



*Office of the United States Attorney
District of Arizona*

FOR IMMEDIATE RELEASE
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YUMA LABORATORY DIRECTOR INDICTED FOR FRAUD

PHOENIX - A federal grand jury in Phoenix returned a 3-count indictment yesterday against Nancy Miller, 56, of Yuma, Ariz., for a violation of Mail Fraud.

The indictment alleges that Miller, the Laboratory Director of Sunstate Environmental Laboratory in Yuma, falsified analyses of water samples and used the U.S. mail in furtherance of her scheme. In particular, the indictment alleges that between 2003 and 2004 Miller engaged in "dry-labbing" when she reported negative results without actually testing water samples for potentially-harmful bacteria. Miller will be summonsed to appear for her arraignment.

A conviction for Mail Fraud carries a maximum penalty of 20 years in prison, a \$250,000 fine or both. In determining an actual sentence, the assigned judge will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation preceding the indictment was conducted by the Environmental Protection Agency, Office of Inspector General, Office of Investigations. The prosecution is being handled by Gary M. Restaino and Mark Brnovich, Assistant U.S. Attorneys, District of Arizona, Phoenix.

CASE NUMBER: CR-08-1328-PHX
RELEASE NUMBER: 2008-298(Miller)

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