


Approved: 
PATRICK EGAN / NOAH SOLOWIEJCZYK
Assistant United States Attorneys

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Before: HONORABLE FRANK MAAS
United States Magistrate Judge
Southern District of New York

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: UNITED STATES OF AMERICA : SEALED COMPLAINT
: :
: - v. - : Violation of
: : 18 U.S.C. § 1349
: ROBIN DELEONROSA, :
: a/k/a "Magic," :
: a/k/a "Robin Deleon Rosa," :
: a/k/a "Robin Rosa," : COUNTY OF OFFENSE:
: : BRONX
: Defendant. :
: :
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SOUTHERN DISTRICT OF NEW YORK, ss.:

THOMAS S. NASIATKA, being duly sworn, deposes and says that he is a Special Agent with the United States Food and Drug Administration ("FDA"), Office of Criminal Investigations, and charges as follows:

COUNT ONE
(Conspiracy to Commit Health Care Fraud)

1. From at least in or about September 2013 up to and including in or about April 2016, in the Southern District of New York and elsewhere, ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to violate Title 18, United States Code, Section 1347.
2. It was a part and an object of the conspiracy that ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, and others known and unknown, willfully and knowingly would and did execute and attempt to execute a scheme and artifice to defraud a health care benefit program, and to obtain, by means of false and fraudulent

pretenses, representations, and promises money owned by and under the custody and control of a health care benefit program in connection with the delivery of and payment for health care benefits, items, and services, in violation of Title 18, United States Code, Section 1347, to wit, DELEONROSA and his co-conspirators engaged in a scheme to obtain fraudulently procured HIV medications from Medicaid recipients, which DELEONROSA and his co-conspirators sought to illegally redistribute to consumers.

(Title 18, United States Code, Section 1349.)

The bases for my knowledge of the foregoing charge is, in part, as follows:

3. I am a Special Agent with the FDA Office of Criminal Investigations, and have been so since 2003. As a Special Agent in the FDA Office of Criminal Investigations, I have conducted numerous investigations into federal crimes relating to, among other things, health care fraud and prescription drug diversion. During that time, I have, among other things, conducted or participated in surveillance, the execution of search warrants, debriefings of informants, confidential sources, and cooperating witnesses, and reviews of recorded conversations and drug records.

4. I have been personally involved in the investigation of this matter. This affidavit is based on my personal observations and participation during the investigation, my conversations with other law enforcement officers and agents, my interviews of witnesses, and my examination of evidence, documents, reports and other records. Because this affidavit is submitted for the limited purpose of establishing probable cause, it does not include all facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Background on HIV Medication Diversion Schemes

5. Through my training, education, experience, my participation in this investigation, and my participation in prior investigations relating to the diversion of HIV medications and other prescription drugs, I have become familiar with a scheme involving the unlawful diversion and trafficking of prescription drugs that previously had been dispensed to

health care benefit program enrollees, including Medicaid recipients ("second-hand" drugs) in a national, underground market:

a. The prescription drugs involved in this scheme are not drugs of abuse, but rather are drugs designed to treat illnesses, in this case the HIV virus ("HIV"). Second-hand HIV medications are originally dispensed to health care benefit plan enrollees, including Medicaid recipients, who then sell the drugs to third-parties for the purpose of illegal resale of these HIV medications. Based on my training and experience and my participation in prior investigations regarding the diversion of prescription drugs, including HIV medications, I know that typically other participants in the scheme ("Collectors") collect HIV medications from patients. These Collectors will then often sell the second-hand bottles they collect to other participants in the scheme ("Aggregators"), who typically buy large quantities of second-hand HIV medications from multiple Collectors.

b. Collectors and/or Aggregators take bulk quantities of HIV medication bottles obtained from health care benefit program enrollees and remove the labels from the bottles that bear the name of the patient who was prescribed the medication (the "patient label").¹ In order to remove the patient label from the bottles, Collectors and/or Aggregators and their associates often use lighter fluid and other potentially hazardous chemicals to dissolve the adhesive on the patient labels, and remove the patient labels and all traces of the adhesive from the bottles. Through this process, the Collectors and/or Aggregators attempt to make the bottles appear new for the purpose of concealing the fact that they had already

¹Based on my training and experience and participation in prior prescription drug diversion cases, I know the following: Pharmacies dispense the drugs to beneficiaries in original, sealed, manufacturers' bottles. Each bottle comes from the manufacturer bearing a label (the "manufacturer's label") that indicates, among other things, the identity of the manufacturer, the brand of drug, the strength of drug, the required storage conditions (such as temperature), and the expiration date of the drugs. Prior to dispensing each bottle, pharmacies affix to the bottle, on top of the manufacturer's label, a separate "patient label," which is an adhesive label that includes additional information, such as the name and address of the pharmacy, the name of the patient, and dosage instructions.

been dispensed, so that they eventually can be re-sold to pharmacies, and ultimately to unsuspecting consumers.

c. Once Collectors and/or Aggregators have removed patient labels from the HIV medication bottles, Collectors and/or Aggregators typically sell the bottles to other Aggregators higher up the distribution chain, who ultimately sell the second-hand HIV medications to pharmacies. These pharmacies then dispense the second-hand HIV medications to unsuspecting consumers.

d. Because the HIV medications involved in the scheme are not drugs of abuse, the bottles' high value depends on their appearing to contain new, unexpired drugs that legitimately have been obtained directly from manufacturers through authorized and licensed wholesale distributors.

e. The scheme itself is potentially dangerous to the unwitting consumers of second-hand HIV medications. As described above, the bottles have been treated with potentially hazardous chemicals, and the drugs themselves may have expired. Additionally, the participants in the scheme often store the drugs in uncontrolled conditions, such as car trunks, residences and rented storage facilities, which may not be sufficient to maintain the medical efficacy of such drugs over time.

f. This scheme also involves material misrepresentations and omissions both on the front end, when health care benefit plan enrollees, including Medicaid recipients, initially obtain prescription drugs, and on the back end, when the second-hand drugs are dispensed to unwitting consumers filling their prescriptions. On the front end of the scheme, participants in the scheme rely on the fact that the health care benefit plan enrollees, including Medicaid recipients, fill their prescriptions for little or no cost with the intention of selling the drugs into the underground market rather than taking them as prescribed to treat their illnesses. While the terms of policies offered by different health care benefit programs vary, each policy requires, in sum and substance, that benefits obtained pursuant thereto be for the sole use of the insured. The health care benefit programs, including Medicaid, would not have paid such benefits on behalf of the beneficiary if the beneficiary had disclosed that they were selling the drugs to others, rather than taking the drugs themselves as prescribed.

g. On the back end of the scheme, the conspirators' purposeful obfuscation of the true source of the second-hand

drugs defrauds legitimate consumers who unknowingly have their prescriptions filled with second-hand drugs that have been sold back to pharmacies as part of the scheme. Legitimate consumers would not knowingly fill their prescriptions with second-hand drugs, and legitimate consumers' insurance companies and other health care benefit programs, including Medicaid, would not knowingly reimburse pharmacies the cost of second-hand drugs. In fact, the scheme was designed for health care benefit programs, including Medicaid, to be defrauded multiple times, as the same drugs that came from beneficiaries in the first place could be dispensed to different, insured patients on the back end.

Background on the Medicaid Program

6. Based upon my training and experience, I have learned, among other things, the following regarding the Medicaid Program:

a. Medicaid is a federal health care program. Individuals who receive benefits under Medicaid are referred to as Medicaid "beneficiaries." Centers for Medicare and Medicaid Services ("CMS"), a federal agency under the United States Department of Health and Human Services ("HHS"), is responsible for overseeing the Medicaid program in participating states, including New York. The Office of Medicaid Management of the New York State Department of Health administers Medicaid in New York. Medicaid provides benefits to individuals and families who meet financial and other eligibility requirements. In New York, the Medicaid program is funded both by the federal government and the State of New York. The federal government provides 50 percent of the funding necessary to pay Medicaid claims, and the State of New York provides the remaining 50 percent. In order to receive federal funding, New York's Medicaid program must be administered in compliance with rules and regulations established by CMS.

b. When a Medicaid beneficiary fills a prescription at a pharmacy, Medicaid covers the cost of the dispensed medication. Because Medicaid is partially funded by the federal government, when Medicaid is defrauded, this causes a loss to the federal government as well.

ROBIN DELEONROSA's Participation in the HIV Medication Diversion Scheme

7. As detailed further below, based on my investigation to date, I know that since at least in or about September 2013,

ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, has been involved in a fraudulent scheme to distribute thousands of doses of diverted second-hand HIV medications, with a total Medicaid reimbursement value of at least approximately \$1.9 million.

8. Based on my conversations with a cooperating source assisting this investigation ("CS-1")², I have learned, among other things, the following, regarding CS-1's activities prior to CS-1 cooperating with law enforcement:

a. In or about September 2013, CS-1 was introduced to ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant. CS-1 provided DELEONROSA with HIV medications that had been prescribed to CS-1 in exchange for payment from DELEONROSA.

b. Based on CS-1's conversations with DELEONROSA, CS-1 learned that DELEONROSA had a network of "street buyers" who purchased HIV medications from individuals on the street and then provided these HIV medications to DELEONROSA in exchange for payment. Furthermore, CS-1 previously observed DELEONROSA obtain second-hand HIV medications from such individuals at a barbershop ("Barbershop-1") that DELEONROSA owns and operates in the Bronx, New York.

c. Beginning in or about late 2013, CS-1 agreed to participate in the distribution of second-hand HIV medications with DELEONROSA. In particular, CS-1 was provided with second-hand HIV medications by DELEONROSA that CS-1 then mailed to another participant in the scheme based in California ("CC-1"). CS-1 was paid for CS-1's participation in this second-hand HIV medication distribution by CC-1 and other unknown associates.

d. In or about August 2014, CS-1 sent three packages of second-hand HIV medications via Federal Express ("FedEx") to addresses provided by CC-1 located in California. A portion of these second-hand HIV medications had been provided to CS-1 by

² CS-1 is assisting with the Government's investigation in the hopes of obtaining leniency in connection with CS-1's participation in the HIV medication distribution scheme described in this Complaint. CS-1 has not been formally charged with or pled guilty to any crimes in this District at this time and has not entered into a cooperation agreement with the Government. Information provided by CS-1 has proven reliable in the past and has been corroborated by, among other things, surveillance by law enforcement and recordings of meets.

DELEONROSA, with the remaining portion having been provided by other associates of CC-1. CS-1 has advised law enforcement after the fact, in substance and in part, that CS-1 was aware that these packages had been confiscated at a FedEx facility in the Bronx, New York and that DELEONROSA and CC-1 were likewise aware that the packages had been confiscated.

9. Based on my conversations with a member of FedEx's security team, I have learned that three packages (the "3 Packages") were confiscated by FedEx at a facility in the Bronx, New York on or about August 13, 2014. According to the FedEx security team member that I spoke with, the 3 Packages were confiscated and opened by FedEx because the 3 Packages were declared to contain jewelry, but, when the FedEx counterperson handled the 3 Packages, the counterperson noted that the 3 Packages sounded as if they contained loose pills in bottles. These 3 Packages were destined for locations in California. Because FedEx determined that the 3 Packages were suspicious in nature, FedEx opened each of the 3 Packages, and determined that the 3 Packages contained bottles of HIV medications.

10. The 3 Packages were surrendered to me on or about August 19, 2014, by a member of the FedEx security team. Based upon my inventory of the 3 Packages, I determined that the 3 Packages contained approximately 396 bottles of the HIV medications Reyataz, Truvada, and Epzicom, with a total Medicaid reimbursement value of approximately \$470,000.

11. Furthermore, I determined that certain of the seized HIV medication bottles still contained patient labels, which contain the name of the patient who filled the prescription and the dispensing pharmacy, among other information. After identifying certain of the patients whose names were listed on the patient labels, I spoke with certain of these patients. During the interviews, multiple patients admitted, in substance and in part, that they had filled prescriptions for HIV medications and then sold these HIV medications in exchange for cash to unknown individuals on the street. Furthermore, based on my discussions with various New York City pharmacies and the patients themselves, I have determined that all of the patients I interviewed were Medicaid beneficiaries.

12. On or about January 15, 2016, at the direction of law enforcement, CS-1 met with ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, at Barbershop-1 in the Bronx, New York. Based on my discussions with CS-1 after the meeting, I have learned, among other things, the following transpired at this meeting:

a. DELEONROSA indicated to CS-1 that DELEONROSA was interested in resuming sales of second-hand HIV medications with CS-1.

b. DELEONROSA advised CS-1 that DELEONROSA currently had approximately 30 bottles of HIV medications and that he would soon be obtaining an additional 50 bottles of HIV medications.

c. During the meeting, CS-1 provided \$1,000 to DELEONROSA using currency that had been provided to CS-1 by the FDA Office of Criminal Investigations. This payment was made by CS-1 in order to re-establish a business relationship with DELEONROSA, and because CS-1 owed DELEONROSA money for prior diverted HIV medication transactions.

d. At the conclusion of the meeting, DELEONROSA and CS-1 agreed to meet again for dinner that coming Saturday, January 17, 2016.

13. On or about January 17, 2016, at the direction of law enforcement, CS-1 met with ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, at a restaurant in the Bronx, New York ("Restaurant-1"). Based on my discussions with CS-1 after the meeting, I have learned, among other things, the following transpired at this meeting:

a. DELEONROSA advised CS-1 that DELEONROSA could provide CS-1 with as many bottles of HIV medications as CS-1 could sell.

b. At the conclusion of the meeting, CS-1 and DELEONROSA agreed to meet again so that CS-1 could obtain HIV medication bottles from DELEONROSA.

14. On or about January 18, 2016, at the direction of law enforcement, CS-1 exchanged text messages with ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant,³ during which DELEONROSA asked CS-1, in substance and in part, to provide DELEONROSA with a list of all of the HIV medications that CS-1 was interested in purchasing. CS-1 responded, in substance and in part, that DELEONROSA should send

³ I have reviewed copies of these text messages, which were provided to me by CS-1. CS-1 previously informed me that the telephone number that CS-1 exchanged text messages with belonged to ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant.

CS-1 a list of how much DELEONROSA was charging for each type of HIV medication so that CS-1 could provide this list to CS-1's boss prior to their next meeting.

15. On or about January 22, 2016, at the direction of law enforcement, CS-1 met with ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, at Barbershop-1 in the Bronx, New York. Based on my discussions with CS-1 after the meeting, as well as surveillance of the meeting and my review of audio/video recordings surreptitiously made by CS-1 at the direction of law enforcement during the meeting, I have learned, among other things, the following transpired at this meeting:

a. DELEONROSA and CS-1 met in front of Barbershop-1.⁴ Shortly thereafter, CS-1 arrived at and entered a nearby apartment building on Ryer Avenue, in the Bronx, New York ("Building-1"). Thereafter, CS-1 and DELEONROSA exited Building-1 together and DELEONROSA then placed a large suitcase ("Suitcase-1") into the trunk of a taxi. CS-1 then departed from the vicinity of Building-1 in the taxi.

b. More specifically, when CS-1 arrived at Barbershop-1, DELEONROSA directed CS-1 to go to DELEONROSA's apartment within Building-1, where DELEONROSA said his wife ("Wife-1") would be waiting with the HIV medications for CS-1. CS-1 then went to Apartment 5D within Building-1 ("Apartment-1") as DELEONROSA had directed. When CS-1 knocked on the door of Apartment-1, a male ("Male-1") answered the door and let CS-1 in.

c. DELEONROSA arrived at Apartment-1 shortly thereafter. DELEONROSA then took out Suitcase-1 in the living room and opened it to show CS-1 the contents. Suitcase-1 contained numerous bottles of HIV medications and a list of HIV medications that DELEONROSA was offering for sale. DELEONROSA

⁴Prior to this meeting, CS-1 informed me that "Robin Rosa," who also went by the nickname "Magic," lived in the Bronx, New York. In addition, CS-1 also had previously pointed out a vehicle to me that CS-1 indicated belonged to "Robin Rosa." Based on the license plate information for this vehicle, I determined that the vehicle was registered in the name of "Robin A. Deleonrosa." Based on the vehicle registration information, I obtained a copy of the driver's license for "Robin A. Deleonrosa" from the New York State Department of Motor Vehicles, which listed an address for DELEONROSA of Apartment-1, as that term is defined in this Complaint.

provided this list to CS-1 during the meeting, which CS-1 later provided to me.

d. DELEONROSA then went with CS-1 to a back bedroom within Apartment-1 and showed CS-1 numerous bottles of HIV medications that DELEONROSA stated were expired and needed to be thrown away.

e. At the end of the meeting, CS-1 and DELEONROSA went downstairs and exited Building-1, with DELEONROSA carrying Suitcase-1 containing the HIV medications. DELEONROSA then put Suitcase-1 into the trunk of an awaiting taxi that CS-1 then departed in.

f. CS-1 did not provide any money in exchange for the HIV medication bottles at the time CS-1 took custody of the bottles. The transaction was on consignment.

g. Immediately following the meeting, CS-1 provided me with Suitcase-1. Based on my inventory of Suitcase-1, I determined that Suitcase-1 contained approximately 205 bottles of HIV medications, including Truvada, Atripla, Complera, Stribild, Isentress, Epzicom, and Triumeq. The estimated total Medicaid reimbursement value of these HIV medications is approximately \$372,444. During the inventory of these HIV prescription medication bottles, I determined that many of these bottles still contained patient labels, which indicated that they had been previously dispensed by pharmacies to persons other than DELEONROSA. In addition, I have confirmed that certain of the patient labels affixed to the HIV prescription medication bottles seized from Suitcase-1 are for patients who are enrolled in insurance programs funded by Medicaid, including by consulting with a pharmacy that filled these prescriptions.

16. On or about January 29, 2016, at the direction of law enforcement, CS-1 met with Wife-1 and Male-1 at Apartment-1 in the Bronx, New York. Based on my discussions with CS-1 after the meeting, as well as surveillance of the meeting and my review of audio/video recordings surreptitiously made by CS-1 at the direction of law enforcement during the meeting, I have learned, among other things, the following transpired at this meeting:

a. Prior to the meeting, CS-1 was instructed by ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, during a telephone call on or about January 29, 2016 with DELEONROSA, that CS-1 should go to

Apartment-1. During the meeting at Apartment-1, CS-1 met with Wife-1 and Male-1, and DELEONROSA was not present.

b. Once CS-1 was let inside Apartment-1, Wife-1 and Male-1 took out numerous HIV medication bottles from various bags and a suitcase ("Suitcase-2") and counted the HIV medication bottles in front of CS-1. This took place in the same back bedroom where DELEONROSA had previously shown CS-1 HIV medication bottles on or about January 22, 2016. CS-1 counted the HIV medication bottles and wrote down an inventory list of all the HIV medication bottles that CS-1 was taking. CS-1 determined that the quantity of bottles was so large that CS-1 could not take all of the HIV medication bottles that day, and CS-1 estimated that CS-1 left behind over 100 bottles. The HIV medication bottles were placed into Suitcase-2 and CS-1 then departed Apartment-1 with the HIV medication bottles. CS-1 did not provide any money in exchange for the HIV medication bottles at the time CS-1 took custody of the bottles. The transaction was on consignment.

c. DELEONROSA called CS-1 while CS-1 was inside of Apartment-1 and requested that CS-1 come to Barbershop-1 after leaving Apartment-1 to pick up more HIV medications. CS-1 subsequently informed DELEONROSA by telephone that CS-1 had left Apartment-1 and would not be coming to Barbershop-1 as CS-1 had already left the vicinity.

d. Immediately following the meeting, CS-1 provided me with Suitcase-2. Based on my inventory of the contents of Suitcase-2, I determined that Suitcase-2 contained approximately 204 bottles of HIV medications, including Prezista, Truvada, Isentress, Epzicom, Intelence, Tivicay, and Reyataz. The estimated total Medicaid reimbursement value of these HIV medications is approximately \$251,389. During the inventory of these HIV prescription medication bottles, I determined that many of these bottles still contained patient labels, which indicated that they had been previously dispensed by pharmacies to persons other than DELEONROSA. In addition, I have confirmed that certain of the patient labels affixed to the HIV prescription medication bottles seized from Suitcase-2 are for patients who are enrolled in insurance programs funded by Medicaid, including by consulting with a pharmacy that filled these prescriptions.

17. On or about March 3, 2016, at the direction of law enforcement, CS-1 met with ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, at Apartment-1 in the Bronx, New York. Based on my discussions

with CS-1 after the meeting, as well as surveillance of the meeting and my review of audio/visual recordings surreptitiously made by CS-1 at the direction of law enforcement during the meeting, I have learned, among other things, the following transpired at this meeting:

a. CS-1 met with DELEONROSA outside of Building-1 and then entered Building-1. A short while later, CS-1 and DELEONROSA exited Building-1 together carrying a suitcase ("Suitcase-3") and a duffel bag ("Duffel Bag-1"). DELEONROSA and CS-1 then placed Suitcase-3 and Duffel Bag-1 into the trunk of a taxi. CS-1 then departed in the taxi.

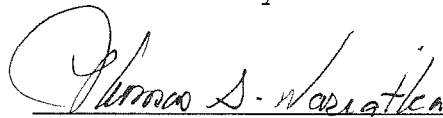
b. More specifically, after entering Apartment-1, CS-1 met with DELEONROSA in the living room of Apartment-1. CS-1 at this time provided DELEONROSA with \$21,000 using currency that had been provided to CS-1 by the FDA Office of Criminal Investigations. This payment was made by CS-1 as partial payment for the above-described HIV medication transaction that occurred on or about January 22, 2016.

c. DELEONROSA then went into a back bedroom of Apartment-1 and returned carrying Suitcase-3 and Duffel Bag-1. DELEONROSA showed CS-1 that Suitcase-3 and Duffel Bag-1 contained HIV medication bottles. DELEONROSA provided CS-1 with a written inventory list of the contents of Suitcase-3 and Duffel Bag-1.

d. Immediately following the meeting, CS-1 provided me with Suitcase-3 and Duffel Bag-1. Based on my inventory of the contents of Suitcase-3 and Duffel Bag-1, I determined that Suitcase-3 and Duffel Bag-1 contained approximately 484 bottles of HIV medications, including Truvada, Complera, Atripla, Stribild, Isentress, Prezista, Tivicay, Intelence, Epzicom, Triumeq, Reyataz, Kaletra, Viread, and Sustiva. The estimated total Medicaid reimbursement cost of these HIV medications is approximately \$808,473. During the inventory of these HIV prescription medication bottles, I determined that many of these bottles still contained patient labels, which indicated that they had been previously dispensed by pharmacies to persons other than DELEONROSA. In addition, I have confirmed that certain of the patient labels affixed to the HIV prescription medication bottles seized from Suitcase-3 and Duffel Bag-1 are for patients who are enrolled in insurance programs funded by Medicaid, including by consulting with a pharmacy that filled these prescriptions.

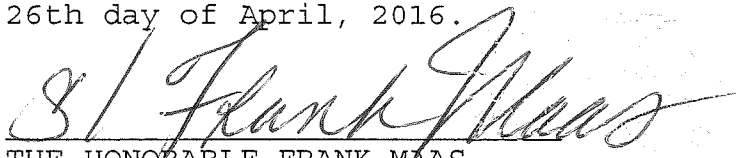
18. Based on my review of recent text message exchanges between CS-1 and ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, that CS-1 engaged in at the direction of law enforcement, I know that, as recently as April 17, 2016, CS-1 has received text messages from DELEONROSA providing a list of HIV medications that DELEONROSA currently has available for purchase.

WHEREFORE, deponent asks that a warrant be issued for the arrest of ROBIN DELEONROSA, a/k/a "Magic," a/k/a "Robin Deleon Rosa," a/k/a "Robin Rosa," the defendant, and that he be imprisoned, or bailed, as the case may be.



THOMAS S. NASIATKA
Special Agent
U.S. Food and Drug Administration
Office of Criminal Investigations

Sworn to before me this
26th day of April, 2016.



THE HONORABLE FRANK MAAS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK