

# Pill Mill Expert Witness' Newly Disclosed Criminal Past Could Spark Wave of Appeals

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Dr. Arthur Jordan, an expert witness paid \$300 per hour by federal prosecutors to testify in a number of pill mill cases, has a bizarre criminal past that the government kept secret for years. The new information could be used to appeal a slew of pill mill convictions throughout the country.

An Atlanta appeals court recently overturned the conviction of Robert Ignasiak, a doctor in Northern Florida who was found guilty on dozens of charges related to prescribing pain pills. The court overturned the case due to Sixth Amendment issues, but it spent several pages of the decision detailing how the government failed to disclose Jordan's proclivity for impersonating federal air marshals and bringing loaded guns on commercial planes.

"What happened is that after [Dr. Ignasiak] was convicted on about two-thirds of the counts, the government sent a letter to us saying they just discovered that this man had a problem at an airport," says Roy Black, Ignasiak's Miami-based attorney. "The government went to great lengths to make sure that this never hit the light of day."

The problem was that Jordan -- who lives in South Carolina -- in June of 2006 presented fake credentials to security personnel at a South Dakota airport indicating that he was a "Special Deputy United States Marshal." An airport official called the phone number Jordan put in the logbook only to discover that it was a private residence.

When officials removed Jordan from the plane, the doctor "surrendered two loaded guns, a knife, handcuffs and a collapsible baton," according to court documents.

This wasn't a one-time act. The Georgia court notes that Jordan "on nine separate occasions used a counterfeit badge and his United States Marshal credentials to pose as an on-duty U.S. Marshal in order to carry firearms on commercial airplanes while on personal travel."

An order issued this week points out that these events could have been charged as "nine separate felonies. "

But they weren't. Instead, Jordan managed to leverage his position as an expert witness so that he would have to pay only \$2,000 in fines and face a short period of secretive probation known as pretrial diversion.

"Now we find out he writes a letter to Homeland Security telling them 'You have to go easy on me because I'm testifying for the government in doctor cases, and if I'm charged, it will hurt your cases,'" Black says. "He uses his work as expert witness to avoid the charges and have everything sealed so



that no one can ever find out."

It's not illegal to use an expert witness with a tainted past, but it is illegal for the government to hide that information from defense attorneys.

Len Register, an assistant U.S. attorney and public information officer for the Northern District of Florida, says it's unclear if prosecutors will use Jordan in future cases. It's a decision Register expects will be made on a case-by-case basis.

The Department of Justice has until March 26 to decide whether it will seek a rehearing in Ignasiak's case. Register says the decision will focus on Sixth Amendment concerns and not Jordan's past.

Jordan charges \$300 per hour for his services as an expert witness and has earned more than \$30,000 for these services. He's slated to provide his expertise in a case later this month in Georgia.

Black is confident that the details of Jordan's history will trigger appeals in cases in which Jordan served as an expert witness.

"I have no doubt that the court is going to have to vacate the conviction in all those cases," Black says. "The courts are coming down hard because they realize there needs to be a lot more judicial supervision."

