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## Dept. of Justice to Dismiss Case Against Couple Who Allegedly Uploaded Fake Covid Results Into USVI Travel Portal

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The V.I. Dept. of Justice has decided not to prosecute a married couple the USVI Covid-19 Task Force accused of uploading fake Covid-19 test results into the USVI Travel Portal, after a judge asked that the task force file more evidence, the Consortium has learned. The D.O.J. intends to file nolle prosequi, which amounts to a dismissal of charges by the prosecution, according to people familiar with the matter.

The couple, identified as Douglas E. Miller, age 70, and Patricia A. Miller, age 68, both of Boulder, Colorado were arrested on Tuesday after arriving at the Cyril E. King Airport. The Task Force had said it was able to confirm that the Covid tests results from the couple were altered after receiving an email from USVI Dept. of Health Epidemiologist Dr. Irene Guendel, according to the

probable cause fact sheet. Dr. Guendel said the results were flagged "due to concerns that patient information and collection date vary from what they typically receive from the lab, and that the 'Not Detected' does not match the surrounding font, which it typically does."

On Tuesday, Dr. Guendel further notified the Task Force that she had received written confirmation from Bobby Dixon, a representative from LabCorp who worked as a state reporting manager, who said the lab was unable to locate the Covid test results of the couple.

When the couple arrived to St. Thomas on a Spirit Airlines flight on Tuesday, they submitted the same test results that were flagged by the V.I. Dept. of Health, and were taken into custody.

Mrs. Miller decided to provide a statement to law enforcement officers, and stated that on April 24 she attended a wedding in Smyrna, Florida where she requested a test from an independent nurse recruiter and said that the test was performed by her niece Olivia Holehouse, who is a licensed practical nurse. Mrs. Miller further stated that her niece works for a nurse recruiter named Breanna McCartney.

Wanson Harris, V.I. D.O.H. director of environmental health attempted to contact Ms. McCartney several times, according to the [probable cause fact sheet](#), but was unable to reach her. The couple was placed under arrest and charged with fraudulent claims upon the government, use of false information, and filing or recording forged documents. They were remanded to the Bureau of Corrections after failing to make bail of \$5,500.

In Court on Wednesday, Magistrate Judge Henry Carr III said the couple appeared to have been duped by fraudsters running a scam.

The Dept. of Justice, represented by Asst. Attorney General Brenda Scales, sought more time to provide the court with additional evidence, which Judge Carr granted and scheduled a hearing for Friday.

The D.O.J., however, has decided to dismiss the matter, the Consortium has learned, which will allow the couple — celebrating their 40th anniversary in the USVI — to make the best of their stay.