

Fact Sheet

- **Violent Crime Enforcement**

Notable violent crime and firearms cases throughout the District include:

- ***United States v. Lawrence Westbrook III***: Westbrook, 41, of Lexington, was sentenced to 300 months in federal prison for offenses involving methamphetamine trafficking and illegal firearms possession.
- ***United States v. William Timothy Sutton***: Sutton, 55, of Corbin, Ky., was sentenced to 360 months in federal prison after being convicted at trial in January 2018 of four counts of interstate murder-for-hire and possession of firearms by a convicted felon.
- ***United States v. Prince Bixler***: Bixler, 41, of Lexington, was convicted in September 2020 by a federal jury, for charges related to his extensive and violent sex and drug trafficking operation that sold crack cocaine, heroin, and methamphetamine throughout the Lexington area and forced young, drug-addicted women to engage in prostitution. Bixler was convicted of sex trafficking by force, fraud, or coercion; tampering with a witness, victim or an informant; operating an unlawful prostitution business as an interstate racketeering enterprise; distributing controlled substances, including crack cocaine, heroin, and methamphetamine; and of being a felon in possession of a firearm.

- **Controlled Substance Enforcement**

Notable cases and initiatives include:

- ***U.S. v. Ciro Macias, et al.***: In October 2018, Ciro Macias was sentenced to 31 years in prison, for coordinating a sophisticated drug trafficking and money laundering organization operating in Central Kentucky, which was tied to Mexican drug cartels. Macias was the local head of the organization, responsible for distributing kilogram quantities of numerous drugs, including a very pure form of methamphetamine, cocaine, and heroin. In addition to distributing kilograms of the drugs, Macias was also responsible for collecting the proceeds and returning the money back to Mexico, to the larger drug trafficking organization.
- ***United States v. Gregory Phillip Chaffins, et al.***: in June 2020, Chaffins, Amy Jo King, 40, of Bybro, Ky., and Christopher A. Moore, 41, of Kite, Ky., were sentenced for conspiracy and possession with intention to distribute methamphetamine. King received 262 months, Chaffins 200 months, and Moore 108 months, respectively. From August 2018 to November 2018, King conspired with Moore and Gregory Phillip Chaffins to distribute 500 grams or more of methamphetamine. King obtained methamphetamine from a supplier in Atlanta, Georgia, totaling more 500 grams and distributed it in Floyd, Knott, and Letcher Counties.

- ***United States v. April Sizemore Bowling:*** Bowling, 31, of Corbin, Ky., was sentenced to 17 years in federal prison for conspiring to distribute methamphetamine. Bowling lead a drug trafficking organization that was importing kilogram quantities of methamphetamine into the Eastern District of Kentucky, from a source of supply in Georgia. Bowling worked together with Jeffrey Cole, Jessica Flannery, and Melody LeMar to obtain, transport, and sell that methamphetamine in Laurel, Whitley, and Clay counties. The conspiracy was responsible for bringing in excess of 45 kilograms of methamphetamine.
- ***United States v. Omar Davis:*** Davis, 38, of Moultrie, Georgia, was sentenced to 276 months in federal prison, in December 2018, for conspiracy to distribute methamphetamine, brandishing a firearm during a drug trafficking crime, and kidnapping. From December 2014 through March 2016, Davis ran a drug-trafficking operation that distributed pound quantities of methamphetamine in and around Laurel County. On March 8, 2016, Davis held two people at gunpoint over a dispute about proceeds from drug sales.
- **Synthetic Opioid Surge** – Participated in the Department’s new initiative designed to combat the surge in synthetic opioids. As part of this effort, the Office hired and dedicated a prosecutor to focus on prosecuting fentanyl related cases in Fayette County. From November 2018 to date, 29 cases, involving 53 defendants, have been prosecuted for distributing fentanyl in Fayette County.
- **Overdose Death Initiative** – Aggressively prosecuted individuals whose distribution of opioids resulted in the death of the user. From 2017 to present, prosecuted 41 cases as part of this initiative.
- **Opioid Overprescribing and Unlawful Distribution** – Continued to target medical professionals for unlawfully distributing opioids through overprescribing. Cases include:
 - ***United States v. Timothy Gowder, et al.:*** Timothy Dennis Gowder, 72, of Oak Ridge, Tennessee, and Anwar Mithavayani, 56, of Boca Raton, Florida, were sentenced to lengthy terms in federal prison, for conspiring to distribute oxycodone and other drugs, and for money laundering. Gowder received a sentence of 21 years and Mithavayani received a sentence of 25 years. Gowder was the medical director at the Tennessee Pain Institute (TPI), a pain clinic that operated from 2011 to 2016 near Chattanooga. Mithavayani was a co-owner of the clinic. The men were responsible for the illicit distribution of more than 1.6 million oxycodone 30mg pills, and hundreds of thousands of other narcotic pills and sedative pills, such as Xanax. Approximately half of TPI’s pill customers were traveling from eastern Kentucky.
 - ***United States v. Sundiata El-Amin:*** Dr. Sundiata El-Amin, 69, of Ft. Wayne, Indiana, was sentenced to 151 months in federal prison after being convicted of conspiracy to distribute controlled substances, maintaining a premises for

the distribution of controlled substances, and 171 individual counts of distributing controlled substances, in March 2018. Dr. El-Amin conspired with his office manager to unlawfully dispense more than 300,000 oxycodone tablets, outside the scope of professional practice and without a legitimate medical purpose, over a period of approximately one year. He repeatedly issued improper prescriptions for high doses of oxycodone and regularly issued the prescriptions without examining patients.

- ***United States v. Jackson Noel***: Noel, 62, a pharmacist operating Buffalo Drug Inc., located in Buffalo, West Virginia, was sentenced to 120 months in prison for conspiring to illegally dispense and distribute oxycodone and oxymorphone. Noel unlawfully dispensed oxycodone and oxymorphone pills from the pharmacy to out-of-state customers, including customers from Kentucky. Noel dispensed the pills on a cash-only basis. Noel conspired and distributed the drugs from June 2015 through December 2016.
- **Appalachian Regional Prescription Opioid Strike Force** – Participated with nine other U.S. Attorney's Offices and the Department of Justice's Criminal Division to combat prescription opioid fraud and abuse. This initiative teams federal prosecutors from across the region with their law enforcement partners at FBI, DEA, and the U.S. Department of Health and Human Services Office of the Inspector General, to identify and investigate health care fraud schemes in the Appalachian region and surrounding areas, and to effectively and efficiently prosecute medical professionals and others involved in the illegal prescription and distribution of opioids. To date, in the Eastern District of Kentucky, five individuals have been charged under the APRO joint initiative. These cases include: ***United States v. Mohammed A.H. Mazumder, M.D.***; ***United States vs. Scotty Akers, M.D., et al.***; ***United States vs. Denver Tackett, DMD***; and ***United States vs. Sai Gutti, M.D.***

- **Public Corruption and Fraud**

Notable cases included:

- ***United States v. Gerald Lundergan and Dale C. Emmons***: Lundergan, 73, and Emmons, 67, were convicted of participating in a multi-year scheme to funnel more than \$200,000 in unlawful corporate contributions into a campaign for United States Senate, and for causing the concealment of those contributions from the Federal Election Commission. Lundergan was sentenced to 21 months imprisonment. Emmons was sentenced to 3 years' probation.
- ***United States v. Wayne Wellman***: Wellman, 66, was sentenced to 12 months and one day in federal prison having been convicted of 11 counts involving obstructing justice, aiding and abetting the obstruction of a federal grand jury, and aiding and abetting individuals in making false statements to the FBI. Wellman requested that multiple employees of CRM Companies (CRM) donate money to the campaigns of two city council members and then reimbursed them for their donation. He later asked the employees to give false information to the FBI, who was conducting an

investigation into public corruption allegations, by encouraging the employees to lie about reasons for the reimbursement checks and, in some instances, asking them to create false documents (including ledgers and tax forms) to support their false stories.

- ***United States v. Beth Sallee***: Sallee, 39, the former treasurer of Jackson County, Kentucky, was sentenced to 45 months in prison, followed by three years of supervised release, and ordered to pay \$161,808.23 in restitution for devising a multi-year scheme to defraud the Jackson County Fiscal Court of over \$160,000 and for misusing the identity of a Jackson County employee to facilitate her theft.

Notable cases of complex fraud schemes and affirmative civil enforcement include:

- ***United States v. Andrei Stoica, et al.*** Twenty domestic and international defendants have been charged with a RICO conspiracy, money laundering conspiracy, and wire fraud conspiracy for their roles in operating the Alexandria Online Auction Fraud Network, a RICO enterprise based in Alexandria, Romania. The defendants, mostly Romanians, defrauded American citizens into paying for vehicles and other goods that did not exist, and laundered millions of dollars in fraud proceeds through a series of foreign and domestic bitcoin exchangers before converting it back to fiat currency in Romania. All 20 of the defendants charged have been convicted, 19 through guilty pleas; 7 have been sentenced.
- ***United States v. Ismailia Fafunmi***: Ismailia Fafunmi, a Nigerian National residing in Indianapolis, pleaded guilty to money laundering charges related to a romance fraud and grant fraud scheme. Fafunmi admitted that, beginning in June 2018, he worked in conjunction with others, who communicated through online chats, about a scheme to defraud U.S. citizens through a romance scheme. Fafunmi and his co-conspirators would set up fake profiles on dating websites profiling American men, often military members. Fafunmi's co-conspirators would engage in conversations with victims, typically women older than 50, through the dating website, making the victims believe they were in a romantic relationship with the individual in the fictitious profile. Fafunmi and his co-conspirators would then convince these unsuspecting women to send money for various reasons.
- ***Lab Tox, LLC***: LabTox, LLC, a clinical laboratory in Lexington, agreed to pay \$2,101,335 to resolve civil allegations that it violated the False Claims Act. The allegations relate to urine drug testing services LabTox provided to Medicare and Kentucky Medicaid beneficiaries.
- ***Lexington Foot and Ankle***: Lexington-based podiatry practice Lexington Foot and Ankle Center, PSC ("Lexington Foot & Ankle") and Dr. Michael Allen agreed to resolve civil allegations that they violated the False Claims Act, agreeing to pay the United States \$750,000. The agreement resolved a civil lawsuit filed by the United States against Lexington Foot & Ankle and Dr. Allen, on November 28, 2018.