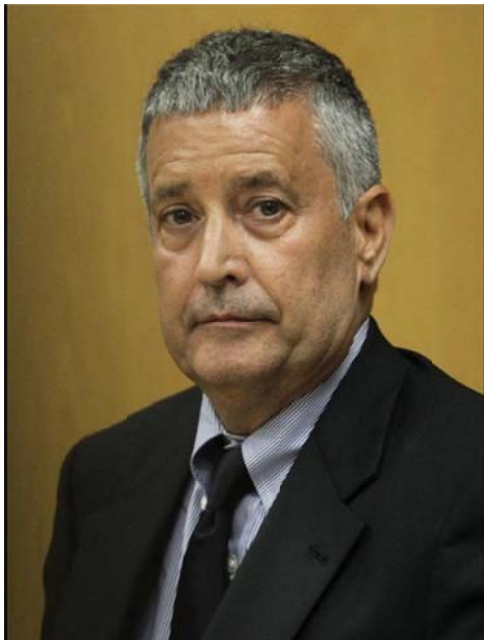


Ex-Winter Haven Doctor Gets 3-Year Sentence in Painkiller Case



Ernesto Perez, defendant, during his sentencing hearing in front of Circuit Judge Karla F. Wright at the county courthouse in Bartow, Florida August 22, 2012. Perez a well-known Winter Haven doctor accepted a plea deal in April on charges of trafficking in painkillers. PIERRE DuCHARME | THE LEDGER

Posted Aug 23, 2012 at 5:19 PM

Judge gave Ernesto Perez the lowest prison sentence permitted in his plea agreement.

By JASON GEARY THE LEDGER BARTOW | A former Winter Haven doctor was sentenced Thursday to three years in prison for trafficking painkillers.

During an emotional, nearly four-hour hearing, Ernesto Juan Perez apologized for his actions, asked for forgiveness and thanked his supporters for standing by him.

"I am sorry for the mistakes and the transgressions that got me here," he said.

Perez, 55, has voluntarily surrendered his medical license. He said he regretted that his conduct cost him the "privilege and honor" of being a physician.

"The practice of medicine was my calling," he said.



Ernesto Perez confers with defense attorney Larry Shearer during his sentencing hearing Thursday in front of Circuit Judge Karla F. Wright in Bartow. PIERRE DuCHARME | THE LEDGER

After weighing Perez's lifetime of public service and what his lawyers described as his struggle with "personal demons," Circuit Judge Karla F. Wright opted to give Perez the lowest prison sentence under the terms of a plea deal.

However, the judge noted that she believed Perez knew his conduct was illegal. "You had some knowledge or some awareness, and that can't be ignored," she said.



Ernesto Perez, defendant, wipes his eye during his sentencing hearing in front of Circuit Judge Karla F. Wright at the county courthouse in Bartow, Florida August 22, 2012. Perez a well-known Winter Haven doctor accepted a plea deal in April on charges of trafficking in painkillers. PIERRE DuCHARME | THE LEDGER

Family, friends, colleagues and former patients packed a courtroom to show support for the physician, who once had a thriving and successful medical practice.

In response to the doctor receiving the most lenient punishment possible, the courtroom's audience broke out into applause. Some shouted praise and encouragement to Perez.

Perez hugged his son and others before bailiffs escorted the doctor to a holding cell.



(L-R) Ernesto Perez, defendant, becomes emotional when greeting his son Miles Perez during his sentencing hearing in front of Circuit Judge Karla F. Wright at the county courthouse in Bartow, Florida August 22, 2012. Perez a well-known Winter Haven doctor accepted a plea deal in April on charges of trafficking in painkillers. PIERRE DUCHARME | THE LEDGER

In addition to prison, Perez must also serve five years of probation.

Perez operated an office at 1450 Sixth St. S.E. in Winter Haven.

Deputies arrested Perez on Oct. 29, 2010, after an investigation revealed that he wrote Oxycodone prescriptions for undercover deputies posing as patients.

In April, Perez pleaded no contest to trafficking in Oxycodone and two counts of delivery of a controlled substance.

Assistant State Attorney Bradford Fisher urged the judge to sentence Perez to seven years in prison.

"He was drug trafficking just as surely as if he was on a street corner handing out the pills directly," Fisher said.

The prosecutor acknowledged that Perez had a history of good deeds, and his practice wasn't a "pill mill."

"There was a weird mix of sound medical practice and what boils down to drug dealing," Fisher said.

Perez's lawyers argued the undercover investigation revealed about nine inappropriate prescriptions, and the doctor should be given credit for a lifetime of community service.

Defense witnesses, including former patients and colleagues, described how Perez built a reputation as a devoted, tireless health care professional.

On an average day, he saw as many as 70 to 80 patients, according to court testimony.

Perez was known for going to great lengths to help his patients, making house calls, seeing patients on weekends, giving his cell phone number to them, and even treating some folks for free who were experiencing tough economic times.



Jorge J. Dorta-Dougue, M.D., Medical Director for the Peace River Center, testifies during sentencing hearing for Ernesto Perez, defendant, in front of Circuit Judge Karla F. Wright at the county courthouse in Bartow, Florida August 22, 2012. Perez a well-known Winter Haven doctor accepted a plea deal in April on charges of trafficking in painkillers. PIERRE DuCHARME THE LEDGER

His lawyers argued that Perez's bad judgment was due to his personal life over the last few years being in upheaval, and his emotional state was unraveling.

He was "going through an explosive divorce, dealing with an unexpected bankruptcy, and had deteriorated mentally ..." according to a defense sentencing memorandum.

Perez was later diagnosed with bipolar disorder, the memorandum states.