



Office of the Special Narcotics Prosecutor For the City of New York  
Bridget G. Brennan, Special Narcotics Prosecutor

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@snpnyc

**Contacts:**

Special Narcotics Prosecutor's Office  
Kati Cornell  
(212) 815-0525

DEA New York Division  
Erin Mulvey  
(212) 337-2906

## Supervising Pharmacist and Pharmacy Technician Arrested in Diversion of Millions of Dollars in Oxycodone Pills from Queens Pharmacy

Bridget G. Brennan, New York City's Special Narcotics Prosecutor, Ray Donovan, Special Agent in Charge of the U.S. Drug Enforcement Administration's (DEA) New York Division and Acting Queens District Attorney Jack Ryan announced today the arrests of a supervising pharmacist and a pharmacy technician, who allegedly abused their positions at a Richmond Hill, Queens pharmacy by knowingly filling forged prescriptions for opioid painkillers and illegally selling additional pills in exchange for cash.

As a result of an investigation by the Office of the Special Narcotics Prosecutor's (SNP) Prescription Drug Investigation Unit (PDIU) and DEA Diversion Group D-22, supervising pharmacist VICTOR LAPERLA and pharmacy technician BIANCA MARTINEZ were arrested this morning on charges contained in a 35-count indictment, including Conspiracy, Criminal Sale of a Controlled Substance, Criminal Sale of a Prescription for a Controlled Substance and Criminal Possession of a Forged Instrument. The Office of the U.S. Attorney for the Southern District of New York assisted in the investigation. The defendants are scheduled for arraignment today before Judge Ann E. Scherzer in Manhattan Supreme Court, Part 93, 100 Centre Street.

In carrying out the alleged scheme, LAPERLA and MARTINEZ conspired to fill hundreds of illegitimate prescriptions for oxycodone 30 mg at the pharmacy where they worked, Dale Pharmacy & Surgical, Inc., and sold additional oxycodone pills in unlabeled bottles for which no official prescription had been presented. An unindicted coconspirator and others made cash payments for the pills for the purposes of reselling them on the black market. MARTINEZ assisted LAPERLA and brokered illicit transactions. Charges in the indictment stem from 15 such transactions between LAPERLA, MARTINEZ and the unindicted coconspirator between April 21, 2015 and February 7, 2018. Each of the forged prescriptions was written for 180 pills of oxycodone 30 mg for a total of 2,700 pills.

Between March of 2013 and May of 2018, LAPERLA and MARTINEZ allegedly filled over 855 oxycodone 30 mg prescriptions pills purportedly issued by two physicians. These prescriptions were all paid for in cash, as were approximately 90% of all oxycodone 30 mg prescriptions filled by the pharmacy during that timeframe. The two doctors reported to authorities that prescriptions in their names had been forged and the investigation revealed that their prescription pads had been stolen. The approximately 158,000 oxycodone 30 mg pills dispensed as a result of these fraudulent prescriptions would have carried a black market street value of between \$2 million and \$4 million.

On May 23, 2018, DEA agents and SNP investigators conducted a court authorized search of the pharmacy, located at 108-13 Jamaica Avenue, and recovered hard-copies of the forged prescriptions,

as well as records and inventories, a DVR machine and LAPERLA's cellphone. A court authorized search of LAPERLA's residence at 6 Netto Lane, Plainview, Long Island, yielded approximately \$186,500 cash from a safe and bedside table.

An examination of LAPERLA's phone revealed that the pharmacist recorded the illegal cash payments and prescription counts in a "note" application. In 2017 alone, LAPERLA allegedly received approximately \$303,900 in exchange for filling forged prescriptions and oxycodone 30 mg sales. The prescription count information LAPERLA entered into his notes corresponds with prescription records.

LAPERLA purported to act within the scope of the power and authority of a pharmacist when he recorded the forged prescriptions in a database maintained by the New York State Health Department's Bureau of Narcotic Enforcement. A comparative review of BNE records and DEA controlled substance inventories for Dale Pharmacy & Surgical revealed a disparity in the numbers of oxycodone 30 mg pills ordered versus those dispensed. A significant quantity of oxycodone 30 mg pills were unaccounted for on a monthly basis, at least partially attributable to illegal sales of oxycodone 30 mg in unlabeled bottles.

Special Narcotics Prosecutor Bridget G. Brennan commended the work of her office's Prescription Drug Investigation Unit and DEA Division Group D-22, and thanked the Office of the U.S. Attorney for the Southern District of New York and Acting Queens District Attorney Jack Ryan.

"Flooding the black market with millions of dollars' worth of highly addictive substance is something we have come to expect of international drug cartels, but today's indictment charges that a pharmacist, working in collaboration with an assistant, can inflict the same damage," Special Narcotics Prosecutor Brennan said. "I thank our law enforcement partners for their commitment to performing a thorough investigation leading to the charges announced today."

"When these two pharmacy employees came to work, they became drug dealers; diverting over one hundred thousand oxycodone pills into New York City streets," stated Ray Donovan, DEA Special Agent in Charge. "Opioid addiction and overdoses have become an all-too-common issue, which has led to zero-tolerance for those who profit off the pain and suffering of victims and their families. I commend our partners at the New York City Office of the Special Narcotics Prosecutor and DEA Group D-22 for their diligence in this investigation and work in combatting drug abuse."

Acting Queens District Attorney Jack Ryan said, "The scourge of this on-going opioid epidemic has affected all of us in innumerable ways. We must do everything possible to eradicate access and hold those accountable that would peddle this extremely addictive drug in our communities."

<b>Indicted Defendants</b>	<b>Charges</b>
Victor LaPerla Plainview, NY 12/18/1954	Conspiracy 2 <sup>nd</sup> – 1 ct Conspiracy 4 <sup>th</sup> – 1 ct Conspiracy 5 <sup>th</sup> – 1 ct CSCS 2 <sup>nd</sup> – 1 ct Criminal Sale of a Prescription for a Controlled Substance by a Practitioner or Pharmacist – 15 cts Criminal Possession of a Forged Instrument 2 <sup>nd</sup> – 15 cts
Bianca Martinez Brooklyn, NY 2/20/1986	Conspiracy 2 <sup>nd</sup> – 1 ct Conspiracy 4 <sup>th</sup> – 1 ct Conspiracy 5 <sup>th</sup> – 1 ct CSCS 2 <sup>nd</sup> – 1 ct Criminal Sale of a Prescription for a Controlled Substance by a Practitioner or Pharmacist – 15 cts Criminal Possession of a Forged Instrument 2 <sup>nd</sup> – 15 cts

The charges and allegations are merely accusations and the defendants are presumed innocent until proven guilty.