

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

CF- 2017-5658

**DISTRICT COURT
FILED**

OCT 30 2017

**DON NEWBERRY, Court Clerk
STATE OF OKLA. TULSA COUNTY**

**AFFIDAVIT OF PROBABLE CAUSE
FOR ARREST WARRANT FOR**

Tracy Lynn Borman (AKA Corssett)

Agent Kelly Birch, being of lawful age and after having affirmed upon his oath to tell the truth, states as follows:

I am a certified Peace Officer in Oklahoma, currently employed as an Agent in the Oklahoma Attorney General's Office, Medicaid Fraud Control Unit (MFCU). My duties include investigating allegations of fraud, abuse, neglect, exploitation, and drug diversion by providers in long-term care facilities receiving Medicaid funds.

On February 27, 2017, the Oklahoma Medicaid Fraud Control Unit received a complaint from North County Nursing and Rehabilitation, 2300 W Broadway St Collinsville, OK 74021, in Tulsa Co regarding the Exploitation of Elderly Persons or Disabled Adults. The complaint stated that V.S., an elderly resident living at the North County Nursing and Rehabilitation, 2300 W Broadway St, Collinsville, OK 74021 had all the money in her bank account drawn out which was discovered on February 24, 2017. Upon investigation by the facility, it was learned that V.S. was not in possession of her bank debit card. Certified Nurse Aide (CNA) Tracy Lynn Borman worked at North County Nursing and Rehabilitation and was identified as the staff person who generally did the shopping for V.S. by using her debit card with account number ending in 5170.

On March 07, 2017, your affiant was assigned to investigate an allegation of exploitation of an elderly person by Tracy Lynn Borman, Certified Nurse Aide (CNA) while working at North County Nursing and Rehabilitation in the city of Collinsville, Tulsa County, Oklahoma. Your affiant states that between September 27, 2016 and February 20, 2017 North County Nursing and Rehabilitation employed Borman.

On June 29, 2017, your affiant conducted an interview of victim V.S. Your affiant reviewed banking transaction history with V.S., she stated the only transactions using her debit card that she authorized were at Shell Oil and Dollar General located in Collinsville OK. Per Salsberry CNA Tracy Borman was authorized only to purchase E-cigarettes for V.S. and nothing more. The bank transaction history was obtained from the initial investigation completed by Collinsville Police Department and North County Nursing and Rehabilitation. The unauthorized use of V.S. card occurred from November 2016 through February 2017.

Your affiant obtained receipts from the below listed locations for V.S. debit card ending in 5170.

- 11/09/2016 Walmart Supercenter 12101 E 96th St N Owasso, OK Tulsa 74055, Tulsa Co. Amount \$135.00
- 12/07/2016 Walmart Supercenter 700 W Rogers Blvd Skiatook, OK 74070, Osage Co. Amount \$30.27
- 02/13/2017 Walmart Supercenter 220 S Highway 97 Sands Springs, OK 74063, Tulsa Co. Amount \$10.83
- 02/14/2017 Indian Electric Cooperative 2506 E Old Hwy 64 Cleveland, OK 74020, Pawnee Co. Amount \$50.00
- 02/16/2017 In N Out food store 1645 OK-48 Mannford, OK 74044, Creek Co. Amount \$29.58
- 02/17/2017 Phelps IGA Inc. 30011 West Hwy 51 Mannford, OK 74044, Creek Co. Amount \$62.20
- 02/19/2017 Mav Mini Mart 24 706 E Broadway Drumright, Oklahoma 74030, Creek Co. Amount \$21.38
- 02/20/2017 In N Out food store 1645 OK-48 Mannford, OK 74044, Creek Co. Amount \$38.79

Your affiant subpoenaed records from the below listed locations for the debit card ending in 5170:

- 02/20/2017 Tulsa Bone & Joint located at 4802 S 109th E Ave Tulsa, OK 74146, Tulsa Co. Amount \$50.00.
- 02/13/2017 Arvest Bank ATM Surveillance video, located 220 S Highway 97 Sand Springs, OK 74063, Tulsa Co. Amount \$103.75.

Transaction history shows ATM withdrawals using V.S. debit card totaling approximately \$1,575.50 from ATM's located in Pawnee of Pawnee Co, Yale of Payne Co, Sands Springs of Tulsa Co, Bristow, and Mannford of Creek Co.

Upon review of surveillance video, Arvest Bank ATM located 220 S Highway 97, Sands Springs, OK 74063 Tulsa Co. your affiant was able to identify Tracy Borman as the person in the video making a withdrawal on February 13, 2017 using the victim's debit card. Only 11 minutes later the same debit card was used to make retail purchases at Walmart Supercenter, located 220 S Highway 97, Sands Springs, OK 74063 Tulsa Co., whose retail purchase points are located within the same building, only yards away from the Arvest ATM.

Transaction history shows purchases totaling approximately \$783.33 from retail stores located in:

- Mannford, Bristow, and Drumright of Creek County.
- Tulsa, Sands Springs, and Collinsville of Tulsa County.
- Skiatook, of Osage County.
- Pawnee, of Pawnee County.

On June 29, 2017, your affiant conducted an interview of Paula Underwood. Underwood is the Assistant Activities Director at North County Nursing and Rehabilitation. Underwood stated that they would take residents to the Tulsa Zoo, Wolaroc, Skiatook Casino, Walmart in Owasso, as well as doctors' appointments. Underwood stated that they have not traveled to Bristow, Pawnee, Mannford or Drumright. The only outing of V.S. that Underwood was aware of is she personally took V.S. to the Walmart Super Center in Owasso to purchase new clothes the second week of June 2017. V.S. paid for her items with cash that her son had sent her.

On August 9, 2017, your affiant conducted an interview with Henry Scalley. Scalley provided information that Tracy Borman had resided at his residence of 3139 S 401st West Ave Mannford, Creek Co OK 74044 for approximately seven months. On July 3, 2017, Scalley asked Borman to leave due to he felt she was under the influence of narcotics. Scalley provided that he and Borman did not have any joint or mutual financial accounts. Scalley provided that Borman had paid Scalley's Indian Electric Cooperative electric bill one time in the amount of fifty dollars on February 14, 2017 via telephone to their offices in Pawnee Co Ok, and she paid his co-pay at Tulsa Bone & Joint in Tulsa Co, OK of fifty dollars on February 20, 2017, both transactions using what he believed to be Borman's credit card. These payments were in fact made with the victim's debit card, which were identified by the victim as fraudulent payments when reviewing the bank transaction history.

On August 21, 2017, your affiant conducted an interview of Rebecca Murray-Glasgow. Murray-Glasgow was the North County Nursing and Rehabilitation Administrator during the time of this incident. Murray-Glasgow stated the facility became aware of the financial issues with V.S. when they went to draft her monthly payment and there was insufficient funds to make the payment. Murray-Glasgow then asked V.S. if she knew where her debit card was. When they both looked for it, it was not located in V.S. belongings. Murray-Glasgow asked V.S. if she had let anyone use it, V.S. stated that she would let "Tracy" Borman use the card to buy E-cigarettes for her. Once the debit card was found missing, it was immediately canceled.

Murray-Glasgow provided that Borman seemed to have financial issues. Borman was always asking Murray-Glasgow and other co-workers for money. Murray-Glasgow provided that staff had paid for gas, shoes, and Halloween costumes and

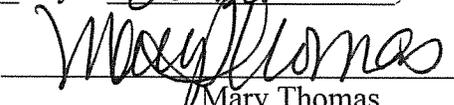
candy for Borman's children. Murray-Glasgow also provided that the facility would give Borman money for gas as well.

Agent Kelly Birch request, upon probable cause, the court issue a warrant for the arrest of Tracy Lynn Borman (AKA Corssett) on 1 charge of Engaging in a Pattern of Criminal Offenses as described in 21 O.S. §425, and 4 charges of Exploitation by Caretaker as described in Title 21 § 843.1.

Further, your affiant sayeth not.

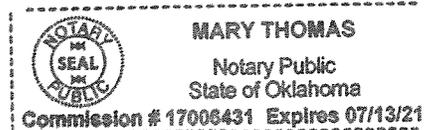

Agent Kelly Birch

Subscribed and affirmed before me this 30~~th~~ day of October, 2017.


Mary Thomas

My commission expires:

07/13/21



FINDING OF PROBABLE CAUSE

On this 30 day of October, 2017, the above styled and numbered cause came on for hearing before me, the undersigned Judge of the District Court, and upon the Affidavit of Relly Birch requesting that a warrant of arrest be issued for the within named Defendant, that she might be arrested and held to answer for the offenses of ENGAGING IN PATTERN OF CRIMINAL OFFENSES; FINANCIAL EXPLOITATION

The Court finds that the offense of ENGAGING IN PATTERN OF CRIMINAL OFFENSES; FINANCIAL EXPLOITATION BY CHEATER (4 COUNTS) has been committed and there is probable cause to believe that the within Defendant has committed said offense and that a warrant of arrest should be issued.

Dated this 30 day of October, 2017.

Caroline Wall
JUDGE OF THE DISTRICT COURT