in support of an application for an arrest warrant for **KEVIN RYAN JONES** for violations of Title 21 United State Code, Sections 846 and 841(a)(1).

I am a Task Force Officer (TFO) with the Drug Enforcement Administration (DEA), and have been since 2012. Prior to my assignment as a TFO with DEA, I was a Detective with the Mobile Sheriff's Department, in Mobile, Alabama for approximately eight years. I have received extensive training during my career in law enforcement narcotics investigations. I am familiar with the ways in which drug traffickers conduct their business, including, but not limited to, their methods of obtaining and distributing controlled substances, to include pharmaceutical controlled substances.

The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of 21 USC 841(a)(1) and 21 USC 846 has been committed by **Kevin Ryan JONES**.

PROBABLE CAUSE

The Alabama Prescription Drug Monitoring Program (PDMP) profile shows an individual, referred to for purposes of this affidavit as “Taylor,” filled a prescription for 112 Oxycodone 30 mg tablets on November 27, 2017, at the Publix Pharmacy in Spanish Fort, Alabama. Oxycodone is a Schedule II Controlled Substance. This prescription contained the forged signature of Dr. R, a Daphne, Alabama physician. Dr. R. advised DEA that Taylor was not and had not been one of his patients. DEA Diversion Investigator (DI) Conner met with the pharmacist at the Publix Pharmacy in Spanish Fort and obtained this forged prescription. The surveillance video from the Publix Pharmacy shows a male, identified by DI Conner as Mobile, Alabama resident **JONES**, picking up the fraudulent prescription in Taylor’s name and paying for the controlled substance in cash.

The PDMP profile shows an individual, referred to for purposes of this affidavit as “Corley,” filled a prescription for 112 Oxycodone 30 mg tablets on November 26, 2017, at the Publix Pharmacy in Fairhope. This prescription, dated November 22, 2017, also contained the forged signature of Dr. R. Corley was not and had not been one of Dr. R’s patients. DI Conner met with the Publix Pharmacist

to obtain a copy of this forged prescription. The surveillance video for November 26, 2017 showed an unidentified male picking up the fraudulent prescription in Corley's name and paying cash.

Prior to the November prescription for Corley, on October 26, 2017, **JONES** picked up an Oxycodone prescription in Corley's name at Deuel Drug Store in Mobile County for 112 Oxycodone 30 mg tablets using a prescription containing the forged signature of Dr. R. The pharmacist identified **JONES** as the individual who presented the prescription to be filled and images from the video surveillance confirm **JONES** picked up the prescription. Thereafter, Pharmacist Deuel refused to fill any prescriptions for **JONES** because Dr. R.'s office contacted the pharmacist and advised him the prescription was fraudulent and that Dr. R. did not write prescriptions for Oxycodone 30 mg

DI Conner also obtained a copy of a fraudulent prescription from Rite Aid on Airport Boulevard in Mobile, which was picked up on November 25, 2017, written to an individual identified for purposes of this affidavit by the last name "Nobles" for 112 Oxycodone 30 mg tablets. The Mobile area doctor whose name was on this prescription identified this prescription as fraudulent. The security camera footage of the person filling the prescription does not appear to be Nobles. The individual shown on the security camera footage filling the prescription is a white male wearing a blue shirt, tan pants and a red and white hat whom DI Conner identified in several

other videos picking up fraudulent prescriptions at Rite Aid, Winn Dixie, and Publix Pharmacy in the Mobile area in other people's names. The individual picking up these prescriptions closely resembles **JONES**.

DI Conner obtained a copy of a fraudulent prescription bearing the forged signature of Dr. R., dated November 10, 2017, from Winn Dixie Pharmacy located at 1550 Government Street in Mobile, written to an individual identified for the purposes of this affidavit as "Warner" for 112 Oxycodone 30 mg tablets. The images of the person picking up the prescription are not of Warner. The individual picking up the prescription is a white male wearing a blue shirt, tan pants and a red and white hat who closely resembles **JONES**.

DI Conner also obtained copies of the following fraudulent prescriptions from the 1550 Government Street Winn-Dixie:

a prescription bearing the forged signature of Dr. R., dated November 19, 2017, written to an individual identified for the purposes of this affidavit as "Watts" for 112 Oxycodone 30 mg tablets. The video of the person picking up this prescription was identified by DEA DI Conner as **JONES** after comparing it to **JONES'** driver's license photo and Facebook page photo. Dr. R. advised DEA that Watts was not and had not been one of his patients.

a prescription bearing the forged signature of Dr. C., dated November 20, 2017, written to **JONES** for 120 Oxycodone 30 mg tablets. The individual

picking up the prescription was identified by DI Conner as **JONES** after comparison to **JONES'** driver's license photo and Facebook page photo. Dr. R. advised DEA that **JONES** was not and had not been one of his patients.

a prescription bearing the forged signature of Dr. C. dated November 20, 2017, written to **JONES** for 90 tablets of Oxymorphone 10 mg. The individual picking up the prescription is a white male wearing a blue shirt, tan pants and a red and white hat that closely resembles **JONES**. Dr. C. advised DEA that Taylor was not and had not been one of his patients.

DI Conner obtained a copy of a fraudulent prescription from Publix Pharmacy located at 4628 Airport Boulevard in Mobile bearing the forged signature of by Dr. R., dated October 29, 2017, written to an individual identified for the purposes of this affidavit as "Horsting" for 100 Oxycodone 30 mg tablets. Dr. R. advised DEA that Horsting was not and had not been one of his patients. The security camera footage of the person filling the prescription closely resembles **JONES** – the footage shows a white male wearing a red and white hat.

DI Conner obtained a copy of a fraudulent prescription bearing the forged signature of Dr. R., dated November 15, 2017, written to an individual whose last name is "Connolly" for 112 Oxycodone 30 mg tablets from Publix Pharmacy located at 2253 US 98 in Fairhope. Dr. R. advised DEA that Connolly was not and had not been one of his patients. The images from the security camera footage of the person

filling the prescription are not Connolly. The individual picking up the prescription closely resembles **JONES**.

On January 10, 2018, DIs Conner and Dugans interviewed an individual identified for purposes of this affidavit as “Owens” who advised that **JONES** had recruited individuals into a fraudulent prescription ring. Owens stated **JONES** had also ordered prescription paper online but was unsure if **JONES** was forging his own prescriptions.

Owens had seen one of **JONES**’ friends, identified for purposes of this affidavit as W.A., with a patient file folder containing prescriptions used as templates to create forged prescriptions. Owens stated the fraudulent prescription operation had been in operation for over a year and that in June 2017, W.A. started a new “run” of fraudulent Oxycodone prescriptions to supply **JONES**’ recruits with fraudulent Oxycodone prescriptions.

On January 24, 2018, DEA SA Burt and DI Conner met with an individual identified for the purposes of this affidavit as “W.A.” for a proffer. W.A. said **JONES** had previously ordered approximately 500 sheets of paper for printing fraudulent prescriptions. W.A. claimed he observed **JONES** “pull up” a website and order the paper. This occurred prior to December 2016. W.A. said he gave **JONES** all the remaining prescription paper when he went to jail. W. A. advised that **JONES** uses and sells pills and that he had driven **JONES** or been with **JONES** when

JONES sold pills. W. A. also admitted he had purchased pills from **JONES** for \$30 per pill and had taken customers to **JONES'** residence for them to purchase pills. W.A. admitted that if he assisted **JONES**, he would receive 25-30 pills from **JONES**.

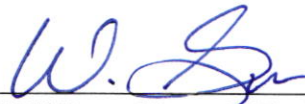
DI Conner obtained a PDMP on **JONES**, which showed fifteen prescriptions filled in **JONES'** name, in Mobile County, from September of 2016 through November 2017, for Oxymorphone and Oxycodone purporting to have been issued by four Mobile area doctors. All four of these doctors provided letters to DEA that they had not authorized, prescribed, or signed prescriptions for **JONES** and that the prescriptions were fraudulent.

An individual identified for the purposes of this affidavit as "M. W." identified seven forged prescriptions, which he filled, all for Oxycodone HCL 30 mg tablets. The forged scripts were filled from November of 2016 through November of 2017. M.W. admitted that he filled all the prescriptions in his name and that they were all fraudulent. M.W. admitted he received all of the prescriptions from **JONES**. M.W. stated that **JONES** split the prescription cost with him. M.W. admitted he would go into various pharmacies to fill the fraudulent prescriptions around 5:00 pm to avoid the pharmacist calling the doctor's office and verifying the prescription. M.W. admitted he always paid cash for the fraudulent prescriptions that he would usually receive some of the Oxycodone tablets and **JONES** would get the rest of the pills

left from the prescription. M.W. admitted he had purchased two Opana 30 mg tablets from **JONES** on April 5, 2018 for \$60.00 a tablet. He also admitted he usually purchased Oxycodone/Oxymorphone pills from **JONES** every two weeks.

On June 6, 2018, M.W., acting in an undercover capacity, made a controlled buy of two Opana (Oxymorphone) 30 mg tablets for \$60 each from **JONES** in Mobile County. The undercover buy was audio and video recorded. Opana is a prescription opioid Schedule II Controlled Substance.

Respectfully submitted,



William Givens, Task Force Officer
Drug Enforcement Administration

THE ABOVE AGENT HAS ATTESTED
TO THIS AFFIDAVIT PURSUANT TO
FED. R. CRIM. P. 4.1(b)(2)(B) THIS 18th
DAY OF JUNE 2018

P. BRADLEY MURRAY
UNITED STATES MAGISTRATE JUDGE