

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

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 SAMPHOUN TES, )  
 aka: SAM PHOUN TES, )  
 DOB: 6/12/1968 )  
 APSIN ID: 6311568 )  
 DMV NO. 6311568 AK )  
 ATN: 107-504-577 ) Case No. 3AN-12- Cr.  
 )  
 PENINA TES, )  
 DOB: 1/17/1962 )  
 APSIN ID: 6382095 )  
 ATN: 107-504-586 ) Case No. 3AN-12- Cr.  
 )  
 Defendants. )

SW No. 012162 State of California

**INDICTMENT**

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 47.05.210(a)(1)Fel C  
Medical Assistance Fraud  
Samphoun Tes - 001

Count II - AS 47.05.210(a)(2)Fel C  
Medical Assistance Fraud  
Penina Tes - 001

Count III - AS 11.46.130(a)(1), Fel C  
Theft In The Second Degree  
Samphoun Tes - 002  
Penina Tes - 002

Count IV - AS 11.46.630(a)(1) Fel C  
Falsifying Business Records  
Samphoun Tes - 004  
Penina Tes - 004

THE GRAND JURY CHARGES:

**Count I**

That between December 13, 2007 and January 31, 2008, at or near Anchorage in the Third Judicial District, State of Alaska, SAMPHOUN TES, 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 C felony offense being contrary to and in violation of AS 47.05.210(a)(1), and against the peace and dignity of the State of Alaska.

**Count II**

That between December 13, 2007 and January 31, 2008, at or near Anchorage in the Third Judicial District, State of Alaska, PENINA TES, knowingly prepared or assisted another person to prepare a claim for submission 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 C felony offense being contrary to and in violation of AS 47.05.210(a)(2), and against the peace and dignity of the State of Alaska.

**Count III**

That between December 13, 2007 and January 31, 2008, at or near Anchorage in the Third Judicial District, State of Alaska, SAMPHOUN TES and PENINA TES committed the crime of theft and the value of the property or services was \$500 or more.

All of which is a class C felony offense being contrary to and in violation of AS 11.46.130(a)(1) and against the peace and dignity of the State of Alaska.

**Count IV**

That between December 13, 2007 and January 31, 2008, at or near Anchorage in the Third Judicial District, State of Alaska, SAMPHOUN TES and PENINA TES 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.

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

A true bill

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Grand Jury Foreperson

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A. Andrew Peterson  
Assistant Attorney General, No. 0601002

WITNESSES EXAMINED BEFORE THE GRAND JURY:

Stephanie Vetter – Immigration and Custom Enforcement Agency (ICE)  
Kandi Stewart, Medicaid Fraud Control Unit (MFCU) Investigator