

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

vs.

Case No. [REDACTED]

[REDACTED]
Defendant.

OPINION AND ORDER

This matter is before the Court on Defendant's Motion to Quash the Information and Dismiss Defendant's Charges.

I. Background

Defendant [REDACTED] is charged with five counts: Count I: Delivery of Tylenol #3; Count II: Delivery of Tylenol #3; Count III: Conducting a Criminal Enterprise by being a person employed by or associated with an enterprise, to wit: [REDACTED]

[REDACTED] did knowingly conduct or participate in the affairs of the enterprise directly or indirectly through a pattern of racketeering activity, consisting of two or more of the following incidents of racketeering, to wit: on or about [REDACTED]

[REDACTED] Michigan, Defendant did conspire to commit the following offense for financial gain, to wit: deliver Tylenol #3 with codeine contrary to MCL 333.7401(2)(b)(ii); and on or about [REDACTED]

[REDACTED] Michigan, Defendant did conspire to commit the following offense for financial gain, to wit: deliver Tylenol #3 with codeine; contrary to MCL

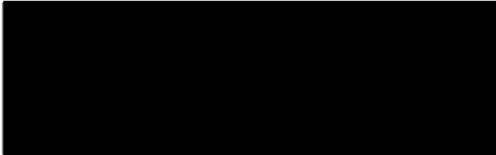
anything unlawful in dispensing acetaminophen with codeine and ibuprofen to [REDACTED] on either [REDACTED]. To the extent the Prosecution asserts that the case evaluation summary constitutes a fraudulent insurance act, that document was signed by [REDACTED] attorney, [REDACTED] and there's no evidence Defendant had any knowledge of the document or its contents or that he was involved in its creation or decision to submit it during the facilitation of that case.

The People have presented no evidence establishing probable cause to believe that Defendant committed the two counts of insurance fraud. The district court's probable cause determination to the contrary was an abuse of discretion.

IV. Conclusion

For the reasons set forth above, Defendant's motion to quash is GRANTED. This Opinion and Order resolves the last pending claim and CLOSES the case. MCR 2.602(A)(3).

IT IS SO ORDERED.



Dated: September 6, 2024

