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FILED
Superior Court of California,
County of Monterey
01/16/2026

By: Maria Ramirez, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF MONTEREY, SALINAS DIVISION

**THE PEOPLE OF THE STATE OF
CALIFORNIA,**

Plaintiff,

v.

LUIS ARTAVIA, M.D., 26CR000577

DR. SHOMIR BANERJEE, 26CR000582

DANNY PASCUAL LODEVICO, 26CR000593

NIMFA CAUILAN MOLINA, 26CR000645

**FLOR ZULEMA MORA (a.k.a. FLOR
ZULEMA MORA SALDANA),** 26CR000647

CHRISTINE NUGUID-YEM, and
26CR000651

DR. MARK N. SAMONTE,
26CR000652
Defendants.

Case No. 26CR000577

FELONY COMPLAINT

[AG DOCKET Nos.: LA2021305688 and
LA2021301696]

The People of the State of California hereby allege that in the County of Monterey, and elsewhere within the State of California, before the making of this criminal complaint, the above-named defendants, LUIS ARTAVIA, M.D. (██████████), DR. SHOMIR BANERJEE (DOB ████████), DANNY PASCUAL LODEVICO (██████████), NIMFA CAUILAN MOLINA (DOB ████████), FLOR ZULEMA MORA (██████████), CHRISTINE NUGUID-YEM (DOB ████████), and DR. MARK N. SAMONTE (██████████), and committed the following different criminal offenses, all connected together in their commission, and being two or more different offenses of the same class of crimes or offenses, under separate counts:

COUNT 1
[Pen. Code § 550(a)(5) – Felony]
False or Fraudulent Claims –2, 3, or 5 years

Beginning on or about April 1, 2016, and continuing through June 1, 2024, defendants DR. LUIS ARTAVIA, DR. SHOMIR BANERJEE, DANNY PASCUAL LODEVICO, NIMFA CAUILAN MOLINA, FLOR ZULEMA MORA, CHRISTINE NUGUID-YEM, DR. and DR. MARK N. SAMONTE, did aid, abet, solicit and/or conspire with another to knowingly prepare, make or subscribe a writing or writings, with the intent to present and use it, or to allow it to be presented, in support of a false and fraudulent **Medi-Cal** claim or claims, in violation of Penal Code section 550, subdivision (a)(5), a felony.

COUNT 2
[Pen. Code § 550(a)(5) – Felony]
False or Fraudulent Claims – 2, 3, or 5 years

Beginning on or about April 1, 2016, and continuing through June 1, 2024, defendants DR. LUIS ARTAVIA, DR. SHOMIR BANERJEE, DANNY PASCUAL LODEVICO, NIMFA CAUILAN MOLINA, FLOR ZULEMA MORA, CHRISTINE NUGUID-YEM, DR. and DR. MARK N. SAMONTE did aid, abet, solicit and/or conspire with another to knowingly prepare, make or subscribe a writing or writings, with the intent to present and use it, or to allow it to be presented, in support of a false and fraudulent **Medicare** claim or claims, in violation of Penal

Code section 550, subdivision (a)(5), a felony.

COUNT 3

[Pen. Code, § 182(a)(1)]

Conspiracy to Commit a Crime – 2, 3, or 5 years Imprisonment

Beginning on or about April 1, 2016, and continuing through June 1, 2024, defendants DR. LUIS ARTAVIA, DR. SHOMIR BANERJEE, DANNY PASCUAL LODEVICO, NIMFA CAUILAN MOLINA, FLOR ZULEMA MORA, CHRISTINE NUGUID-YEM, DR. and DR. MARK N. SAMONTE did unlawfully conspire together and with another person and persons whose identity is unknown to commit the crime of Healthcare Insurance Fraud, in violation of Penal Code section 182(a)(1), a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said defendants committed the following overt acts at and in the County of Monterey:

Overt Act #1

On or about, and in between May 1, 2019, and continuing through October 31, 2023, Defendant Dr. Luis Artavia approved enrollment and recertifications of Compassionate Touch Hospice, Inc. patients for hospice services.

Overt Act #2

On or about, and in between March 5, 2020, and continuing through March 5, 2024, Defendant Dr. Shomir Banerjee approved enrollment and recertifications of Fountain Hospice, Inc. patients for hospice services.

Overt Act #3

On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant Danny Pascual Lodevico and co-conspirators submitted claims to Medi-Cal managed care companies (MCOs) for hospice services for Spiritual Touch Hospice, Inc. patients.

Overt Act #4

1 On or about, and in between May 1, 2019, and continuing through October 31, 2023,
2 Defendant Danny Pascual Lodevico and co-conspirators submitted claims to Medi-Cal managed
3 care companies (MCOs) for hospice services for Compassionate Touch Hospice, Inc. patients.

Overt Act #5

5 On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant
6 Danny Pascual Lodevico and co-conspirators submitted claims to Medicare for hospice services
7 for Spiritual Touch Hospice, Inc. patients.

Overt Act #6

9 On or about, and in between May 1, 2019, and continuing through October 31, 2023,
10 Defendant Danny Pascual Lodevico and co-conspirators submitted claims to Medicare for
11 hospice services for Compassionate Touch Hospice, Inc. patients.

Overt Act #7

13 On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant
14 Danny Pasqual Lodevico received payment for Medi-Cal claims into bank accounts in which he
15 was the owner and/or signor.

Overt Act #8

17 On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant
18 Danny Pasqual Lodevico received payment for Medicare claims into bank accounts in which he
19 was the owner and/or signor.

Overt Act #9

21 On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant
22 Nimfa Cauilan Molina, enrolled patients for hospice services.

Overt Act #10

24 On or about, and in between March 5, 2020, and continuing through March 5, 2024,
25 Defendants Flor Zulema Mora and Christine Nuguid-Yem, along with co-conspirators, submitted
26 claims to Medi-Cal managed care organizations (MCOs) for hospice services for Fountain
27 Hospice, Inc. patients.

Overt Act #11

On or about, and in between March 5, 2020, and continuing through March 5, 2024, Defendants Flor Zulema Mora and Christine Nuguid-Yem, along with co-conspirators, submitted claims to Medicare for hospice services for Fountain Hospice, Inc. patients.

Overt Act #12

On or about, and in between March 5, 2020, and continuing through March 5, 2024, Defendants Flor Zulema Mora and Christine Nuguid-Yem received payment for Medi-Cal claims into bank accounts in which they were owners and/or signors.

Overt Act #13

On or about, and in between March 5, 2020, and continuing through March 5, 2024, Defendants Flor Zulema Mora and Christine Nuguid-Yem received payment for Medicare claims into bank accounts in which they were owners and/or signors.

Overt Act #14

On or about, and in between April 1, 2016, and continuing through June 1, 2024, Defendant Dr. Mark N. Samonte approved enrollment and recertifications of hospice services for Spiritual Touch Hospice, Inc. patients.

SPECIAL ALLEGATION
[Pen. Code, § 186.11(a)(2)]

Furthermore, as to counts 1, 2, and 3 the offense alleged are related felonies, a material element of which is fraud and embezzlement, which involved a pattern of related felony conduct, and the pattern of related felony conduct involved the taking of, and resulted in the loss by (Victim) of, more than five hundred thousand dollars (\$500,000), thus subjecting DR. LUIS ARTAVIA, DR. SHOMIR BANERJEE, DANNY PASCUAL LODEVICO, NIMFA CAUILAN MOLINA, FLOR ZULEMA MORA, CHRISTINE NUGUID-YEM, DR. and DR. MARK N. SAMONTE to the additional punishment provided for in Penal Code sections 186.11(a)(2).

NOTICE: Pursuant to Penal Code section 1170(h), prison custody time is to be served in state prison if the enhancement pursuant to Penal Code section 186.11 is imposed as part of a sentence for the above offense.

SPECIAL ALLEGATION
Theft Amount over \$100,000 – Penal Code § 1203.045(a)

It is further alleged that the offenses in Counts 1, 2 and 3 involved theft of over \$100,000, within the meaning of Penal Code Section 1203.045(a).

SPECIAL ALLEGATION
Statute of Limitations for PC §803(C) Offenses

It is further alleged that the offenses in Counts 1, 2 and 3 are described in Penal Code section 803, subdivision (c), that prosecution was commenced within four years after the discovery of the commission of the offense(s) or within four years after the completion of the offense(s) on June 4, 2024, within the meaning of Penal Code section 801.5.

SPECIAL ALLEGATION
Continuous Course of Conduct – PC §801.5

It is further alleged, pursuant to sections 801.5 and 803, subdivision (c) of the Penal Code, that the offenses alleged in Counts 1, 2, and 3 are felonies, and that no victim of said violation and no law enforcement agency chargeable with the investigation and prosecution of said violation had actual and constructive knowledge of said violations prior to July 20, 2021.

On or about March 23, 2021, the Department of Justice Division of Medi-Cal Fraud & Elder Abuse (DMFEA) Special Agent Craig Eastep was notified by Sam Orefice, Supervising Special Investigator of the California Board of Registered Nursing (BRN), that the BRN received notification that Defendant, Nimfa Molina, was committing fraud, associated with Spiritual Touch Hospice and Compassionate Touch Hospice.

On or about August 1, 2021, DMFEA Special Agent Aaron Adicoff was conducting interviews of Spiritual Touch Hospice and Compassionate Touch hospice patients. He noted claims

1 were submitted for these same patients by Genesis Health Services Inc., d/b/a Fountain Hospice.

2 On or about October 24, 2022, Qlarant Integrity Solution, LLC submitted a case referral to
3 Special Agent Daniel Moriarty of the U.S. Department of Healthcare Services, Office of the
4 Inspector General (HHS-OIG), regarding the potential fraud allegations involving Medicare
5 beneficiaries who were patients of Genesis Health Services, Inc., dba Fountain Hospice. These
6 offenses were not discovered earlier because neither DHCS, DOJ DMFEA, or HHS-OIG were
7 aware that the defendants listed in Counts 1, 2, and, and 3 fraudulently billed for services between
8 April 1, 2016 and March 23, 2021 because the defendants deliberately provided false information
9 to support their claims for healthcare services.

10 It is further alleged that prosecution was commenced within four years after the discovery
11 of the commission of the offense(s) or within four years after the completion of the offense(s),
12 within the meaning of Penal Code section 801.5.

13 **ALLEGATION OF CIRCUMSTANCES IN AGGRAVATION**

14 It is further alleged pursuant to California Penal Code section 1170(b)(2) as to the above
15 felony offenses and allegations that the following circumstances in aggravation as defined in
16 California Rules of Court section 4.421 apply and may justify the imposition of the upper term of
17 imprisonment:

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- 19 – (a)(4) Defendants induced others to participate in the commission of the crimes or
20 occupied a position of leadership or dominance of other participants in their commission.
- 21 – (a)(8) The manner in which the crime was carried out indicates planning, sophistication,
22 or professionalism;
- 23 – (a)(9) The crime involved an attempted or actual taking or damage of great monetary
24 value;
- 25 – (a)(11) Defendants took advantage of a position of trust or confidence to commit the
26 offense;

1 Further, attached and incorporated by reference is an Affidavit in Support of Arrest Warrant
2 and Complaint completed by a sworn peace officer from the California Department of Justice
3 which the complainant believes establishes probable cause for the arrest of defendants DR. LUIS
4 ARTAVIA, DR. SHOMIR BANERJEE, DANNY PASCUAL LODEVICO, NIMFA CAUILAN
5 MOLINA, FLOR ZULEMA MORA, CHRISTINE NUGUID-YEM, DR. and DR. MARK N.
6 SAMONTE, for the above listed crimes. Wherefore, A WARRANT OF ARREST IS
7
8 REQUESTED.

10 I declare under penalty of perjury, on information and belief, pursuant to the laws of the
11 State of California, that the foregoing is true and correct.

13 || Dated: January 13, 2026

Respectfully Submitted,

ROB BONTA
Attorney General of California

BIANCA YIP
Deputy Attorney General
*Attorneys for The People of the State of
California*

JENNIFER HOTALING
Deputy Attorney General
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California*

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REQUEST FOR DISCOVERY

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3 Pursuant to Penal Code section 1054.5, subdivision (b), the People request from
4 defendants and defense counsels all materials and information required to be disclosed to the
5 prosecution by the defense under the authority of Penal Code section 1054.3, including the
6 following:

7 1. The names and addresses of persons, other than the defendants, whom the defendants
8 intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].

9 2. Any relevant written or recorded statements of persons whom the defendants intend to call
10 as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].

11 3. Any reports of the statements of persons whom the defendants intend to call as witnesses
12 at trial. [Pen. Code § 1054.3, subd. (a)].

13 4. Any reports or statements of experts made in connection with the case. [Pen. Code §
14 1054.3, subd. (a)].

15 5. Any results of physical or mental examinations, scientific tests, experiments or
16 comparisons which the defendants intend to offer in evidence at the trial. [Pen. Code § 1054.3,
17 subd. (a)].

18 6. Any real evidence which the defendants intend to offer in evidence at the trial. [Pen.
19 Code § 1054.3, subd. (a)].

20 This is a continuing request for the above information. If the information becomes
21 available at a future time, the prosecution, by this request, asks that it be immediately disclosed to
22 the prosecution.

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