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By Lorraine McNerney at 5:28 pm, Feb 09, 2022

2017R00958/ES

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon.: Brian R. Martinotti
	:	
	:	Crim. No. 2:22-cr-00105
v.	:	
	:	
EVANGELOS MEGARIOTIS	:	21 U.S.C. §§ 841(a)(1), (b)(1)(C), (b)(2), and (b)(3)

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

COUNTS ONE THROUGH THIRTY-FOUR
(Unlawful Distribution of Controlled Substances)

1. Unless otherwise indicated, at all times relevant to this Indictment:

The Defendant and Others

a. Defendant EVANGELOS MEGARIOTIS (“MEGARIOTIS”) was a resident of Clifton, New Jersey and was a licensed physician in the State of New Jersey.

b. MEGARIOTIS was also a registered practitioner with the United States Drug Enforcement Administration, which allowed him to issue prescriptions for Schedule II through Schedule V controlled substances so long as it was in the usual course of professional practice and for a legitimate medical purpose.

c. MEGARIOTIS owned and maintained an orthopedic surgery practice with multiple locations, including a location in Clifton, New Jersey.

d. Patient-1, Patient-2, Patient-3, Patient-4, and Patient-5 (the “Patients”) were all patients of MEGARIOTIS who received prescriptions for controlled substances from MEGARIOTIS in New Jersey.

The Controlled Substances Act

2. The Controlled Substances Act (“CSA”), codified in Title 21 of the United States Code and its promulgating regulations, governed the manufacture, distribution, and dispensation of controlled substances in the United States.

3. Schedule II controlled substances had a high potential for abuse and severe psychological or physical dependence. Schedule III controlled substances had a lower abuse potential than those in Schedule II, but a higher abuse potential than those in Schedule IV. Schedule V controlled substances had less potential for abuse compared to Schedule IV controlled substances.

4. The CSA authorized Schedule II, Schedule III, Schedule IV, and Schedule V controlled substances to be dispensed to individuals by a valid prescription.

5. For a controlled substance prescription to have been valid, it had to be issued for a legitimate medical purpose by a registered practitioner acting in the usual course of his or her professional practice.

6. Oxycodone, OxyContin, and Oxycodone-Acetaminophen, opioid pain medications that were used to treat moderate to severe pain, were classified as Schedule II controlled substances.

7. Dextroamphetamine-Amphetamine, Methylphenidate, and Vyvanse were stimulants used to treat conditions such as attention deficit disorder. They were classified as Schedule II controlled substances.

8. Alprazolam, also known by the brand name “Xanax,” was a benzodiazepine used to treat a range of conditions including anxiety and insomnia. It was classified as a Schedule IV controlled substance.

9. Promethazine with codeine was a syrup that contained codeine, an opioid pain reliever. It was used to treat coughing and other upper respiratory symptoms and was classified as a Schedule V controlled substance.

10. Alprazolam and Promethazine with codeine were opioid potentiators, meaning that they intensified the effects of opioids when taken together.

11. On or about the dates set forth below, in the District of New Jersey and elsewhere, defendant

EVANGELOS MEGARIOTIS

did knowingly and intentionally distribute and dispense to the patients listed below, outside the usual course of professional practice and not for a legitimate medical purpose, mixtures and substances containing detectable amounts of Schedule II, IV, and V controlled substances, as listed below:

Count	Approximate Date Distributed/Dispensed	Patient	Controlled Substance and Schedule
1	March 8, 2017	Patient-1	Oxycodone (Schedule II) Alprazolam (Schedule IV) Promethazine with codeine (Schedule V)
2	July 11, 2017	Patient-1	Oxycodone (Schedule II) Alprazolam (Schedule IV) Promethazine with codeine (Schedule V)
3	November 29, 2017	Patient-1	Alprazolam (Schedule IV)
4	November 30, 2017	Patient-1	Promethazine with codeine (Schedule V)

Count	Approximate Date Distributed/Dispensed	Patient	Controlled Substance and Schedule
5	December 26, 2017	Patient-1	Oxycodone (Schedule II)
6	April 12, 2017	Patient-2	Oxycodone (Schedule II)
7	April 17, 2017	Patient-2	OxyContin (Schedule II)
8	April 22, 2017	Patient-2	Alprazolam (Schedule IV) Promethazine with codeine (Schedule V)
9	July 13, 2017	Patient-2	OxyContin (Schedule II) Oxycodone (Schedule II) Promethazine with codeine (Schedule V)
10	February 4, 2018	Patient-2	OxyContin (Schedule II) Oxycodone (Schedule II)
11	February 6, 2018	Patient-2	OxyContin (Schedule II)
12	March 1, 2018	Patient-2	Oxycodone (Schedule II)
13	July 13, 2017	Patient-3	Oxycodone (Schedule II) Promethazine with codeine (Schedule V)
14	August 14, 2017	Patient-3	Alprazolam (Schedule IV)
15	November 6, 2017	Patient-3	Oxycodone (Schedule II)
16	November 8, 2017	Patient-3	Alprazolam (Schedule IV)
17	November 20, 2017	Patient-3	Alprazolam (Schedule IV) Promethazine with codeine (Schedule V)
18	January 5, 2018	Patient-3	Oxycodone (Schedule II)
19	March 10, 2017	Patient-4	Oxycodone (Schedule II) Dextroamphetamine-Amphetamine (Schedule II)
20	March 21, 2017	Patient-4	Dextroamphetamine-Amphetamine (Schedule II)

Count	Approximate Date Distributed/Dispensed	Patient	Controlled Substance and Schedule
21	April 3, 2017	Patient-4	Dextroamphetamine-Amphetamine (Schedule II)
22	July 26, 2017	Patient-4	Methylphenidate (Schedule II)
23	July 27, 2017	Patient-4	Oxycodone (Schedule II)
24	September 1, 2017	Patient-4	Methylphenidate (Schedule II)
25	September 5, 2017	Patient-4	Dextroamphetamine-Amphetamine (Schedule II)
26	September 12, 2017	Patient-4	Dextroamphetamine-Amphetamine (Schedule II)
27	September 15, 2017	Patient-4	Vyanse (Schedule II)
28	September 19, 2017	Patient-4	Methylphenidate (Schedule II)
29	October 17, 2017	Patient-4	Dextroamphetamine-Amphetamine (Schedule II)
30	November 13, 2017	Patient-4	Oxycodone (Schedule II) Dextroamphetamine-Amphetamine (Schedule II)
31	November 17, 2016	Patient-5	Oxycodone-Acetaminophen (Schedule II)
32	November 23, 2016	Patient-5	Alprazolam (Schedule IV)
33	April 26, 2017	Patient-5	Oxycodone-Acetaminophen (Schedule II) Alprazolam (Schedule IV)
34	April 28, 2017	Patient-5	Phentermine (Schedule IV)

In violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), (b)(2), and (b)(3).

FORFEITURE ALLEGATIONS

1. The allegations set forth in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2. As a result of committing controlled substance offenses as charged in Counts One through Thirty-Four of this Indictment, defendant

EVANGELOS MEGARIOTIS

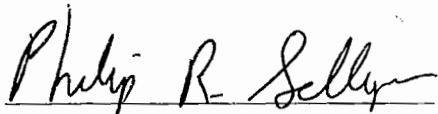
shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in this Indictment.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL 



PHILIP R. SELLINGER
United States Attorney

CASE NUMBER: 22 ___2:22-cr-00105___

**United States District Court District
of New Jersey**

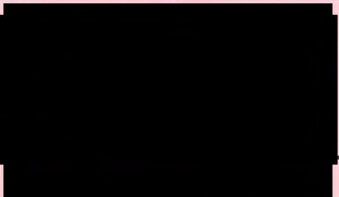
UNITED STATES OF AMERICA

v.

EVANGELOS MEGARIOTIS

INDICTMENT FOR

**21 U.S.C. §§ 841(a)(1),
(b)(1)(C), (b)(2), and (b)(3)**

Foreperson 

PHILIP R. SELINGER
UNITED STATES ATTORNEY
FOR THE DISTRICT OF NEW JERSEY

EMMA SPIRO
ASSISTANT U.S. ATTORNEY
973-645-2746
