

# Office of the Special Narcotics Prosecutor for the City of New York

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## **Gramercy Physician Convicted in 39 Illegal Prescription Sales**

BRIDGET G. BRENNAN, New York City's Special Narcotics Prosecutor announced today the conviction of Dr. HECTOR CASTRO, an internal medicine practitioner, on 39 counts of Criminal Sale of a Prescription for a Controlled Substance.

A Manhattan jury found CASTRO guilty on all counts following a three-week trial in Manhattan Supreme Court before Justice Kirke Bartley. The jury deliberated for two hours before reaching the verdict. CASTRO is scheduled to appear in court on June 2, 2015 for bail arguments. A sentencing date will be set at that time. Each count of Criminal Sale of a Prescription for a Controlled Substance, a C felony, carries a maximum sentence of 5 ½ years in prison.

Evidence presented at trial demonstrated that CASTRO, founder and medical director of Itzamna Medical Center, located at 205 East 16th Street in the Gramercy section of Manhattan, illegally sold prescriptions for the potent painkiller oxycodone for \$125 each. The doctor acted other than in good faith by providing prescriptions for non-medical purposes in exchange for cash.

Witnesses at trial included a Special Narcotics undercover officer who purchased 28 prescriptions from CASTRO and another individual who introduced the undercover investigator to CASTRO. This individual, who received the remaining 11 of the 39 prescriptions that are the subject of charges in the indictment, admitted to obtaining prescriptions from the doctor in order to sell the pills on the black market. Testimony detailed how CASTRO supplied multiple prescriptions during a single office visit, including prescriptions written in the names of different individuals who were not present.

Three of CASTRO's patients also testified for the prosecution and described developing an addiction to pain medication. Two recounted how they subsequently transitioned to heroin as their opioid addictions progressed.

CASTRO was arrested on March 26, 2013 following a 15-month investigation conducted by the Special Narcotics Prosecutor's Prescription Drug Investigation Unit and U.S. Drug Enforcement Administration's (DEA) New York Organized Crime Drug Enforcement Strike Force. Significant assistance was provided by the New York State Health Department's Bureau of Narcotic Enforcement (BNE), the Pennsylvania Attorney General's Office, the DEA's New England Division, Cape Cod

Resident Office, the Woodbridge Township Police Department and the Union County Prosecutor's Office, both in New Jersey.

The investigation into CASTRO's illegal prescription sales began in late 2011, when an individual suffered a fatal oxycodone overdose in Middlesex, N.J. and authorities discovered a pill bottle with CASTRO's name on the label at the scene. At the time of CASTRO's arrest, agents and investigators conducted a court authorized search of CASTRO's home at 540 W. 52nd St. and seized \$23,000 in cash from a locked box.

On May 30, 2012, while the investigation into CASTRO's illegal prescription sales was underway, the doctor was convicted on tax charges filed by the Manhattan District Attorney's Office. CASTRO pleaded guilty and served more than a week in jail. As soon as he was released, he resumed his illegal prescription business.

The DEA's New York Organized Crime Drug Enforcement Strike Force is comprised of agents and officers of the DEA, the New York City Police Department, Immigration and Customs Enforcement – Homeland Security Investigations (HSI), the New York State Police, the U. S. Internal Revenue Service Criminal Investigation Division, the Federal Bureau of Investigation, U.S. Secret Service, the U.S. Marshal Service, New York National Guard, the New York Department of Taxation and Finance, the Rockland County Sheriff's Office, the Clarkstown Police Department, Port Washington Police Department and New York State Department of Corrections and Community Supervision.