

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

05-15499

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D. C. Docket No. 04-00051 CR-01-1

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ROBIN L. WILLIAMS,
JOHN DUNCAN FORDHAM,
FORDHAM, INC.,
d.b.a. Duncan Drugs,
RICK LAMAR CAMP,

Defendants-Appellants.

Appeals from the United States District Court
for the Southern District of Georgia

(March 12, 2007)

Before DUBINA and COX, Circuit Judges, and SCHLESINGER,* District Judge.

*Honorable Harvey E. Schlesinger, United States District Judge for the Middle District of Florida, sitting by designation.

PER CURIAM:

On May 26, 2004, a federal grand jury in the Southern District of Georgia, returned a thirty-count indictment against Robin Williams, Charles Brockman, Duncan Fordham, Fordham, Inc. d/b/a Duncan Drugs, Matthew Long, and Rick Camp (collectively “the defendants”). Count one of the indictment charged that between December 1999 and March 2003, each of the defendants were involved in a conspiracy that had two principal objectives: (1) to defraud health care benefit programs; and (2) to steal from and engage in bribery in a program involving federal funds. The nature of the health care fraud conspiracy and operation was complex and involved, among others, the East Central Georgia Community Mental Health Center (“CMHC”), which received federal and state funds, and was administered by the Community Service Board (“CSB”). After an eight-day jury trial, the jury found Williams guilty on all counts, found Brockman guilty on all counts except for an 18 U.S.C. § 666 bribery charge, found the Fordham defendants guilty on the single 18 U.S.C. § 1347 health care charge, found Long guilty on the conspiracy charge and on a § 1347 health care charge, and convicted Camp on the conspiracy charge, a § 1347 health care fraud charge, and two 18 U.S.C. § 1956 money laundering charges. The jury acquitted Camp on the 18 U.S.C. § 1001 false statement charge. Additionally, at trial, the district court

granted the Fordham defendants' motion for judgment of acquittal on the conspiracy charge. The district court eliminated seven other counts, either on the government's motion to dismiss or on judgments of acquittal. Based on the jury's finding of guilty, the district court sentenced Williams to 120 months imprisonment, Fordham to 52 months imprisonment, Long to 33 months imprisonment, and Camp to 37 months imprisonment. The defendants then perfected this appeal.

The defendants present the following issues for appellate review:

1. Whether the evidence presented at trial was sufficient to support the convictions of Williams, the Fordham defendants, and Camp.
2. Whether the district court erred in denying the Fordham defendants and Camp's motion for severance.
3. Whether the district court erred in permitting Angela Moye to testify about a \$5,000 check payable to her from Capitol Health Systems.
4. Whether the district court clearly erred when it enhanced Williams's sentence for obstruction of justice and refused to reduce his sentence for acceptance of responsibility.

5. Whether the district court properly increased Williams's criminal history score by two points because Williams was on probation on a DUI conviction during the time some of the acts were committed in this case.

6. Whether the district court correctly included in Williams's loss amount of \$250,000, the amount that Williams repaid to the victim after it discovered the crime.

7. Whether Williams's sentence was reasonable.

After reviewing the record, reading the parties' briefs, and having the benefit of oral argument, we conclude that there is no merit to any of the arguments defendants present in this appeal. Accordingly, we affirm the defendants' convictions and Williams's sentence.

AFFIRMED.

