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Attorneys for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE COUNTY OF MOHAVE

STATE OF ARIZONA,

Plaintiff,

v.

JOSE ANDRES LOPEZ (001), (Counts 1 – 48) BONNIE MERCEDES ELIZARRARAZ (002), (Counts 1 & 2) Defendants. 91 SGJ 261

Case No:

INDICTMENT

CHARGING VIOLATIONS OF:

COUNTS 1, 18, 33, and 47: FRAUDULENT SCHEMES & ARTIFICES, a Class 2 Felony, in violation of A.R.S. § 13-2310

COUNT 2: CONSPIRACY, a Class 2 Felony, in violation of A.R.S. § 13-1003

COUNTS 3-6 and 19-24: COMPUTER TAMPERING, a Class 3 Felony, in violation of A.R.S. § 13-2316(A)(1)

COUNTS 7-12, 26-31, 34-45, and 48: FORGERY, a Class 4 Felony, in violation of A.R.S. § 13-2002(A)(3)

COUNTS 13-17, 32, and 46: TAKING IDENTITY OF ANOTHER, a Class 4 Felony, in violation of A.R.S. § 13-2008(A)

COUNT 25: MONEY LAUNDERING IN THE SECOND DEGREE, a Class 3 Felony, in violation of A.R.S. § 13-2317(B)(1)

The Arizona State Grand Jury accuses **JOSE ANDRES LOPEZ, BONNIE MERCEDES ELIZARRARAZ**, charging on this 5th day of December, 2022 that in or from Mohave County, Arizona:

COUNT 1

FRAUDULENT SCHEMES & ARTIFICES

On or between July 22, 2020 and March 15, 2021, **JOSE ANDRES LOPEZ and BONNIE MERCEDES ELIZARRARAZ**, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit (to wit: prescription medication and lab testing) by means of false or fraudulent pretenses, representations, promises or material omissions, in violation of A.R.S. §§13-2310, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-305, 13-701, 13-702, 13-703, and 13-801.

COUNT 2

CONSPIRACY

On or between July 22, 2020 and March 15, 2021, **JOSE ANDRES LOPEZ and BONNIE MERCEDES ELIZARRARAZ**, with the intent to promote or aid the commission of an offense, did agree with one or more persons that at least one of them or another person would engage in conduct constituting the offenses of:

- 1) **FRAUDULENT SCHEMES AND ARTIFICES**, in violation of A.R.S. § 13-2310;
- 2) **THEFT**, in violation of A.R.S. § 13-1802(A)(6);
- 3) **FORGERY**, in violation of A.R.S. §13-2002(A)(3);

- 4) **COMPUTER TAMPERING**, a Class 3 Felony, in violation of A.R.S. § 13-2316(A)(1);
- 5) **TAKING IDENTITY OF ANOTHER**, a Class 4 Felony, in violation of A.R.S. § 13-2008(A);

In furtherance of this conspiracy and to affect the objects thereof, one of the parties committed overt acts, including but not limited to those acts set forth in Counts 1 and 3-16, in violation of A.R.S. §§ 13-1003, 13-1802, 13-2301, 13-2310, 13-2316, 13-2002, 13-301, 13-302, 13-303, 13-304, 13-305, 13-701, 13-702, 13-703 and 13-801.

COUNT 3

COMPUTER TAMPERING

On or about July 22, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit a prescription for Bonnie Elizarraraz), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 4

COMPUTER TAMPERING

On or about November 3, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit a prescription for Bonnie Elizarraraz), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COMPUTER TAMPERING

On or about January 15, 2021, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit and prescriptions for Bonnie Elizarraraz), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 6

COMPUTER TAMPERING

On or about March 12, 2021, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit a prescription for Bonnie Elizarraraz), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 7

FORGERY

FORGERY

On or about November 3, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 9

FORGERY

On or about January 15, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescriptions for), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 10

FORGERY

On or about January 15, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescriptions for), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 11

FORGERY

On or about March 12, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescriptions for), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

FORGERY

On or about March 15, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: Labcorp lab slip), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 13

TAKING IDENTITY OF ANOTHER

On or about July 22, 2020, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702 and 13-801, a class 4 felony.

COUNT 14

TAKING IDENTITY OF ANOTHER

On or about November 3, 2020, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702 and 13-801, a class 4 felony.

COUNT 15

TAKING IDENTITY OF ANOTHER

On or about January 15, 2021, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying

information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702 and 13-801, a class 4 felony.

COUNT 16

TAKING IDENTITY OF ANOTHER

On or about March 12, 2021, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702 and 13-801, a class 4 felony.

COUNT 17

TAKING IDENTITY OF ANOTHER

On or about March 15, 2021, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702 and 13-801, a class 4 felony.

COUNT 18

FRAUDULENT SCHEMES & ARTIFICES

On or between February 20, 2020 and December 16, 2020, **JOSE ANDRES LOPEZ**, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit (to

wit: financial benefit from Progressive Insurance and Nationwide Insurance) by means of false or fraudulent pretenses, representations, promises or material omissions, in violation of A.R.S. §§13-2310, 13-2301, 13-701, 13-702, 13-703, and 13-801.

COUNT 19

COMPUTER TAMPERING

On or about August 30, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 20

COMPUTER TAMPERING

On or about September 3, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 21

COMPUTER TAMPERING

On or about October 22, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to devise

or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 22

COMPUTER TAMPERING

On or between November 4, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 23

COMPUTER TAMPERING

On or about November 28, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 24

COMPUTER TAMPERING

On or about December 4, 2020, **JOSE ANDRES LOPEZ**, acting without authority or exceeding his authorization of use, accessed, altered, damaged or destroyed any computer, computer system or network, or any part of a computer, computer system or network (to wit: accessed system to submit billing encounters), with the intent to

devise or execute any scheme or artifice to defraud or deceive, or to control property or services by means of false or fraudulent pretenses, representations or promises, in violation of A.R.S. §§ 13-2316(A)(1), 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 25

MONEY LAUNDERING IN THE SECOND DEGREE

On or between February 20, 2020 and December 16, 2020, **JOSE ANDRES LOPEZ**, knowing or having reason to know that U.S. Currency was the proceeds of an offense, acquired or maintained an interest in, transacted, transferred, transported, received, or concealed the existence or nature of racketeering proceeds, in violation of A.R.S. §§ 13-2317, 13-2301, 13-701, 13-702, 13-703 and 13-801.

COUNT 26

FORGERY

On or about August 30, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 27

FORGERY

On or about September 3, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 28

FORGERY

On or about October 22, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that

contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 29

FORGERY

On or about November 4, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 30

FORGERY

On or about November 28, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 31

FORGERY

On or about December 4, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: physical therapy sessions/billing), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 32

TAKING IDENTITY OF ANOTHER

On or between February 20, 2020 and December 16, 2020, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered

any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702, 13-703 and 13-801, a class 4 felony.

COUNT 33

FRAUDULENT SCHEMES & ARTIFICES

On or between June 1, 2017 and March 24, 2021, **JOSE ANDRES LOPEZ**, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit (to wit: employment, prescription medications, a financial benefit) by means of false or fraudulent pretenses, representations, promises or material omissions, in violation of A.R.S. §§13-2310, 13-2301, 13-701, 13-702, 13-703, and 13-801.

COUNT 34

FORGERY

On or about October 22, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Methylprednisolone), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 35

FORGERY

On or about October 22, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Gabapentin), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 36

FORGERY

On or about October 22, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Norel Ad), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

FORGERY

On or about December 5, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Methylprednisolone), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 38

FORGERY

On or about December 5, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Meloxicam), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 39

FORGERY

On or about December 28, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Amox-Clav), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 40

FORGERY

On or about December 28, 2020, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Prednisone), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

FORGERY

On or about February 27, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Baclofen), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 42

FORGERY

On or about February 27, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Meloxicam), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 43

FORGERY

On or about February 27, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Hydroxyzine), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 44

FORGERY

On or about March 22, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Norel Ad), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

FORGERY

On or about March 22, 2021, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains false information (to wit: electronic prescription for Albuterol), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

COUNT 46

TAKING IDENTITY OF ANOTHER

On or between October 22, 2020 and March 22, 2021, **JOSE ANDRES LOPEZ**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information or entity identifying information of **Dr. Essa Sidiqi**, without his consent, with the intent to obtain or use his identity for any unlawful purpose or to cause loss to a person or entity, whether or not that person or entity actually suffered any economic loss as a result of the offense in violation of A.R.S. §§13-2008, 13-2001, 13-701, 13-702, 13-703 and 13-801, a class 4 felony.

COUNT 47

FRAUDULENT SCHEMES & ARTIFICES

On or between July 15, 2018 and April 16, 2019, **JOSE ANDRES LOPEZ**, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit (to wit: employment/financial benefit re: AZ Western College Job Application) by means of false or fraudulent pretenses, representations, promises or material omissions, in violation of A.R.S. §§13-2310, 13-2301, 13-701, 13-702, 13-703, and 13-801.

COUNT 48

FORGERY

On or about July 15, 2018, with the intent to defraud, **JOSE ANDRES LOPEZ**, offered or presented, whether accepted or not, a forged instrument or one that contains

false information (to wit: AZ Western College Job Application), in violation of A.R.S. §§ 13-2002(A)(3), 13-2001, 13-701, 13-702, 13-703 and 13-801.

Pursuant to A.R.S. § 21-425, the Grand Jurors find that the offenses described above were committed in Mohave County, Arizona.

(A "True Bill")

Foreperson of the Grand Jury

MARK BRNOVICH ATTORNEY GENERAL STATE OF ARIZONA

Dated:

Vineet Mehta Shaw

Assistant Attorney General

#10720787