

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

UNITED STATES OF AMERICA)	
)	No. 4:22CR40001
)	
v.)	
)	21 U.S.C. §§ 841(a)(1), 846
TAWNYA LEE LANSDELL)	21 U.S.C. §§ 841(b)(1)(C), (E)
aka TAWNYA LANSDELL)	21 U.S.C. § 841(b)(2)
CLAIRE TERECE RUSSELL)	18 U.S.C. §§ 1347, 1349
WENDY WYNETTE GAMMON)	18 U.S.C. §§ 1343, 1349
SHELLY RAE EASTRIDGE)	
BONITA LOIS MARTIN)	
CANDACE MICHELLE WHITLEY)	
GINA M. RICHARDSON)	
STEPHEN HADEN SULLIVAN)	
MICHAELWAYNE LANSDELL)	
aka MICHAEL LANSDELL)	
RUSTY LYNN GRIFFIN)	
MICHAEL WALLACE MARTIN)	
aka MICK MARTIN)	
LANSDELL FAMILY CLINIC, PLLC, and)	
LANSDELL FARMS, LLC)	

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

APR 20 2022

By JAMIE GIANI, Clerk
Deputy Clerk

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

**Conspiracy to Distribute Controlled Substances
without a Legitimate Prescription**

Beginning in or about January 2019, and continuing through on or about August 1, 2021,
in the Western District of Arkansas and elsewhere, the defendants,

TAWNYA LEE LANSDELL aka TAWNYA LANSDELL
CLAIRE TERECE RUSSELL
WENDY WYNETTE GAMMON
SHELLY RAE EASTRIDGE
BONITA LOIS MARTIN
CANDACE MICHELLE WHITLEY
GINA M. RICHARDSON, and

STEPHEN HADEN SULLIVAN,

did conspire with each other and others known and unknown to the grand jury to knowingly and intentionally possess with intent to distribute and to distribute Schedule II controlled substances, hydrocodone and oxycodone, and other Schedule II, III, and IV controlled substances, without an effective prescription in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), Title 21, United States Code, Sections 841(a)(1) and (b)(1)(E), and Title 21, United States Code, Sections 841(a)(1) and (b)(2), and 21 C.F.R. § 1306.04.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

**Conspiracy to Commit Health Care Fraud
Violation of 18 U.S.C. §§ 1347, 1349**

A. Introduction

At all times relevant to this Superseding Indictment:

1. LANSDELL FAMILY CLINIC, PLLC (LANSDELL FAMILY CLINIC) was an Arkansas based Limited Liability Company listing officers as MICHAEL LANSDELL and TAWNYA LANSDELL. MICHAEL and TAWNYA LANSDELL are married.

2. TAWNYA LEE LANSDELL controlled, owned and operated LANSDELL FAMILY CLINIC, with several health care clinic locations in and around Southwest Arkansas, including locations in Texarkana, De Queen, Dierks, and Lockesburg, Arkansas.

3. RUSTY LYNN GRIFFIN was TAWNYA LEE LANSDELL's brother. RUSTY LYNN GRIFFIN worked at LANSDELL FAMILY CLINIC in a management role, including at its administrative office.

4. MICHAEL WALLACE MARTIN aka MICK MARTIN was TAWNYA LEE LANSDELL's nephew. MICHAEL WALLACE MARTIN aka MICK MARTIN worked at LANSDELL FAMILY CLINIC in a management role, including at its administrative office.

5. During the relevant time frame, the Medicare Program ("Medicare") was a federal health care program providing benefits to persons who were over the age of 65 or disabled. Medicare was funded by federal tax dollars.

6. The Arkansas Medicaid Program ("Medicaid") was a state program jointly funded by the State of Arkansas and the federal government that provided medical and health-related services to certain individuals and families with low incomes and limited financial resources, including pregnant women, children, and individuals who were blind or disabled and whose income and other financial and economic resources were insufficient to afford the cost of necessary medical services. Medicaid covered the costs of a range of medical services and products.

7. Medicare and Medicaid each covered the cost of a range of medical services that were reasonable and necessary, such as office visits and certain outpatient services, including wellness visits, depression screenings, alcohol misuse screenings, and advance care planning, when the services were provided by qualified professionals in specified settings and under specified conditions.

8. The Health Resources & Services Administration COVID-19 Claims Reimbursement to Health Care Providers and Facilities for Testing and Treatment of the Uninsured Program (HRSA COVID-19 Uninsured Program) was a health care program of the United States Department of Health and Human Services (HHS). The HRSA COVID-19 Uninsured Program provides reimbursement to health care providers for testing uninsured individuals for COVID-19,

treating uninsured individuals with a COVID-19 diagnosis, and administering COVID-19 vaccines to uninsured individuals.

9. The HRSA COVID-19 Uninsured Program covered the cost of a range of medical services related to COVID-19 that were reasonable and necessary, such as physician office visits and certain outpatient services such as testing uninsured individuals for COVID-19, treating uninsured individuals with a COVID-19 diagnosis, and administering COVID-19 vaccines to uninsured individuals.

10. Medicare, Medicaid, and the HRSA COVID-19 Uninsured Program were each a "health care benefit program," as defined by Title 18, United States Code, Section 24(b).

11. To receive Medicare, Medicaid, and HRSA COVID-19 Uninsured Program funds, enrolled providers, together with their authorized agents, employees, and contractors, agreed to abide by the procedures, rules, and regulations of each program. A participating physician or provider periodically submitted an application for enrollment to these programs and agreed to comply with all of their applicable rules and regulations. These procedures, rules, and regulations required enrolled providers to, among other things, maintain complete and accurate patient medical records reflecting the medical assessment and diagnoses of their patients, as well as records documenting actual treatment of the patients to whom services were provided and for whom claims for payment were submitted by the physician.

12. TAWNIA LEE LANSDELL was enrolled as a participating provider for Medicare, Medicaid, and the HRSA COVID-19 Uninsured Program.

13. When billing insurers, health care providers used a standard set of codes called CPT codes (short for current procedural technology) to indicate what services had been rendered. A

CPT Manual listed medical services in descriptive terms and assigned each one a unique five-digit code. Certain services included multiple CPT codes to account for varying levels of complexity and time spent with patients. For example, CPT codes existed for five different levels of office visit, with a Level 1 office visit being the most brief and routine and a Level 5 office visit being the most lengthy and intensive or complex. Insurers paid more for high-level office visits than low-level office visits.

B. Purpose

14. It was the purpose of the conspiracy for TAWNIA LEE LANSDELL, RUSTY LYNN GRIFFIN, and MICHAEL WALLACE MARTIN aka MICK MARTIN and others to unlawfully enrich themselves by causing the submission of false and fraudulent claims to Medicare, Medicaid, and the HRSA COVID-19 Uninsured Program.

C. Manner and Means of the Conspiracy and Scheme and Artifice to Defraud

15. The object of the conspiracy was carried out in the following ways, among others:

16. Health care providers at LANSDELL FAMILY CLINIC used paper “charge sheets” to document patient visits. The charge sheets listed a range of potential services by CPT code, or “billing code.” Health care providers selected which service(s) had been provided by CPT code.

17. Completed charge sheets were sent from each LANSDELL FAMILY CLINIC to the LANSDELL FAMILY CLINIC Administration Office where LANSDELL FAMILY CLINIC administrative employees audited the charge sheets.

18. After the charge sheets were audited, the charge sheets were sent to Physicians Medical Billing, who submitted claims to insurers on behalf of LANSDELL FAMILY CLINIC. The claims were based on CPT codes and patient information listed on the charge sheets.

19. Regardless of the duration or complexity of an office visit, TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN directed LANSDELL FAMILY CLINIC health care providers to code office visits on charge sheets as 'higher level,' meaning CPT code Level 3 (99213 & 99203) and Level 4 (99214 & 99204).

20. TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN directed LANSDELL FAMILY CLINIC administrative employees who audited the charge sheets before sending them to Physicians Medical Billing to assure that the office visit billing CPT code was marked 'high,' regardless of what the health care provider originally marked on the charge sheet.

21. To further inflate insurance bills, TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN directed LANSDELL FAMILY CLINIC health care providers to bill for additional services during routine office visits for adult patients, including Alcohol Misuse Screening, Depression Screening, Advance Care Planning (Do Not Resuscitate (DNR)) and Wellness visits, whether or not the health care provider performed the service.

22. At various points when TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN identified a charge sheet that failed to include charges for these additional services, he or she would instruct auditing staff at the LANSDELL FAMILY CLINIC Administrative Office to alter the charge sheet so that it included the additional services, before being routed to Physicians Medical Billing for ultimate billing to insurers. TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN instructed the associated health care providers at LANSDELL FAMILY CLINIC to make false entries in the associated patients' medical records to give the impression the additional services had been provided when, in fact, no such additional services had been rendered.

23. LANSDELL FAMILY CLINIC offered “drive thru COVID-19 testing” at two of their locations.

24. To further inflate insurance bills, TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN directed LANSDELL FAMILY CLINIC health care providers to bill all patients who went through the COVID-19 testing drive thru for an office visit regardless of whether an office visit had taken place or was medically necessary.

25. To further inflate insurance bills, TAWNYA LEE LANSDELL, RUSTY GRIFFIN, and MICHAEL MARTIN aka MICK MARTIN directed LANSDELL FAMILY CLINIC health care providers to bill recipients of COVID-19 testing for additional services, including, Alcohol Misuse Screening, Depression Screening, Advance Care Planning (Do Not Resuscitate (DNR)) and Wellness visits, regardless of whether the service had been provided or not.

26. Medicare, Medicaid, and the HRSA COVID-19 Uninsured Program paid claims for higher-level office visits and additional services rendered by LANSDELL FAMILY CLINIC in good faith reliance on the fact the services were medically necessary and actually provided.

D. Charge

27. Beginning in or around January 2019 and continuing through on or about August 1, 2021, in the Western District of Arkansas and elsewhere, the defendants,

TAWNYA LEE LANSDELL
RUSTY LYNN GRIFFIN, and
MICHAEL WALLACE MARTIN aka MICK MARTIN,

did knowingly and willfully combine, conspire, confederate and agree with each other, and with others known and unknown, to violate Title 18, United States Code, Section 1347(a), that is, to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, Medicare, Medicaid, and the HRSA

COVID-19 Uninsured Program, and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, said health care benefit programs, in connection with the delivery of and payment for health care benefits, items, and services.

All in violation of Title 18, United States Code, Section 1349.

COUNT 3

Conspiracy to Commit Wire Fraud

18 U.S.C. §§ 1343, 1349

A. Introduction

At all times relevant to this Superseding Indictment:

Paycheck Protection Program

1. The Coronavirus Aid, Relief, and Economic Security (CARES) Act was a federal law enacted in March 2020 which provided economic relief for individuals and businesses affected by the Coronavirus Pandemic. Part of the economic relief included the Paycheck Protection Program (PPP), under which a series of forgivable business loans were guaranteed by the Small Business Administration (PPP loan).

2. To obtain a PPP loan, a qualifying business submitted a PPP loan application, which was signed by an authorized representative or representatives of the business. The PPP loan application required the business (through its authorized representative) to acknowledge the program rules and make certain affirmative certifications in order to be eligible to obtain the PPP loan. In the PPP loan application, the small business was required to state its average monthly payroll and number of employees. These numbers were used to calculate the size of the loan the business was eligible to receive.

3. On the application, the business (through its authorized representative) certified that the applicant was not engaged in any activity that was illegal under federal, state, or local law. The business also certified that “current economic uncertainty makes this loan request necessary to support the ongoing operations of the Applicant” and that the “funds will be used to retain workers and maintain payroll or make mortgage interest payments, lease payments, and utility payments as specified under the Paycheck Protection Program Rule.” The authorized representative for the business acknowledged “that if funds are knowingly used for unauthorized purposes, the federal government may hold me legally liable, such as for charges of fraud.” The application also included an acknowledgement that for loan forgiveness to be provided for the sum of payroll costs, covered mortgage interest payments, covered rent payments, and covered utilities, not more than 25% of the forgiven amount may be for non-payroll costs (i.e., 75% or more of the loan proceeds should be used toward payroll expenses in order to be eligible for loan forgiveness). Applications for PPP loans were submitted to participating banks, and if approved, funded by the bank. The loan was backed by the Small Business Administration (SBA), and when a borrower applied for loan forgiveness, if forgiveness was granted, SBA reimbursed the bank for the loan amount.

Relevant Parties

4. LANSDELL FAMILY CLINIC, PLLC (LANSDELL FAMILY CLINIC) was an Arkansas based Limited Liability Company listing officers as MICHAEL LANSDELL and TAWNYA LANSDELL. MICHAEL and TAWNYA LANSDELL are married.

5. LANSDELL FAMILY CLINIC was a health care clinic with several clinic locations in and around Southwest Arkansas, including locations in Texarkana, De Queen, Dierks, and Lockesburg, Arkansas.

6. LANSDELL FARMS, LLC (LANSDELL FARMS) was an Arkansas based Limited Liability Company listing officers as MICHAEL LANSDELL and TAWNYA LANSDELL. The operating agreement for LANSDELL FARMS listed the owners as TAWNYA LANSDELL (80%) and HUNTER LANSDELL (20%).

Lansdell Farms and Farm Related Loan

7. In January 2020, LANSDELL FARMS obtained a real estate loan from Texar Federal Credit Union in the amount of \$194,515.93 (TFCU FARM LOAN) for the purpose of purchasing additional land adjacent to property already owned by LANSDELL FARMS. The source of repayment on the loan documentation listed ‘the sale of cattle,’ as the business indicated it owned 70 head of cattle and planned to purchase 80 additional head of cattle. The promissory note was signed by TAWNYA LANSDELL and HUNTER LANSDELL with a date of January 31, 2020.

8. The TFCU FARM LOAN was used to purchase the following two properties:

- a. Parcel # 001-02612-000: The Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter (NE1/4 SW1/4 & NW1/4 SE1/4) all in Section 6, Township 12 South, Range 30 West, Little River County, Arkansas;
- b. Parcel # 001-02611-000: The Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter (SE1/4 NW1/4 & SW1/4 NE1/4) all in Section 6, Township 12 South, Range 30 West, Little River County, Arkansas.

B. Purpose

9. It was the purpose of the conspiracy for TAWNYA LEE LANSDELL, MICHAEL WAYNE LANSDELL, LANSDELL FAMILY CLINIC, PLLC, LANSDELL FARMS, LLC, and others to unlawfully enrich themselves by obtaining a PPP loan, using the loan funds for personal expenses, and obtaining forgiveness of the loan.

C. Means and Manner of the Conspiracy and Scheme to Defraud

10. The object of the conspiracy was carried out in the following ways, among others:

The Lansdell Family Clinic PPP Loan Application

11. In April 2020, SBA Form 2483, the PPP borrower application form, was submitted to Arvest Bank listing the borrower as LANSDELL FAMILY CLINIC, 500 E. Collin Raye Drive, De Queen, AR, business TIN 47-4871170, and listing the primary contact as MICHAEL LANSDELL. The application listed the owners as MICHAEL LANSDELL (49%) and TAWNYA LANSDELL (51%).

12. SBA Form 2483 listed an average monthly payroll for LANSDELL FAMILY CLINIC in the amount of \$130,096.41, and the number of employees as 51. In the ‘purpose of the loan’ section, SBA Form 2483 had boxes selected for ‘payroll, lease/mortgage interest, and utilities.’

13. Two versions of the SBA Form 2483 were on file with Arvest Bank. The first page requesting applicant information was identical on each Form. One version of the Form was initialed and signed by TAWNYA LANSDELL with a date of April 2, 2020, and one version of the form was initialed and signed by MICHAEL LANSDELL with a date of April 3, 2020.

14. SBA Form 2483 contained a section with several certifications, one being that “the applicant is not engaged in any activity that is illegal under federal, state, or local law.” Another

certification was that “all SBA loan proceeds will be used only for business-related purposes as specified in the loan application and consistent with the Paycheck Protection Program Rule.” SBA Form 2483 contained additional certifications where each line had initials signed to the left of the line. One of the initialed certifications was that “current economic uncertainty makes this loan request necessary to support the ongoing operations of the Applicant.” Another initialed certification was that “the funds will be used to retain workers and maintain payroll or make mortgage interest payments, lease payments, and utility payments, as specified under the Paycheck Protection Program Rule.”

15. SBA Form 2483 for LANSDELL FAMILY CLINIC included a certification that the applicant was not engaged in any activity that was illegal under federal, state, or local law. At the time TAWNYA LANSDELL and MICHAEL LANSDELL executed SBA Form 2483 on behalf of LANSDELL FAMILY CLINIC, TAWNYA LANSDELL was knowingly involved in the conspiracy to distribute controlled substances without a legitimate prescription as alleged in COUNT 1 of this Superseding Indictment, and health care fraud as alleged in COUNT 2 of this Superseding Indictment.

16. As part of the PPP loan process, Arvest Bank records included SBA Form 147 (Standard Loan Note) which listed the lender as Arvest Bank, the borrower as Lansdell Family Clinic PLLC, the loan amount as \$325,200, the SBA Loan number as 80234970-00, and the Arvest Loan number 2259844. MICHAEL LANSDELL was listed as having the title “Owner” and was listed as an “Authorized Representative of Borrower” where the form had a digital signature for MICHAEL LANSDELL dated April 15, 2020.

17. Arvest loan number 2259844 was funded in the amount of \$325,200 on April 14, 2020, via an Arvest Bank cashier’s check, payable to Lansdell Family Clinic PLLC with a memo

line of "SBA Loan Proceeds." Arvest loan number 2259844 was made in response to the PPP loan program TAWNYA LANSDELL and MICHAEL LANSDELL applied for using SBA Form 2483 (PPP Loan).

Account Information and Use of Loan Proceeds

18. Texar Federal Credit Union (TFCU) checking account xx9720 (TFCU CHECKING xx9720) and savings account xx9720 (TFCU SAVINGS xx9720) were opened on April 14, 2019, in the name of Lansdell Family Clinic, PLLC. The authorized users for this account were TAWNYA LANSDELL, Occupation: Nurse, and MICHAEL LANSDELL, Occupation: Manager.

19. On April 1, 2020, TFCU SAVINGS xx9720 had a balance of \$86.00. On April 14, 2020, the PPP loan funds were deposited into that account via a cashier's check listing Arvest Bank Loan # 2259844, payable to LANSDELL FAMILY CLINIC, PLLC, in the amount of \$325,200.

20. From the time the PPP loan funds were deposited into TCFU SAVINGS xx9720 on April 14, 2020 and the date of June 24, 2020, the following four debits from TCFU SAVINGS xx9720 were made, totaling over \$270,000 (approximately 83% of the PPP loan proceeds):

- a. On May 12, 2020, a debit from TFCU SAVINGS xx9720 in the amount of \$33,333.32 went to TFCU savings account xx5060 (TFCU SAVINGS xx 5060). TFCU SAVINGS xx5060 is in the name of TAWNYA LANSDELL and MICHAEL LANSDELL. Prior to the \$33,333.32 deposit, the balance of TFCU SAVINGS xx5060 was \$25.00.

- b. On June 19, 2020, a debit from TFCU SAVINGS xx9720 in the amount of \$39,000.00 went to TFCU checking account xx5060 (TFCU CHECKING xx5060). TFCU CHECKING xx5060 is in the name of TAWNYA LANSDELL and MICHAEL LANSDELL. Prior to the \$39,000.00 deposit, the balance of TFCU CHECKING xx5060 was \$144.94.
- c. On June 26, 2020, \$38,070.93 was debited from TFCU CHECKING xx5060 in the form of a check dated June 19, 2020 payable to Rothwell Marine, bearing the signature of TAWNYA LANSDELL.
- d. On June 24, 2020, two debits from TFCU SAVINGS xx9720 were made in the amounts of \$194,491.69 and \$3,863.21.

21. Records from Rothwell Marine indicate the payment on June 19, 2020, in the amount of \$38,070.93 went to the purchase of a boat, motor, and trailer with a buyer's order dated June 19, 2020. Title information for the trailer indicates the VIN (Vehicle Identification Number) is 597BB1812LM000470, listing the owner as MICHAEL LANSDELL. Registration information for the boat indicates the HIN (Hull Identification Number) is EZLSF180H920, listing the owner as MICHAEL LANSDELL. The buyer's order for the sale indicates the make of the boat was Southfork with serial number EZLSF180H920, and the motor purchased was an Evinrude make, serial number 05564462. The buyer's order listed the make of the trailer as Diamond City with serial number 597BB1812LM000470. The total purchase price of the boat, motor, and trailer was \$43,070.93. A deposit of \$5,000 had previously been paid to Rothwell Marine on April 9, 2020, and the additional \$38,070.93 was paid with the June 19, 2020 check from TFCU CHECKING xx5060.

22. Concerning the two debits from TFCU SAVINGS xx9720 on June 24, 2020, in the amounts of \$194,491.69 and \$3,863.21, the larger debit went toward paying off the full principal balance amount of TFCU FARM LOAN, and the smaller debit went toward paying off the interest associated with TFCU FARM LOAN.

23. Based upon the aforementioned transactions, over \$236,000 in funds obtained from the \$325,200 PPP loan went toward purchasing a boat, motor, and trailer, as well as paying off a loan associated with LANSDELL FARMS. In addition to these transactions, additional funds went from the PPP loan to a LANSDELL FARMS account and other accounts not associated with LANSDELL FAMILY CLINIC. A vast majority of the proceeds of the PPP loan were not directed toward the LANSDELL FAMILY CLINIC, which was the business entity that sought the PPP funding.

Submission of a PPP Forgiveness Application

24. On November 2, 2020, SBA Form 3508EZ, the PPP Loan Forgiveness Application, was submitted to Arvest Bank by MICHAEL LANSDELL, and further submitted to the SBA by Arvest Bank. SBA Form 3508EZ was initialed and signed digitally, and the online service DocuSign was utilized for submission of the signed form.

25. SBA Form 3508EZ listed PPP Loan Number 8023497000 and Arvest Bank Loan Number 2259844 in the amount of \$325,200 for the covered period of April 15, 2020 through September 29, 2020. The SBA Form 3508EZ listed the payroll costs for the covered period in the amount of \$679,791.42. The SBA Form 3508EZ listed several certifications made by the authorized representative of the borrower, where digital initials “ML” appeared next to each certification. One certification was that “I understand that if the funds were knowingly used for

unauthorized purposes, the federal government may pursue recovery of loan amounts and/or civil or criminal fraud charges.”

26. As a result of the SBA Form 3508EZ forgiveness application, SBA forgave LANSDELL FAMILY CLINIC the full PPP loan amount of \$325,200, and Arvest Bank was reimbursed for the amount of the loan.

D. The Charge

27. From in or about April 2020 to in or about November 2020, in the Western District of Arkansas and elsewhere, the defendants,

TAWNYA LEE LANSDELL
MICHAEL WAYNE LANSDELL
LANSDELL FAMILY CLINIC, PLLC and
LANSDELL FARMS, LLC,

and others known and unknown to the Grand Jury, did knowingly and intentionally conspire and agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343, by devising a scheme and artifice to defraud by making false representations in the PPP loan application process, using the money inappropriately to enrich themselves, and misrepresenting information on the PPP forgiveness application, so as to have the loan forgiven as set forth in the Superseding Indictment.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 4 & 5

Wire Fraud, Title 18, United States Code, Section 1343

1. Paragraphs 1 through 26 of COUNT 3 of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

2. On or about the dates listed below, in the Western District of Arkansas and elsewhere, the defendants,

MICHAEL WAYNE LANSDELL, and
LANSDELL FAMILY CLINIC, PLLC,

for the purpose of executing and attempting to execute the scheme and artifice to defraud the Paycheck Protection Program (PPP) and the Small Business Administration (SBA), and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and omission of material facts, transmitted and caused to be transmitted by means of wire communication in interstate commerce the writings, signs, signals, pictures, and sounds described below for the purpose of executing such scheme or artifice:

Count	Appx. Date	Description
4	4/15/2020	SBA Form 147 previously emailed to MICHAEL LANSDELL was viewed by MICHAEL LANSDELL in Western District of Arkansas, utilizing LANSDELL's Outlook.com email account via out-of-state internet wire transmission.
5	11/2/2020	Digital signature applied to PPP loan forgiveness form by MICHAEL LANSDELL in Western District of Arkansas, processed by DocuSign via out-of-state data center.

All in violation of Title 18, United States Code, Section 1343.

FIRST NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Upon conviction of one or more controlled substance offenses set forth in Count 1 of this Superseding Indictment, TAWNYA LEE LANSDELL, CLAIRE TERECE RUSSELL, WENDY WYNETTE GAMMON, SHELLY RAE EASTRIDGE, BONITA LOIS MARTIN, CANDACE MICHELLE WHITLEY, GINA M. RICHARDSON, and STEPHEN HADEN SULLIVAN shall forfeit to the United States pursuant to 21 U.S.C. § 853 all property constituting or derived from, proceeds obtained directly or indirectly from the drug trafficking.

SECOND NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Upon conviction of one or more controlled substance offenses set forth in Count 1 of this Superseding Indictment, TAWNIA LEE LANSDELL, CLAIRE TERECE RUSSELL, WENDY WYNETTE GAMMON, SHELLY RAE EASTRIDGE, BONITA LOIS MARTIN, CANDACE MICHELLE WHITLEY, GINA M. RICHARDSON, and STEPHEN HADEN SULLIVAN shall forfeit to the United States pursuant to 21 U.S.C. § 853, all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense.

THIRD NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Upon conviction of the offense set forth in Count 2 of this Superseding Indictment, TAWNIA LEE LANSDELL, RUSTY LYNN GRIFFIN and MICHAEL WALLACE MARTIN aka MICK MARTIN shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(7), all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense.

FOURTH NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Upon a conviction for one or more of the offenses alleged in Counts 3, 4 and 5 of this Superseding Indictment, TAWNIA LEE LANSDELL, MICHAEL WAYNE LANSDELL, LANSDELL FAMILY CLINIC, PLLC, and LANSDELL FARMS, LLC shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c) all property, real or personal, which constitutes or is derived from proceeds traceable to the offense, including, but not limited to, the following specific property:

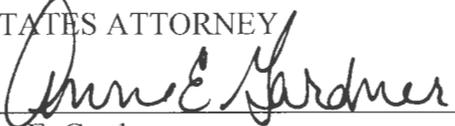
- a. a monetary judgment in the amount of \$325,200.00, which represents all property constituting or derived from proceeds traceable to the offense;
- b. Southfork make boat with serial number EZLSF180H920 and Evinrude motor with serial number 05564462;

- c. Diamond City boat trailer with serial number 597BB1812LM000470; *and*
- d. The property located at:
 - i) Parcel # 001-02612-000: The Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter (NE1/4 SW1/4 & NW1/4 SE1/4) all in Section 6, Township 12 South, Range 30 West, Little River County, Arkansas.
 - ii) Parcel # 001-02611-000: The Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter (SE1/4 NW1/4 & SW1/4 NE1/4) all in Section 6, Township 12 South, Range 30 West, Little River County, Arkansas.

A True Bill.

/s/Grand Jury Foreperson
Grand Jury Foreperson

DAVID CLAY FOWLKES
UNITED STATES ATTORNEY

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