

PS 8
(Rev. 12/04)

UNITED STATES DISTRICT COURT
for
WESTERN ARKANSAS

U.S.A. vs. BILLY JOE TAYLOR Docket No. 2:21CR20030-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Ryan Forsyth, pretrial services/probation officer, presenting an official report upon the conduct of defendant Billy Joe Taylor, who was placed under pretrial release supervision by the Honorable Mark E. Ford, sitting in the court at Fort Smith, Arkansas on the 26th date of May, 2021 under the following conditions:

1. The defendant must not violate federal, state, or local law while on release.
2. The defendant must cooperate in the collection of a DNA sample if authorized by 42 U.S.C. § 14135a.
3. The defendant must advise the court or pretrial services office in writing before making changes to residence or telephone number.
4. The defendant must appear in court as required, if convicted, must surrender as directed to serve a sentence the court may impose.
5. The defendant must sign an Appearance Bond, if ordered.
7. The defendant must:
 - (a) submit to supervision by and report for supervision to the United States Probation Office.
 - (e) not obtain a passport or other international travel document.
 - (f) travel restricted to the Western District of Arkansas (WD/AR), unless given prior approval from pretrial services.
 - (g) avoid all contact, directly or indirectly, with any person who may be a victim or witness in the investigation or prosecution.
 - (k) not possess a firearm, destructive device, or other weapon.
 - (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
 - (n) the defendant shall not purchase, possesses, use, distribute, or administer marijuana or obtain or possess a medical marijuana card or prescription.
 - (s) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
 - (t)
 - Participate in inpatient or outpatient mental health counseling or treatment if deemed advisable by the pretrial services office;
 - Report any contact with law enforcement personnel, including, but not limited to, any arrests, questioning, or traffic stop;
 - Do not open any new lines of credit and/or acquire new debt without approval from the pretrial services office;
 - Do not engage in the business of healthcare, particularly laboratory testing; do not participate in the billing of any healthcare benefit program and do not have any access to personally identifiable information (PII) of patients, nor the national provider identifiers (NPI) of doctors and other healthcare professionals;
 - Travel to Oklahoma for medical reasons and travel to the Southern District of Florida for purposes of attorney consultation will be permitted, with prior approval of the pretrial services office.

August 23, 2021: Conditions of release modified to permit the defendant to have access to PII of certain patients and the NPI's of certain healthcare providers in preparation for a deposition in the civil case of *Highmark West Virginia, Inc. v. MedTest Laboratories, LLC, et al.*, No. 18-C-271, pending in the Circuit Court of Wood County, West Virginia, said deposition to be held by videoconference on September 9, 2021. Defendant's access to such PII and NPI's is limited to only such documents that are necessary to his preparation for the deposition, and defendant shall not retain such information in any form.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Condition #1: The defendant must not violate federal, state, or local law while on release.

Based on the following information received from the U.S. Attorney's Office, it is believed that Mr. Taylor has continued to engage in criminal activity while on bond.

Records obtained by the government for an account in the name of Alissa Fisher at American Heritage Bank reflected wire transfers totaling \$285,500 from GenTech Scientific LLC from June 23, 2021, to September 20, 2021. GenTech Scientific LLC is a company based in Buffalo, New York, that purchases and refurbishes used lab equipment. Records were obtained from GenTech Scientific and interviews with employees of GenTech Scientific were conducted, which reflected that Mr. Taylor contacted GenTech Scientific in approximately June of 2021 about purchasing used laboratory equipment. GenTech Scientific agreed to purchase three (3) used Shimadzu Mass Spectrometer machines from Mr. Taylor and wired payments totaling \$165,000 to Fisher's bank account at American Heritage Bank at the direction of Mr. Taylor. Although the machines were delivered to GenTech Scientific, the software needed for the machines, valued to be approximately \$75,000 by GenTech Scientific, was never provided.

GenTech Scientific also agreed to purchase three (3) Sciex machines from Mr. Taylor for \$170,000. GenTech Scientific wired \$85,000 on July 28, 2021, and \$7,500 on September 20, 2021, to Fisher's American Heritage Bank account as prepayment for the Sciex machines, as instructed by Mr. Taylor. Although the Sciex machines were to be delivered to GenTech Scientific in early October of 2021, the machines were not delivered, nor had a refund been issued, as of November 9, 2021. It is believed that such conduct violates both state and federal criminal law prohibiting fraud and theft.

Conditions #7(f) and (t): Travel restricted to the Western District of Arkansas, unless given prior approval from the pretrial services office. Travel to Oklahoma for medical reasons and travel to the Southern District of Florida for purposes of attorney consultation will be permitted, with prior approval of the pretrial services office.

Records obtained from River Spirit Casino Resort in Tulsa, Oklahoma, reflects that Mr. Taylor has stayed at their facility on at least twenty-three (23) occasions since his release to pretrial services supervision. These stays appear to be in violation of condition 7(f), which restricts Mr. Taylor's travel to the WD/AR unless given prior approval to travel by the pretrial services office. These stays also appear to be in violation of condition 7(t), which only permits Mr. Taylor to travel to Oklahoma for medical reasons, with prior approval of the pretrial services office. It should be noted that Mr. Taylor was only approved to travel to Tulsa, Oklahoma, for medical purposes a few times. Further, at no time did Mr. Taylor request approval to stay overnight at the above-noted casino.

Condition #7(g): Avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution.

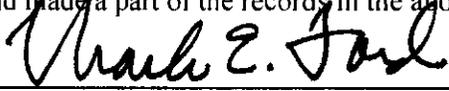
It is believed that Mr. Taylor is in violation of this condition due to his continued contact with Clayton Love, Miranda Plum, and Alissa Fisher, who are known to Mr. Taylor to be potential witnesses.

It should be noted they have all previously worked for Mr. Taylor and were familiar with his business and financial dealings; Mr. Taylor purchased vehicles in the names of Miranda Plum and Alissa Fisher which were seized by law enforcement on May 25, 2021; law enforcement conducted searches and seized evidence related to the criminal investigation of Mr. Taylor at the residences of Miranda Plum and Clayton Love; and law enforcement interviewed Alissa Fisher about Mr. Taylor and his lab business on May 25, 2021.

PRAYING THAT THE COURT WILL address the above-noted violations at the defendant's arraignment that is set for November 23, 2021.

ORDER OF COURT

Considered and ordered this 17th day of November, 2021 and ordered filed and made a part of the records in the above case.



U.S. District Judge/Magistrate Judge

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

NOV 17 2021

By **JAMIE GIANI, Clerk**
Deputy Clerk

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/17/21


U.S. Pretrial Services/Probation Officer

Place Fort Smith, Arkansas