

IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 NEJDET ERDOGAN GUNES, )  
 AKA: NICO GUNES )  
 DOB: 6/5/1980 )  
 APSIN ID: 7254186 )  
 DMV NO. 7167779 AK )  
 ATN: 107-504-604 )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )  
 Case No. 3AN-12- Cr.

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 11.46.630(a)(1), Fel C  
Falsifying Business Records  
Nejdet Erdogan Gunes - 001

Count II - AS 11.46.140(a)(1), Misd A  
Theft In The Third Degree  
Nejdet Erdogan Gunes - 002

Count III - AS 47.05.210(a)(1)Misd A  
Medical Assistance Fraud  
Nejdet Erdogan Gunes - 003

Count IV - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Nejdet Erdogan Gunes - 004

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

**Count I**

That on or about December 9, 2010, at or near Anchorage in the Third Judicial District, State of Alaska, NEJDET ERDOGAN GUNES with intent to defraud, made or caused a false entry in the business records of an enterprise.

All of which is a class C felony offense being contrary to and in violation of AS 11.46.630(a)(1) and against the peace and dignity of the State of Alaska.

**Count II**

That on or about December 9, 2010, at or near Anchorage in the Third Judicial District, State of Alaska, NEJDET ERDOGAN GUNES committed the crime of theft and the value of the property or services was \$50 or more.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 11.46.140(a)(1) and against the peace and dignity of the State of Alaska.

**Count III**

That on or about the 9th day of December, 2010, at or near Anchorage in the Third Judicial District, State of Alaska, NEJDET ERDOGAN GUNES, knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 47.05.210(a)(1)Misd A and against the peace and dignity of the State of Alaska.

**Count IV**

That on or about the 9th day of December, 2010, at or near Anchorage in the Third Judicial District, State of Alaska, NEJDET ERDOGAN GUNES, knowingly made a false entry or falsely altered a medical assistance record.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

The undersigned swears under oath this Information is based upon a review of the Medicaid Fraud Control Unit's investigative report number SP08-07408 submitted to date. On December 9-10, 2010, Investigators from the Alaska Medicaid Fraud Control Unit (MFCU) along with Special Agents from the Office of Inspector General conducted a joint sting investigation into allegations of Medicaid fraud involving Alaska Yellow Cab drivers in Anchorage. On December 9, 2010, OIG agents posed as Medicaid recipients utilizing cab services. The agents chose a variety of origins and destinations to ascertain the level of compliance by taxi drivers to the rules and laws set forth by the state and federal government while utilizing Medicaid travel vouchers in place of cash. The vouchers are to be used only between a person's residence or hotel and a medical destination such as a pharmacy, doctor's office, rehabilitation facility or other medical facility.

On December 9, 2010, agents received a ride from taxi driver Nejdet (Nico) Gunes in cab number 173 from Bernie's Pharmacy at 4100 Lake Otis Parkway to Chilkoot Charlie's at 2435 Spenard Rd. The meter indicated that the cab fare was \$12.00 and agents paid Gunes with a Medicaid voucher. Agents later called Gunes again for another ride. This time from Chilkoot Charlie's to the Northern Light's Bingo at 703 Northern Lights Blvd. with a stop at Brown Jug Liquor Store at 1203 Northern Lights Blvd. The meter indicated the total cab fare was \$6.00. Agents paid Gunes with a Medicaid voucher and provided an additional voucher as a "tip." Agents called Gunes for one final ride from the Bingo Parlor to the Spring Hill Suites at 3401 A Street. The meter indicated the total cab fare was \$8.50. Agents again paid with a Medicaid Voucher. Agents also sold Gunes six additional vouchers for \$30.

On October 25, 2012, MFCU Investigator Lance Anderson contacted Tara-Jo Brown, accounting supervisor with accounting firm MCAC, which is the firm hired by Yellow Cab to create the electronic billing and record maintenance for Medicaid records. Brown provided Investigator Anderson with vouchers from the joint sting investigation. The first voucher reported that Gunes transported the Agents on December 9, 2010 from the Dimond Center to Glen McCarrey apartments for a total

fare of \$23.75. The second voucher reported that Gunes transported the agents on December 9, 2010 from 4100 Lake Otis to the Dimond Center for a total fare of \$21.75. The third voucher claimed that Gunes transported the agents on December 10, 2010 from AMC to the Millennium Hotel for a total fare of \$24.25. The fourth voucher claimed that Gunes transported the agents on December 10, 2010 from 4100 Lake Otis to the Dimond Center for a total fare of \$21.50.

In total, Gunes submitted four vouchers for the three rides he actually provided. The three rides provided were not legally able to be billed to Medicaid due to violating the terms of the voucher program by not being between a residence and a medical destination. The owner of Alaska Cab reviews vouchers and will reject vouchers for inappropriate amounts and/or destinations. The four of the vouchers submitted by Gunes were accepted by Alaska cab and ultimately billed to the state due to acceptable destinations being identified on the vouchers. The destinations were also for locations further in distance than the actual rides resulting in the cab fares totaling \$91.25 when the actual total of the three trips taken was \$26.50. Moreover, the agents were not in the state and/or being transported by Gunes for the times Gunes claimed the trips took place on December 10, 2010.

**Bail Information:**

Conv Court	Conv Date	Conv Charge	Court Docket	Pos ID	Fel	ATN
DAN	10/28/10	Criminal Mischief 4	3AN-10-3115	N	N	112947192

Dated at Anchorage, Alaska, this \_\_\_\_ day of November, 2012.

MICHAEL C. GERAGHTY  
ATTORNEY GENERAL

By: \_\_\_\_\_  
A. Andrew Peterson  
Assistant Attorney General  
Alaska Bar No. 0601002

SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of  
December 2012, at Anchorage, Alaska.

Notary Public in and for Alaska  
My Commission Expires: End of Hire