

02484623

THE STATE OF TEXAS
VS.

D.A. LOG NUMBER: 1617984
CJIS TRACKING NO.:

CHRISTINA JOY CLARDY
6635 SEWANEE
HOUSTON, TX 77005

02484623
SPN:
DOB: BF 12-10-1949
DATE PREPARED: 3/18/2010

BY: RZ DA NO: 00212798
AGENCY: HCFM
O/R NO: 1010967
ARREST DATE: TO

FBI L...
Loren Jackson
District Clerk
MAR 18 2010
Harris County, Texas
Deputy

NCIC CODE: 210125

RELATED CASES: HUGHES-F HARRIS-F DURAN-F

FELONY CHARGE: Engaging in Organized Criminal Activity

CAUSE NO:

HARRIS COUNTY DISTRICT COURT NO:

FIRST SETTING DATE:

BAIL: \$20,000
PRIOR CAUSE NO: REFILE 178/1255705

1255723

178

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, **CHRISTINA JOY CLARDY** hereafter styled the Defendant, heretofore on or about **JANUARY 7, 2010**, did then and there unlawfully with intent to establish, maintain and participate in a combination and in the profits of a combination, said combination consisting of **CHRISTINA JOY CLARDY, TAWNY HUGHES, BRANDON HARRIS AND WILFREDO DURAN**, COMMIT the offense of **FRAUD**, namely, in that he did unlawfully **KNOWINGLY DELIVER A PRESCRIPTION FORM FOR OTHER THAN A VALID MEDICAL PURPOSE IN THE COURSE OF PROFESSIONAL PRACTICE**.

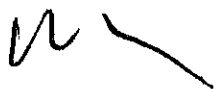
PROBABLE CAUSE

Affiant, Dustin Deutsch, a certified peace officer employed by the Harris County Fire Marshall's Office, hereafter styled Affiant, has good reason to believe, does believe and hereby charges and accuses that beginning on or about January 7, 2010 and continuing through January 23, 2010, at 7231 FM 1960 #F in Humble, Harris County, Texas, Christina Clardy along with Tawny Hughes, Brandon Harris and Wilfredo Duran committed a felony offense against the laws of the State of Texas, to-wit Wilfredo Duran did then and there with intent to maintain, and participate in combination and in the profits of a combination, said combination consisting of Christina Joy Clardy, Tawny Hughes, Brandon Harris and Wilfredo Duran commit the offense of Fraud by knowingly deliver a prescription form for other than a medical purpose in the course of professional practice in violation of Section 481.129 of the Texas Controlled Substances Act. Affiant has probable cause for said belief by reason of the following facts and circumstances: Affiant was assigned an investigation into an incendiary fire at the Uptown Medical Clinic located at 7231 FM 1960, Suite F in Humble, Harris County, Texas. Affiant spoke with Investigator Kessler and learned that the date of the fire loss was January 23, 2010 at approximately 11:45 pm. Affiant completed the investigation and made the following findings based on evidence at the scene: An incendiary fire was started by the intentional application of an ignitable liquid, the fire occurred in the middle of the night and there was no forced entry into the location. Based on this information, Affiant believed that the fire was intentionally started. Affiant also noticed during an examination of the fire scene that there were few contents in the clinic which was inconsistent with what Affiant knows a legitimate clinic would have, such as patient files. Affiant spoke to Tawny Hughes who informed Affiant that she and Brandon Harris started the Uptown Medical Clinic in November of 2009. Affiant did research and found out that Tawny Hughes filed a "Doing Business As" with Harris County on December 28, 2009 listing the Uptown Medical Clinic as a business and listing an address of 18319 Heathridge Lane in Cypress, Texas as an address for the owner. Affiant also learned that no sales tax permits, licensing papers, corporation papers or any other type of business documents have been filed with the State of Texas. Affiant learned that flyers were distributed in various locations for the Uptown Medical Clinic prior to its opening. Affiant learned that the clinic was advertised for treating Chronic Pain Management and was only open 9am-3pm, Monday through Friday. Affiant believed that the limited times and days of operation were not consistent with a legitimate clinic. Affiant spoke with Tawny Hughes during his investigation. Tawny Hughes told Affiant that she was a primary investor in the clinic, which she and Brandon Harris negotiated with Christina Clardy and Wilfredo Duran to work as doctors for the Uptown Medical Clinic. Tawny Hughes also told Affiant that the business was doing well. Tawny Hughes told Affiant that Christina Clardy was the doctor who was in charge of the clinic and signed the prescription forms, that Wilfredo Duran was the individual who saw patients, made clinical diagnoses and filled out the prescription forms and that she and Brandon Harris ran the day to day operations of the clinic. Tawny Hughes told Affiant that she did not know if Wilfredo Duran was a doctor who was licensed to practice medicine in Texas and that she never checked to see if the individual who was acting as a doctor for the clinic was a doctor licensed to practice medicine. Tawny Hughes told Affiant that Christina Clardy told her to fire Wilfredo Duran the day before the fire occurred and that she was directed to remove all patient files and records from the clinic the day before the fire. Tawny Hughes provided all of the patient files and records to Affiant for the purposes of his investigation. On March 17, 2010 Affiant served an arrest warrant on Tawny Hughes and she admitted that they were running a pill clinic where the primary goal was to sell prescriptions.

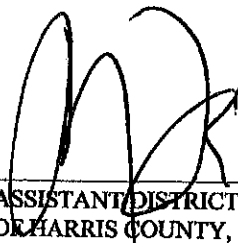
Tawny Hughes told Affiant that she and Brandon Harris would pay Dr. Christina Clardy for pre-signed prescription pads. Tawny Hughes told Affiant that every patient paid \$80 up front at the clinic for prescriptions and that she and Brandon took a cut of that money. Affiant spoke with Investigator Lopez who is also with the Harris County Fire Marshall's Office who told Affiant that on the day of the fire, an individual who Investigator Lopez identified as Brandon Harris ran from the scene when Investigator Lopez tried to speak to him. Affiant also spoke with Brandon Harris during his investigation and identified him by his Texas Driver's License. Brandon Harris confirmed the information that Tawny Hughes provided regarding the clinic business. Brandon Harris also told Affiant that Christina Clardy told him to remove the patient files and records from the clinic the day before the fire. Brandon Harris told Affiant that he and Tawny Hughes removed the files and records from the clinic. Brandon Harris gave Affiant consent to search the clinic after the fire, and during the search Affiant found Brandon Harris in possession of a blank pre-signed prescription form pad with Christina Clardy's signature on each prescription form. Brandon Harris told Affiant that Dr. Christina Clardy was being paid \$14,000 a month and the payments were in the form of cashier checks. Affiant also spoke with Wilfredo Duran during his investigation. Affiant identified Wilfredo Duran by his Texas Driver's License. Wilfredo Duran told Affiant that he went to medical school in Honduras and then came to America in 2005. Wilfredo Duran told Affiant that he worked as a forklift operator for Wal-Mart for a few years, went into landscaping until he was hired as a doctor's assistant for various doctors around the Houston area. Wilfredo Duran told Affiant that he worked at S&G clinic in Northwest Houston as an assistant for Dr. Christina Clardy. Wilfredo Duran told Affiant that he met Brandon Harris as a patient at S&G. Wilfredo Duran told Affiant that Brandon Harris offered him employment at a new clinic where he would be paid more than he was being paid at S&G. Wilfredo Duran told Affiant that he was being paid \$75 an hour at Uptown Medical Clinic and his job duties included seeing patients, assisting patients in filling out questionnaires and to filling out the prescription pad that was already signed by Dr. Christina Clardy and also making a diagnoses of each patient. Affiant asked if Wilfredo Duran was a doctor licensed to practice medicine in the State of Texas a question that Wilfredo Duran would not answer. Wilfredo Duran told Affiant that he was only an assistant to Dr. Christina Clardy and said that she was present at the clinic during the time that it was operating. Affiant also spoke with the suspected party, who identified herself as Dr. Christina Clardy. Affiant also identified Christina Clardy through her Texas Driver's License. The suspected party told Affiant that she was the medical director of both S&G Medical Clinic and Uptown Medical Clinic. The suspected party told Affiant that during the time that Uptown Medical Clinic was in operation she only actually went to the location one time for a walk through and did not see any patients. The suspected party told Affiant that Wilfredo Duran was working under her for Uptown Medical Clinic. The suspected party told Affiant that she directed Brandon Harris to remove all patient files from the clinic the day before the fire occurred and told Affiant that she told him to remove the files because she had a feeling that someone from S&G Medical Clinic was going to do something bad to the Uptown Medical Clinic. On March 17, 2010 Affiant served an arrest warrant on Christina Clardy and she admitted that she knew that the prescription forms that she signed for Uptown Medical Clinic were not used for medical purposes. Affiant then reviewed all of the patient files and records that he had been provided by Tawny Hughes. Affiant was able to determine from the records that during the 11 days the Uptown Medical Clinic was open, they had seen 171 patients. Affiant noticed that the patients came from all over the country, including New York, Arkansas, Louisiana, Wisconsin and Texas. Affiant noticed that over 95% of the patient's diagnosis was "lumbar." Affiant also noticed that most of the patients were prescribed with the same combination of lorcet (hydrocodone), soma, xanax (alprazolam) which Affiant knows to be referred to on the streets as a "cocktail" and is a combination of prescription drugs commonly abused by drug users. Affiant also noticed that there were no refills circled on the prescriptions which creates a monthly client for the clinic which Affiant knows is not typical for a therapeutic medical purpose. Affiant also noticed that the clinic did not accept medical insurance, Medicare or Medicaid and only accepted cash as a form of payment which Affiant knows is a common scheme for a clinic operating for purposes of illicit distribution of prescription drugs to stay off the radar and prevent being shut down by the Texas Department of Public Safety who regulate such businesses. Specifically, on January 7, 2010, Affiant noted that Gale McMillian was given a prescription for Lorcet (hydrocodone), soma and Xanax (Alprazolam) and the diagnosis was "lumbar" Affiant during his investigation has continued to watch the Uptown Medical Clinic and has learned that it has reopened as Uptown Family Clinic and that Dr. Christina Clardy is working there with Brandon Harris. Affiant has observed that Wilfredo Duran is now employed at S&G Medical Clinic now known as TMD (Texas Medicine Direct) located at 9110 Jones Road, Suite 127 in Houston, Harris County, Texas. Affiant learned through the Texas Medical Board that Wilfredo Duran is not currently licensed to practice medicine nor has he even been licensed to practice medicine in the state of Texas. Affiant has also learned from Jennifer Sanchez, with the Drug Enforcement Agency that Tawny Hughes is now selling prescription forms signed by Christina Clardy from her home located at 18319 Heathridge in Cypress, Harris County, Texas.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on March 18, 2010



AFFIANT


24030822
ASSISTANT DISTRICT ATTORNEY BAR NO.
OF HARRIS COUNTY, TEXAS.

COMPLAINT

Unofficial Office of Loren Jackson District Clerk

COPY OF COMPLAINT/WARRANT DELIVERED TO

Officer's name: D. Deutsch

Police agency: 107MD

Phone no: date/time: 2/3/10/2010 1530
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