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U.S. COURTS

JUN 13 2023

Rcvd. \_\_\_\_\_ Filed \_\_\_\_\_ Time \_\_\_\_\_  
STEPHEN W. KENYON  
CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANGELA KATHRYN HUGHES and  
SYDNEY L. NEAL,

Defendants.

Case No.

INDICTMENT **CR 23-0155-SBLW**

21 U.S.C. § 841(a)(1) and (b)(1)(C)  
21 U.S.C. § 846  
21 U.S.C. § 853

The Grand Jury charges:

**GENERAL ALLEGATIONS**

1. At all times relevant to the Indictment, the Defendant ANGELA KATHRYN HUGHES, a nurse practitioner, was licensed by the State of Idaho, to practice medicine in the District of Idaho.
2. As part of her practice, HUGHES prescribed controlled substances, including highly addictive opioids, under her U.S. Drug Enforcement Administration ("DEA") registration number.

3. HUGHES routinely prescribed various Schedule II controlled substances to her patients and other individuals knowing and intending that the distribution was outside the scope of professional practice and not for a legitimate medical purpose.

4. The Defendant SYDNEY L. NEAL, resided in the District of Idaho and was a patient of and/or medical assistant for HUGHES.

#### **BACKGROUND ON CONTROLLED SUBSTANCES**

5. At all times relevant to this Indictment, the Controlled Substances Act (“CSA”) governed the manufacture, distribution, and dispensing of controlled substances in the United States. Under the CSA, the DEA regulated certain pharmaceutical drugs designated as “controlled substances” because of their potential for abuse or dependence, their accepted medical use, and their accepted safety for use under medical supervision. *See* 21 U.S.C. § 802(6).

6. The DEA issued registration numbers to qualifying practitioners, including nurse practitioners, which permitted them to dispense Schedule II, III, IV, and V controlled substances consistent with the terms of that registration. 21 U.S.C. § 822.

7. Oxycodone, oxycodone acetaminophen, and hydrocodone acetaminophen are Schedule II controlled substances.

8. Under the CSA, it was unlawful to distribute or dispense a controlled substance, unless otherwise authorized by law. 21 U.S.C. § 841(a)(1). Except in limited circumstances, Schedule II controlled substances could not be dispensed without a written prescription. 21 U.S.C. § 829. “A prescription for a controlled substance to be effective must [have] be[en] issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice.” 21 C.F.R. § 1306.04. “The responsibility for the proper

prescribing and dispensing of controlled substances is upon the practicing prescriber....” *Id.*  
An order purporting to be a prescription issued not in the usual course of professional  
treatment...[was] not a prescription within the meaning and intent of [S]ection [ ] 829...” *Id.*

**COUNT ONE**

**Conspiracy to Distribute Controlled Substances  
21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C)**

9. The allegations set forth in paragraphs one through eight of this Indictment are  
realleged and incorporated by reference as though fully set forth herein.

10. From in or about January 2022, through in or about March 2023, in the District of  
Idaho and elsewhere, the Defendants, ANGELA KATHRYN HUGHES and SYDNEY L.  
NEAL, knowingly and intentionally combined, conspired, confederated, and agreed together  
and with other persons, known and unknown to the Grand Jury, to commit the following  
offenses against the United States, distribution of oxycodone, oxycodone acetaminophen and  
hydrocodone acetaminophen, Schedule II controlled substances, pursuant to prescriptions  
that were issued outside the scope of professional practice and not for a legitimate purpose  
and distributed, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(c), all in violation of 21  
U.S.C. § 846.

**COUNTS TWO THROUGH FOUR**

**Distribution of Controlled Substances  
21 U.S.C. § 841(a)(1) and (b)(1)(C)**

11. The allegations set forth in paragraphs one through eight of this Indictment are  
realleged and incorporated by reference as though fully set forth herein.

12. On or about the dates listed below, in the District of Idaho and elsewhere, the  
Defendant, ANGELA KATHRYN HUGHES, knowingly and intentionally distributed

Schedule II controlled substances, pursuant to purported prescriptions, knowing and intending that the distribution was outside the scope of professional practice and not for a legitimated medical purpose, as set forth below:

Count	Approximate Date Prescription Written	Controlled Substances Distributed To	Schedule II Controlled Substance Distributed	Approximate Number of Pills Distributed
2	5/20/2022	Sydney Neal	Hydrocodone Acetaminophen	60 pills
3	7/7/2022	Sydney Neal	Hydrocodone Acetaminophen	60 pills
4	9/11/2022	A.H.	Oxycodone	60 pills

All in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C).

**CRIMINAL FORFEITURE ALLEGATION(S)**

**Drug Forfeiture**

**21 U.S.C. § 853**

Upon conviction of the offenses alleged in Counts One through Four of this Indictment, the Defendants, ANGELA KATHRYN HUGHES and SYDNEY L. NEAL, shall forfeit to the United States any and all property, real and personal, tangible and intangible, consisting of or derived from any proceeds the said Defendants obtained directly or indirectly as a result of the foregoing offenses; and any and all property, real and personal, tangible and intangible, used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the foregoing offenses. The property to be forfeited includes, but is not limited to, the following:

1. Unrecovered Cash Proceeds and/or Facilitating Property. The Defendants obtained and controlled unrecovered proceeds of the offense of conviction, or property derived from or traceable to such proceeds, and property the Defendants used to facilitate the offense (if facilitation is alleged), but based upon actions of the Defendants, the property was transferred, diminished, comingled, or is otherwise unavailable.

2. Substitute Assets. Pursuant to 21 U.S.C. § 853(p) and other applicable statutes, the government will seek forfeiture of substitute assets, "or any other property of the Defendant" up to the value of the Defendant's assets subject to forfeiture. The Government will do so when the property subject to forfeiture cannot be forfeited for one or more of the following reasons:

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred or sold to, or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the court;
- d. Has been substantially diminished in value; or
- e. Has been commingled with other property which cannot be subdivided without difficulty.

Dated this 12th day of June, 2023

A TRUE BILL

/s/ [signature on reverse]

FOREPERSON

JOSHUA D. HURWIT  
UNITED STATES ATTORNEY

By: [signature]  
[signature]

[signature]

DARCI W. CRANE  
ASSISTANT UNITED STATES ATTORNEY

**CRIMINAL COVERSHEET**DEFENDANT'S NAME: **Angela Kathryn Hughes**

CASE INFORMATION:

JUVENILE: No

PUBLIC or SEALED Public

SERVICE TYPE: Warrant

(Summons/ Warrant/ Notice)

ISSUE: Yes

INTERPRETER: No

If YES, language:

RELATED COMPLAINT: No

CASE NUMBER:

**CR 23-0155-SBLW**

County of Offense: Ada

**CRIMINAL CHARGING INFORMATION**CHARGING DOCUMENT: **Indictment**Felony: YesClass A Misdemeanor: NoClass B or C  
Misdemeanor: No

(Petty Offense)

STATUTE (Title and Section(s))	COUNT/ FORFEITURE ALLEGATION	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessment)
21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C)	ONE	Conspiracy to Distribute Controlled Substances	Up to 20 years imprisonment, at least 3 years supervised release, \$1,000,000 fine, \$100 Special Assessment
21 U.S.C. § 841(a)(1) and (b)(1)(C)	TWO THROUGH FOUR	Distribution of Controlled Substances	Up to 20 years imprisonment, at least 3 years supervised release, \$1,000,000 fine, \$100 Special Assessment
21 U.S.C. § 853	FORFEITURE ALLEGATION	Drug Forfeiture	Forfeiture of Listed Property

Date: 13 June 2023Assistant U.S. Attorney: DARCI W. CRANETelephone No.: (208) 334-1211**U.S. COURTS****JUN 13 2023**Rcvd. \_\_\_\_\_ Filed \_\_\_\_\_ Time \_\_\_\_\_  
STEPHEN W. KENYON  
CLERK, DISTRICT OF IDAHO

**CRIMINAL COVERSHEET**DEFENDANT'S NAME: **Sydney L. Neal**

JUVENILE: No

PUBLIC or SEALED Public

SERVICE TYPE: Warrant

(Summons/ Warrant/ Notice)

ISSUE: Yes

INTERPRETER: No

If YES, language:

CASE INFORMATION:

**CR 23-0155-SBLW**

RELATED COMPLAINT: No

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Class B or C

Misdemeanor: No

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