

POLITICS NEWS

## Health care fraudster Philip Esformes is latest Trump clemency recipient to be arrested

Philip Esformes is among several people granted clemency by then-President Donald Trump who have since been charged with new crimes.



— Philip Esformes, whose Medicare fraud sentence was commuted by then-President Donald Trump, was arrested on domestic violence-related charges over the weekend.

Tiffany Rose / Getty Images for Harold & Carole Pump Foundation

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**By Dan Mangan, CNBC**

[Philip Esformes](#), whose 20-year prison sentence for a massive, \$1.3 billion Medicare fraud scheme was [commuted](#) in 2020 by then-President [Donald Trump](#), was arrested over the weekend in Florida on domestic-violence related charges.



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Esformes is at least the seventh person who received executive clemency from Trump, and has since been charged with new crimes, according to [The New York Times](#), which first reported this latest arrest.

In August, a convicted New York drug dealer and predatory lender named [Jonathan Braun](#), whose 10-year prison term Trump commuted in 2021, was charged with assaulting his father-in-law and his wife in separate incidents.

Court records show that Esformes was arrested Saturday and then charged with tampering with a victim or witness, and with criminal mischief involving property damage.

He was booked into the Miami-Dade County jail on Sunday, his 56th birthday.

Esformes was released on Monday after posting two separate bonds totaling \$1,650, according to a jail spokeswoman.

A lawyer for Esformes had no immediate comment on the arrest.

CNBC has requested comment from Trump's presidential campaign spokesman.

CNBC also has requested comment from a lawyer for Esformes' ex-wife, Sherri Beth Esformes, whose divorce from him was finalized in July 2020.

Sherri Beth Esformes filed a petition in her ex-husband's federal health care fraud case in August, asserting a 50% property interest in a slew of companies and properties that were deemed forfeitable by Philip Esformes to settle a \$38.7 million forfeiture judgment in that case.

A lawyer for Sherri Beth wrote that he legal right to the properties is superior to the interest of the U.S. government in the assets, and that it renders the forfeiture order invalid.

The filing says that by not including Sherri Beth as the record owner of the properties, her ex-husband "obtained these properties by a breach of trust of Ms. Esformes' confidence and

through fraudulent or unlawful means.”

On Tuesday, a judge in Miami federal court set a deadline of Nov. 4 for Philip Esformes to respond to his ex-wife’s filing.

Philip Esformes, who had owned Florida nursing homes, was convicted at trial in 2019 of 20 criminal counts related to what the Department of Justice at the time said was the largest health-care fraud scheme ever prosecuted by the department.

The DOJ said that Esformes and co-conspirators for more than two decades cycled thousands of Medicare and Medicaid patients through a network of nursing and assisted living facilities despite the fact they did not qualify for such care.

Trump commuted Esformes’ prison sentence in late 2020, which led to his immediate release from custody.

The White House, in [announcing the commutation](#), at the time said, “This commutation is supported by former Attorneys General Edwin Meese and Michael Mukasey, as well as former Deputy Attorney General Larry Thompson.”

“In addition, former Attorneys General Edwin Meese, John Ashcroft, and Alberto Gonzalez, as well as other notable legal figures such as Ken Starr, have filed in support of his appeal challenging his conviction on the basis of prosecutorial misconduct related to violating attorney-client privilege.”

“While in prison, Mr. Esformes, who is 52, has been devoted to prayer and repentance and is in declining health,” the White House added.

But the DOJ then moved to retry Esformes on six criminal charges that jurors at his first trial had deadlocked on.

Esformes fought those efforts for several years, but this past February agreed to plead guilty to one count of conspiracy to commit health care fraud. He was sentenced to time served.

The New York Times in September detailed how [six other criminal convicts](#), including Braun, had been arrested after receiving executive clemency from Trump. Executive clemency can be a pardon, which voids a person’s federal criminal conviction, or commutation, which terminates any prison or jail sentence.

The clemency recipients detailed in the article included former White House advisor Steve Bannon, the rapper Kodak Black, investment fraudster Eliyahu Weinstein, the robber Jamie Davidson, and counterfeit energy drink scammer Adriana Camberos.

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