



# Sacramento County District Attorney's Office

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## CASE OF INTEREST

### **Former School Employee Sentenced for Felony Insurance Fraud**

**DATE:** February 8, 2018

**CASE:** Marcus Kelly (Case #16FE023065)

**PROSECUTOR:** Deputy District Attorney John MacKenzie, Insurance Fraud Unit

Marcus Kelly pled no contest to felony insurance fraud. The Honorable Lawrence Brown sentenced Kelly to 30 days in county jail, 5 years formal probation and ordered him to pay restitution in the amount of \$40,097.40.

Kelly was employed by the Sacramento City Unified School District as a janitor. On September 9, 2014, he reported he had an unwitnessed slip-and-fall at work, resulting in reported back and leg pain. Kelly was placed on modified duty, including limitations on how much he could lift and limitations on bending or twisting at the waist. At the end of September 2014, Kelly reported his condition had worsened. When the restrictions could not be accommodated, he was placed off work. Kelly later told a doctor that his pain was so intense it interfered with his ability to travel and engage in social activities.

However, investigation found that during this time period, Kelly had been working as a dancer at a nightclub. Surveillance video showed Kelly dancing on stage for several hours over several days, and engaging in activities he reported to doctors he was unable to perform.

This case was prosecuted by the Sacramento County District Attorney's Office Insurance Fraud Unit.