

DISPOSITION STATEMENT

STATE OF FLORIDA

DATE: February 26, 2018

vs.

DIVISION: CRA

HOWARD SHELDON SCHNEIDER

S.A. CASE NO.: 15CF070661AD

CLERKS NUMBER: 162015CF010160AXXXMA

AGENCY RPT NO.: MFC-15-003381

BOOKING NO.: 2015-030751

OFFICER NAME: R. R. Rose, Jr.; D. P. Schwab

CHARGES: MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD; MEDICAID PROVIDER FRAUD

<p>The below-listed disposition has been made in this case for the stated reason:</p> <p style="text-align: center;">NOLLE PROS</p> <p>Reason Code: NP-11</p> <p>**PLEASE PROVIDE RESTITUTION INFORMATION ON REVERSE OF FORM.</p>	<p><u>POLICE OFFICER / VICTIM DISPOSITION STATEMENT</u></p> <p>P.O. Notified and concurs with Disposition</p> <p>VICTIM Will be notified by letter</p> <p>COMMENTS:</p> <p>(It is the policy of this office that law enforcement officers and victims are informed of case dispositions. Include in this section or below any difficulties in making contact and any other relevant information.)</p>
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Victim Letter: YES
Property Notice: NO

REASONS:

This prosecution was handled by Medicaid Fraud Prosecutor Emmanuela Charles up until February 21, 2018. Prior to her departure, Ms. Charles turned all of her Duval Cases over to the SP Unit for 4th Judicial Circuit. Judge Cox had previously adjudicated the Defendant incompetent on February 15, 2017 subject to conditional release. The Defense had filed a Motion to Terminate the Defendant's conditional release based on his deteriorating mental condition.

[REDACTED]

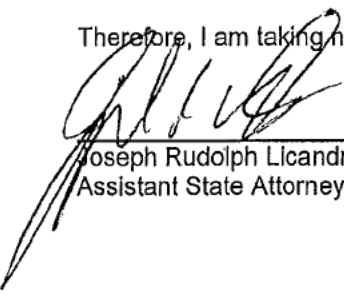
The Defendant is 81 years old. Based on the Defendant's age in conjunction with Dr. Mhatre's findings, the State entered a NP-11. If the Defendant unexpectedly regains competency, the State can reinstate the charges.

The Defense submitted the following case State v. Simmons, 1st Judicial Circuit In and for Okaloosa County, December 18, 2017 in support of its position that the conditional release plan must be terminated. In Simmons, the Defendant suffered from dementia, which does not qualify as a "mental illness" for purposes of Fl. Stat. § 916.13. Therefore, the defendant, although incompetent, neither qualified for conditional or involuntary release.

Accordingly, the court granted the Defendant's Motion to terminate conditional release. The court factored in its decision that the defendant's competency had little likelihood of being restored [REDACTED]

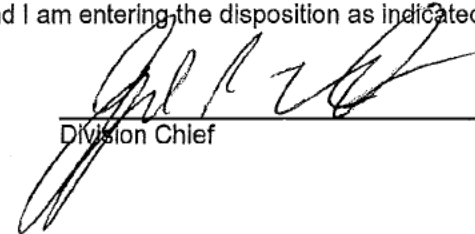
Ms. Charles had notified the victims of the Defendant's competency status prior to ASA Licandro inheriting the case. ASA Licandro will submit a follow-up letter to the victims apprising them of this development.

Therefore, I am taking no further action in this matter and I am entering the disposition as indicated above.


Joseph Rudolph Licandro
Assistant State Attorney

2/26/18

Date


Division Chief

2/26/18

Date