

OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
1105 Terminal Way #301  
Reno, Nevada 89502  
(775) 688-2559

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF NEVADA

\* \* \* \* \*


In the Matter of Charges and )  
Complaint Against )  
SIMMON L. WILCOX, M.D., )  
Respondent. )

Case No. 16-30572-1

FILED

MAR 31 2016

NEVADA STATE BOARD OF  
MEDICAL EXAMINERS

By: 

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners (Board), composed of Wayne Hardwick, M.D., Theodore B. Berndt, M.D., and M. Neil Duxbury, Public Member, by and through Robert Kilroy, Esq., General Counsel for the Investigative Committee, having a reasonable basis to believe that Simmon L. Wilcox, M.D. (hereinafter "Respondent"), has violated the provisions of Nevada Revised Statute (NRS) Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Respondent is currently licensed (No.11588) in active status to practice medicine in the state of Nevada, and at all times alleged herein, was so licensed by the Nevada State Board of Medical Examiners, pursuant to the provisions of NRS Chapter 630.

2. On October 23, 2013, a United States District Court, District of Utah, Central Division, Grand Jury returned an eight-count Indictment (See Exhibit 1) against Respondent, charging him with multiple violations of federal law; specifically, conspiracy and distribution of controlled substances.

3. On January 28, 2015, a United States District Court, District of Utah, Central Division, duly impaneled Jury unanimously found the Respondent "guilty" as to Count 1 (Conspiracy to Distribute Oxycodone, 21 U.S.C. § 841(a)(1) and § 841) and Count 2

///

1 (Distribution of Oxycodone, 21 U.S.C. § 841(a)(1)) (See Exhibit 2) was filed with the District  
2 Court.

3 **COUNT I**

4 4. All allegations in the above paragraphs are incorporated herein as if set forth in full.

5 5. NRS 630.301(9) provides that engaging in conduct that brings the medical profession  
6 into disrepute is grounds for discipline.

7 6. Respondent violated NRS 630.301(9) when he was found guilty as to Count 1 of the  
8 Indictment, a violation of 21 U.S.C. § 841(a)(1) and § 841.

9 7. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
10 Board of Medical Examiners as provided in NRS 630.352.

11 **COUNT II**

12 8. All allegations in the above paragraphs are incorporated herein as if set forth in full.

13 9. NRS 630.301(9) provides that engaging in conduct that brings the medical profession  
14 into disrepute is grounds for discipline.

15 10. Respondent violated NRS 630.301(9) when he was found guilty as to Count 2 of the  
16 Indictment, a violation of 21 U.S.C. § 841(a)(1).

17 11. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
18 Board of Medical Examiners as provided in NRS 630.352.

19 **COUNT III**

20 12. All allegations in the above paragraphs are incorporated herein as if set forth in full.

21 13. NRS 630.301(11)(g) provides that conviction of any offense involving moral  
22 turpitude is grounds for disciplinary action.

23 14. Respondent violated NRS 630.301(11)(g) when he when he was found guilty as to  
24 Count 1 of the Indictment, a violation of 21 U.S.C. § 841 (a)(1) and § 841.

25 15. By reason of the foregoing, Respondent is subject to discipline by the Nevada State  
26 Board of Medical Examiners as provided in NRS 630.352.

27 ///

28 ///

COUNT IV

16. All allegations in the above paragraphs are incorporated herein as if set forth in full.

17. NRS 630.301(11)(g) provides that conviction of any offense involving moral turpitude is grounds for disciplinary action.


18. Respondent violated NRS 630.301(11)(g) when he when he was found guilty as to Count 2 of the Indictment, a violation of 21 U.S.C. § 841(a)(1) and § 841.

19. By reason of the foregoing, Respondent is subject to discipline by the Nevada State Board of Medical Examiners as provided in NRS 630.352.

WHEREFORE, the Investigative Committee prays that the Board conduct a hearing on the Complaint herein as provided by statute, find and determine that Respondent has violated one or more provisions of the Medical Practice Act (NRS Chapter 630), enter findings of fact, conclusions of law and an order imposing sanctions upon Respondent according to NRS 630.352 and take such other and further action as may be just and proper in these premises.

DATED this 31 day of March, 2016.

By: \_\_\_\_\_

  
Robert Kilroy, Esq.  
Attorney for the Investigative Committee of the  
Nevada State Board of Medical Examiners

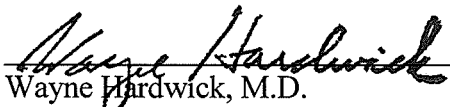
VERIFICATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

STATE OF NEVADA        )  
                                  : ss.  
COUNTY OF WASHOE    )

Wayne Hardwick, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the Complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

Dated this 31<sup>st</sup> day of March, 2016.

  
Wayne Hardwick, M.D.

OFFICE OF THE GENERAL COUNSEL  
Nevada State Board of Medical Examiners  
1105 Terminal Way #301  
Reno, Nevada 89502  
(775) 688-2559


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF MAILING**

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 31<sup>st</sup> day of March 2016; I served a file stamp copy of the COMPLAINT, by mailing via USPS e-certified return receipt mail to the following:

Simon L. Wilcox, M.D.  
c/o John A. Hunt, Esq.  
500 South Rancho Dr., Ste. 17  
Las Vegas, NV 89106-4847

Dated this 31<sup>st</sup> day of March, 2016.

  
\_\_\_\_\_  
Angelia L. Donohoe  
Legal Assistant

**EXHIBIT**

**1**

**EXHIBIT**

**1**

FILED  
U.S. DISTRICT COURT

2013 OCT 23 4 09

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

DAVID B. BARLOW, United States Attorney (#13117)  
VERNON G. STEJSKAL, Assistant United States Attorney (#8434)  
Attorneys for the United States of America  
185 South State Street, Suite 300  
Salt Lake City, Utah 84111  
Telephone: (801-524-5682

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>SIMMON LEE WILCOX, BENJAMIN DAVID GRISEL, BRENDA ANN GRISEL, JERON SCOTT HALES, JEREMY DANIEL PERKINS, and RANDALL DAVID AYRTON,</p> <p>Defendants,</p>	<p>Case No.</p> <p>INDICTMENT</p> <p>21 U.S.C. § 841(a)(1) and § 846, Conspiracy to Distribute a Controlled Substance</p> <p>21 U.S.C. § 841(a)(1), Possession with Intent to Distribute and Distribution of a Controlled Substance</p> <p>18 U.S.C. § 1028(a)(1)&amp;(2), Identification Document Fraud</p> <p>Case: 2:13-cr-00717 Assigned To : Stewart, Ted Assign. Date : 10/23/2013 Description: USA v.</p>
--	--

COUNT 1

CONSPIRACY TO DISTRIBUTE OXYCODONE

(21 U.S.C. § 841(a)(1) and § 846)

On or about between July 15, 2010 and March 15, 2013, in the Central Division of the District of Utah and elsewhere,

SIMMON LEE WILCOX,

**BENJAMIN DAVID GRISEL,  
BRENDA ANN GRISEL,  
JERON SCOTT HALES,  
JEREMY DANIEL PERKINS,  
and RANDALL DAVID AYRTON,**

the defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree together, and with other persons known and unknown to the grand jury, to commit the following offense against the United States, that is, to distribute and possess with intent to distribute Oxycodone, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812; all in violation of Title 21 United States Code § § 841(a)(1) and 846, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 2**

**DISTRIBUTION OF OXYCODONE**

**(21 U.S.C. § 841(a)(1))**

On or about between July 15, 2010 and March 15, 2013, in the Central Division of the District of Utah,

**SIMMON LEE WILCOX**

the defendant herein, did knowingly and intentionally distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812; and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 3**

**POSSESSION OF OXYCODONE WITH INTENT TO DISTRIBUTE**



(21 U.S.C. § 841(a)(1))

On or about between July 15, 2010 and March 14, 2013, in the Central Division of the District of Utah,

**BENJAMIN DAVID GRISEL,**

the defendant herein, did knowingly and intentionally possess with intent to distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812, and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 4**

**POSSESSION OF OXYCODONE WITH INTENT TO DISTRIBUTE**

(21 U.S.C. § 841(a)(1))

On or about between August 13, 2010 and February 20, 2013, in the Central Division of the District of Utah,

**BRENDA ANN GRISEL,**

the defendant herein, did knowingly and intentionally possess with intent to distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812, and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 5**

**POSSESSION OF OXYCODONE WITH INTENT TO DISTRIBUTE**

(21 U.S.C. § 841(a)(1))

On or about between October 19, 2010 and May 20, 2011, in the Central Division of the District of Utah,

**JERON SCOTT HALES,**

the defendant herein, did knowingly and intentionally possess with intent to distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812, and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 6**

**POSSESSION OF OXYCODONE WITH INTENT TO DISTRIBUTE**

**(21 U.S.C. § 841(a)(1))**

On or about between January 7, 2012 and March 15, 2013, in the Central Division of the District of Utah,

**JEREMY DANIEL PERKINS,**

the defendant herein, did knowingly and intentionally possess with intent to distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812, and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 7**

**POSSESSION OF OXYCODONE WITH INTENT TO DISTRIBUTE**

**(21 U.S.C. § 841(a)(1))**

On or about between January 18, 2012 and November 19, 2012, in the Central Division of the District of Utah,

**RANDALL DAVID AYRTON,**

the defendant herein, did knowingly and intentionally possess with intent to distribute Oxycodone, a Schedule II Controlled Substance, within the meaning of 21 U.S.C. § 812, and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 8**

**DISTRIBUTION OF HYDROCODONE**

**(21 U.S.C. § 841(a)(1))**

On or about October 23, 2012, in the Central Division of the District of Utah,

**SIMMON LEE WILCOX,**

the defendant herein, did knowingly and intentionally distribute to B.S., Hydrocodone, a Schedule III Controlled Substance, within the meaning of 21 U.S.C. § 812; and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT 9**

**DISTRIBUTION OF HYDROCODONE**

**(21 U.S.C. § 841(a)(1))**

On or about November 13, 2012, in the Central Division of the District of Utah,

**SIMMON LEE WILCOX,**

the defendant herein, did knowingly and intentionally distribute to B.S., Hydrocodone, a Schedule III Controlled Substance, within the meaning of 21 U.S.C. § 812; and did aid and abet

therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

COUNT 10

DISTRIBUTION OF HYDROCODONE

(21 U.S.C. § 841(a)(1))

On or about November 13, 2012, in the Central Division of the District of Utah,

SIMMON LEE WILCOX,

the defendant herein, did knowingly and intentionally distribute to S.C., Hydrocodone, a Schedule III Controlled Substance, within the meaning of 21 U.S.C. § 812; and did aid and abet therein; all in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

COUNT 11

IDENTIFICATION DOCUMENT FRAUD

(18 U.S.C. § 1028(a)(1))

On or about a date unknown, but at least by September 29, 2010, in the Central Division of the District of Utah,

*Scott (H)*  
JERON DANIEL HALES,

the defendant herein, did knowingly and without lawful authority, produce a false identification document, to wit: a driver license bearing a photograph of P. R., but bearing a false name and address, with the intent to facilitate a drug trafficking crime as defined in 18 U.S.C. § 929(a)(2), and which offense was in and affecting interstate commerce, and did aid and abet therein; all in

violation of 18 U.S.C. § 1028(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 18 U.S.C. § 1028(b)(3).

COUNT 12

IDENTIFICATION DOCUMENT FRAUD

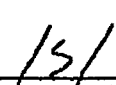
(18 U.S.C. § 1028(a)(2))

On or about a date unknown, but at least by September 29, 2010, in the Central Division of the District of Utah,

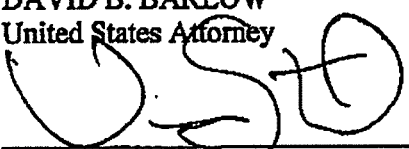
  
JERON DANIEL HALES,

the defendant herein, did knowingly and intentionally, transfer a false identification document, to wit: a driver license bearing a photograph of P. R., but bearing a false name and address, knowing such document was produced without lawful authority, and with the intent to facilitate a drug trafficking crime as defined in 18 U.S.C. § 929(a)(2), and which offense was in and affecting interstate commerce, and did aid and abet therein; all in violation of 18 U.S.C. § 1028(a)(2) and 18 U.S.C. § 2, and punishable pursuant to 18 U.S.C. § 1028(b)(3).

A TRUE BILL:

  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

DAVID B. BARLOW  
United States Attorney

  
\_\_\_\_\_  
VERNON G. STEJSKAL  
Assistant United States Attorney

**EXHIBIT**

**2**

**EXHIBIT**

**2**

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

FILED IN UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

JAN 28 2015

BY D. MARK JONES, CLERK  
DEPUTY CLERK

UNITED STATES OF AMERICA, : 2:13-CR-717 TS  
Plaintiff, :  
vs. : VERDICT FORM  
SIMMON LEE WILCOX, :  
Defendant. :

We, the jury duly impaneled in the above-entitled case, unanimously find the defendant

**SIMMON LEE WILCOX:**

GUILTY  NOT GUILTY as to Count 1 of the Indictment.

GUILTY  NOT GUILTY as to Count 2 of the Indictment.

GUILTY  NOT GUILTY as to Count 8 of the Indictment.

GUILTY  NOT GUILTY as to Count 9 of the Indictment.

GUILTY  NOT GUILTY as to Count 10 of the Indictment.

DATED this 28 day of January, 2016.

  
FOREPERSON