



# Department of Justice

United States Attorney William C. Killian  
Eastern District of Tennessee

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## **FEDERAL JURY CONVICTS COSBY MAN ON DRUG, FIREARMS AND LACEY ACT CHARGES**

### *Used Cosby Store To Distribute Oxycodone And Cocaine*

GREENEVILLE, Tenn.-- Following a four-day trial in U.S. District Court, Greeneville, Tenn., a jury convicted Johnny Carl Grooms, 59, of Cosby, Tenn., of conspiring to distribute oxycodone and cocaine, interstate travel to further drug trafficking, possession of oxycodone with the intent to distribute, distribution of cocaine, possession of firearms by a convicted felon, and illegally trafficking in ginseng. Grooms's wife, Rosalba Ibarra Grooms, 33, who is a Mexican national, was found not guilty of drug charges.

Sentencing for Johnny Grooms is set for October 3, 2011, at 9:00 a.m. in U.S. District Court in Greeneville. Grooms faces a sentence of up to life in prison as well as fines of over \$8 million.

As the evidence presented at trial established, the U.S. Fish and Wildlife Service (USFWS) received reports in Fall 2008, that Johnny Grooms was illegally trafficking in wild American ginseng, a protected plant. The Lacey Act, a century-old federal law for the protection of wildlife, fish and plants against commercial trafficking, makes it a federal offense to transport interstate for sale wildlife, fish or plants taken or sold in violation of state law as well as making it an offense to commercially traffic in such wildlife, fish, and plants that have been taken in violation of federal law.

A USFWS special agent, posing as a ginseng dealer, contacted Grooms at his business, the Park Entrance Grocery in Cosby, in September 2008. In addition to discussing the illegal trafficking in ginseng, Grooms was also observed selling drugs, including oxycodone, hydrocodone, and Xanax, from the counter at the store. In later recorded conversations, Grooms detailed how he was "sponsoring" trips by persons from Cocke County to "pain clinics" in Fort Lauderdale and Boca Raton, Fla. Grooms detailed how the process worked, with the persons going first to the clinics, paying for a referral to a MRI lab (often located in truck trailers next to strip clubs), returning to the clinic for a doctor to issue a prescription, and then filling the prescription, either at a dispensary located at the clinic or at pharmacies, often in southeast Georgia because Tennessee pharmacists would refuse to fill the prescriptions. Prescriptions were for 180 to 240 oxycodone 30 milligram tablets at a time, as well as an additional 180 oxycodone 15 milligram tablets, Xanax, and Soma (carisoprodol, a muscle relaxant). A Greeneville pharmacist, testifying for the prosecution, explained that drug abusers seek this "drug cocktail" of opioids and benzodiazepines to potentiate the effects of the narcotics, extending the "high" and controlling withdrawal symptoms. Grooms paid the expenses of the trips, to include hotels and air fare, as well as the costs of the clinic visits and the prescriptions in exchange for half of the drugs obtained. Grooms then sold the pills from the Park Entrance Grocery, usually charging a dollar a milligram for an oxycodone tablet.

In a recorded conversation from January 2010, Grooms bragged that he had “15 people down there” in Florida obtaining drugs for him. Grooms’s brother Terry Grooms and his son Jonathan Grooms, along with seven other persons, had already pleaded guilty to conspiring with Johnny Grooms to obtain and distribute oxycodone.

During the execution of a search warrant by the Drug Enforcement Administration (DEA) and other law enforcement agencies in September 2009, agents recovered pills, firearms and numerous drug ledgers. The drug ledgers, kept in paper bags with the drug customers’ names, contained lists of the pills sold as well as IOUs for pills sold on credit and records of expenses for pill trips.

In addition to trafficking in oxycodone and other prescription drugs, Grooms was also convicted of conspiring to distribute cocaine. Grooms broke larger quantities of cocaine down into half-gram bags at the Park Entrance Grocery which he sold for \$50 per bag. Witnesses testified that he had been selling cocaine from the store since at least 2002. Grooms provided a sample of cocaine to the undercover USFWS agent in early February 2009, and then sold the agent an ounce of cocaine later that month. Grooms faces a mandatory minimum sentence of 10 years to life in prison for the cocaine conspiracy because of earlier convictions in U.S. District Court in the Eastern District of Tennessee and in Nebraska in the early 1990's for marijuana trafficking.

Grooms delivered multiple pounds of wild ginseng to the USFWS undercover agent on four occasions in November and December 2009, and January and February 2010. He had not obtained a dealer permit nor kept records of ginseng sales as required by Tennessee state law. Ginseng roots which had been marked by the National Park Service in the Great Smoky Mountains National Park were also found in the ginseng sold by Grooms, and Grooms acknowledged during the recorded conversations that he knew ginseng he was obtaining had been illegally taken from the GSMNP. A National Park Service botanist explained that illegal harvesting from the GSMNP threatens the Park’s ginseng population.

U.S. Attorney Bill Killian said, “Prescription drug abuse is one of our largest public health and law enforcement problems. There are unscrupulous doctors who are willing to place profits before the health and safety of their patients and prescribe drugs to those who should not have them. People should be on notice that just because a doctor will write a prescription for excessive amounts of narcotics does not make it legal. Persons who obtain drugs through such “pill mills” for the purpose of trafficking in prescription drugs will continue to be a target of law enforcement in east Tennessee. Individuals who illegally distribute prescription drugs are endangering others and will be prosecuted. We support the efforts of federal law enforcement in south Florida to shut down their “pill mills,” and we will continue to do our part by aggressively pursuing pill traffickers.”

Killian also said, “East Tennessee’s natural resources, its plants and wildlife, are some of our greatest treasures. The U.S. Attorney’s Office, working with agencies such as the U.S. Fish and Wildlife Service, will continue to work to protect those treasures from exploitation.”

Law enforcement agencies participating in the joint investigation which led to indictment and subsequent conviction of Johnny Grooms included the USFWS, DEA, Bureau of Alcohol, Tobacco, Firearms and Explosives, Cocke County Sheriff’s Office, National Park Service, Tennessee Wildlife Resources Agency, Tennessee Bureau of Investigation, and Federal Bureau of Investigation. Assistant U.S. Attorney Neil Smith represented the United States at trial.

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