

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 BRIAN FRANKEL
Supervising Deputy Attorney General
3 CARLOS CHAVARRIA
Deputy Attorney General
4 State Bar No. 128580
110 West A Street, Suite 1100
5 San Diego, California 92101-3702
Telephone: 619-688-6410
6 Fax: 619-688-4200

FILED
San Diego Superior Court
FEB 05 2009
Clerk of the Superior Court
By R. Bryant

7 Attorneys for the People of the State of California

8
9 **SUPERIOR COURT OF CALIFORNIA**
10 **COUNTY OF SAN DIEGO**

11 **THE PEOPLE OF THE STATE OF CALIFORNIA,**
12 Plaintiff,
13 v.
14 **SANJAY J. PATEL, aka SANJAYKUMAR PATEL;**
15 **LEENA BHARAT KUMAR PATEL, aka LEENA**
16 **PATEL; and**
17 **LIBRADA SANTOS COMDURAN, aka LIBRADA**
18 **SANTOS, aka LIBRADA SCOTT;**
19 Defendants.
20
21
22
23

Court Case No. **SD 218574**
AG Docket No. **SA 2006100082**
FELONY COMPLAINT
Cts 1-8: Health Benefits Fraud,
PC §550(a)(6); (2-3-5)
Cts 9-10: Grand Theft,
PC §487(a); (16-2-3)
Ct 11: Receiving Stolen Property
PC §496(a) (16-2-3)
Ct 12: Identity Theft
PC §530.5(a) (16-2-3)
Ct 13: Money Laundering
PC §186.10(a)(1); (16-2-3)
Special Alleg.: (2yr enhancement)
PC §186.10(c)(1)(B)(C)
Special Enhancement Allegations:
PC §12022.6(a)(3) (3 yrs)
(Theft Over \$1,300,000)
PC §1203.045(a)
PC §186.11(a)(1) (2-3-5)

24 The People of the State of California hereby allege that in the County of San Diego, State
25 of California, before the making or filing of this Complaint, defendants, **SANJAY PATEL,**
26 **LEENA PATEL and LIBRADA SANTOS COMDURAN** did commit the following crimes:
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 1

**HEALTH BENEFITS FRAUD
Penal Code §550(a)(6)**

From on or about 9/7/2005 to 9/29/2005, defendants **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made fraudulent claims for payment of a health care benefit allegedly provided to Charles D., in violation of Penal Code §550, subdivision (a)(6), a felony.

COUNT 2

**HEALTH BENEFITS FRAUD
Penal Code §550(a)(6)**

From on or about 5/2/2005 to 7/29/2005 and 10/3/2005 to 11/29/2005 defendants **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made fraudulent claims for payment of a health care benefit allegedly provided to Clifford P., in violation of Penal Code §550, subdivision (a)(6), a felony.

COUNT 3

**HEALTH BENEFITS FRAUD
Penal Code §550(a)(6)**

From on or about 5/2/2005 to 7/29/2005, and 10/5/2005 to 10/27/2005, defendants **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made fraudulent claims for payment of a health care benefit allegedly provided to Elaine P., in violation of Penal Code §550, subdivision (a)(6), a felony.

COUNT 4

**HEALTH BENEFITS FRAUD
Penal Code §550(a)(6)**

From on or about 5/2/2005 to 5/30/2005 and 10/11/2005 to 11/30/2005, defendants

1 **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** did knowingly
2 make or cause to be made fraudulent claims for payment of a health care benefit allegedly provided
3 to Arthur R., in violation of Penal Code §550, subdivision (a)(6), a felony.

4
5 **COUNT 5**

6 **HEALTH BENEFITS FRAUD**
7 **Penal Code §550(a)(6)**

8 From on or about 10/5/2005 to 11/30/2005, defendants **SANJAY PATEL, LEENA**
9 **PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made
10 fraudulent claims for payment of a health care benefit allegedly provided to Henry B., in violation
11 of Penal Code §550, subdivision (a)(6), a felony.

12
13 **COUNT 6**

14 **HEALTH BENEFITS FRAUD**
15 **Penal Code §550(a)(6)**

16 From on or about 10/6/2005 to 12/29/2005, defendants **SANJAY PATEL, LEENA**
17 **PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made
18 fraudulent claims for payment of a health care benefit allegedly provided to Roger U., in violation
19 of Penal Code §550, subdivision (a)(6), a felony.

20
21 **COUNT 7**

22 **HEALTH BENEFITS FRAUD**
23 **Penal Code §550(a)(6)**

24 From on or about 9/6/2005 to 11/29/2005, defendants **SANJAY PATEL, LEENA**
25 **PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made
26 fraudulent claims for payment of a health care benefit allegedly provided to Robana G., in violation
27 of Penal Code §550, subdivision (a)(6), a felony.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT 8

**HEALTH BENEFITS FRAUD
Penal Code §550(a)(6)**

From on or about 7/12/2005 to 6/15/2006, defendants **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** did knowingly make or cause to be made fraudulent claims for payment of a health care benefit, in violation of Penal Code §550, subdivision (a)(6), a felony.

COUNT 9

**GRAND THEFT
Penal Code § 487(a)**

On or about 6/14/2006, defendants, **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN**, as part of an ongoing scheme, unlawfully accumulated and stole money or other consideration valued in excess of one million three hundred thousand dollars (\$1,300,000.00) from the Medicare Program in violation of Penal Code §487(a), a felony.

COUNT 10

**GRAND THEFT
Penal Code §487(a)**

On or about 6/15/2006, defendants, **SANJAY PATEL and LEENA PATEL** unlawfully stole money or other consideration valued in excess of one hundred fifty thousand dollars (\$150,000.00) from Sridhar Gopal in violation of Penal Code §487(a), a felony.

COUNT 11

**RECEIVING STOLEN PROPERTY
Penal Code §496(a)**

On or about 6/14/2006, defendants **SANJAY PATEL and LEENA PATEL** knowingly received stolen property, to wit: monies obtained through false and fraudulent billing of the Medicare

1 program, in violation of Penal Code §496(a), a felony.

2
3 **COUNT 12**

4 **IDENTITY THEFT**
5 **Penal Code §530.5(a)**

6 On or about 2/5/2006 to 6/15/2006, defendants **SANJAY PATEL, LEENA PATEL**
7 **and LIBRADA SANTOS COMDURAN** did willfully obtain the personal identifying
8 information of others, and used that information, without their consent, to fraudulently steal
9 thousands of dollars from the Medicare Program in violation of Penal Code §530.5(a), a felony.

10
11 **COUNT 13**

12 **MONEY LAUNDERING**
13 **Penal Code §186.10(a)(1)**

14 From on or about 2/14/2006 to 7/29/2006, defendants, **SANJAY PATEL and LEENA**
15 **PATEL** conducted or attempted to conduct transactions involving monetary instruments of a total
16 value exceeding \$5,000.00, through one or more financial institutions knowing the instruments
17 represented proceeds of, or derived directly or indirectly from the proceeds of criminal activity in
18 violation of Penal Code §186.10 (a)(1), a felony.

19 It is further alleged that the value of money laundering transactions exceeded \$150,000,
20 within the meaning of Penal Code §186.10(c)(1)(B).

21
22 **SPECIAL ALLEGATIONS**

23 It is further alleged that in committing the above offenses, **SANJAY PATEL, LEENA**
24 **PATEL and LIBRADA SANTOS COMDURAN** with intent to do so, took funds exceeding
25 \$1,300,000.00 within the meaning of Penal Code §12022.6 (a)(3).

26 It is further alleged that in committing the above offenses, **SANJAY PATEL, LEENA**
27 **PATEL and LIBRADA SANTOS COMDURAN** with the intent to do so, took funds exceeding
28 \$100,000.00 within the meaning of Penal Code §1203.045(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

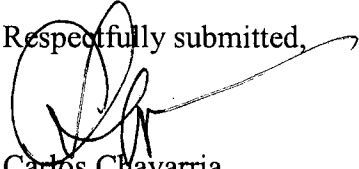
AGGRAVATED WHITE COLLAR CRIME ENHANCEMENT

It is further alleged that the offenses charged in Counts 1 through 13, committed by defendants **SANJAY PATEL, LEENA PATEL and LIBRADA SANTOS COMDURAN** are related felonies, a material element of which is fraud, which involves a pattern of related felony conduct, involving the taking of more than \$500,000.00, within the meaning of Penal Code §186.11(a)(2).

REQUEST FOR DISCOVERY

The People informally request from defense counsel for defendants, all materials and information which disclosure is required by Penal Code §1054.3.

Prelim. Estimate: 4 hours

Respectfully submitted,


Carlos Chavarria
Deputy Attorney General
Bureau of Medi-Cal Fraud and Elder Abuse

For EDMUND G. BROWN JR.
Attorney General of the State of California