

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 LORRIE M. YOST
Deputy Attorney General
4 State Bar No. 119088
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-2271
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF PHARMACY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 4080

12 **DIPAK NARENDREA PATEL**
8600 Maple Hall Drive
13 Sacramento, CA 95823

ACCUSATION

14 Pharmacist License No. RPH 60788

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
20 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.

21 2. On or about March 6, 2008, the Board of Pharmacy issued Pharmacist License
22 Number RPH 60788 to Dipak Narendra Patel (Respondent). The Pharmacist License was in full
23 force and effect at all times relevant to the charges brought herein and will expire on July 31,
24 2013, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Pharmacy (Board), Department of
27 Consumer Affairs, under the authority of the following laws. All section references are to the
28 Business and Professions Code unless otherwise indicated.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Conviction of a Crime Substantially Related)

3 8. Respondent is subject to disciplinary action under section 4301 subdivision (l) in that
4 Respondent has been convicted of crimes substantially related to the qualifications, functions and
5 duties of a licensed pharmacist as follows:

6 a. On or about April 13, 2009, Respondent was convicted in the Superior Court of
7 Fresno County on a plea of no contest of violating Vehicle Code section 23152
8 subdivision (b) (driving while under the influence of alcohol - misdemeanor) in the case
9 known as People v. Dipak Narendra Patel, Case No. M08927782. The circumstances
10 are that on or about August 24, 2008, Respondent was arrested at a DUI checkpoint for
11 drunk driving. Respondent's blood alcohol content was .16.

12 b. On or about May 21, 2008, Respondent was convicted in the Superior Court of
13 Fresno County on a plea of guilty of violating Vehicle Code section 23152 subdivision
14 (b) (driving while under the influence of alcohol - misdemeanor) in the case known as
15 People v. Dipak Narendra Patel, Case No. M08927782. The circumstances are that on
16 or about November 30, 2007, Respondent was spotted driving on Highway 99 at night
17 without headlights and weaving on the road. Respondent's blood alcohol content was
18 .19.

19 **SECOND CAUSE FOR DISCIPLINE**

20 (Administering to Oneself an Alcoholic Beverage to the Extent or in a Manner as to be
21 Dangerous or Injurious)

22 9. Respondent is subject to disciplinary action under section 4301 subdivision (h) in that
23 on or about November 30, 2007, and again on August 24, 2008, Respondent consumed alcohol
24 and then drove his car with a blood alcohol content of .19 and .16, as set forth in paragraph 8,
25 above, thereby placing himself and others in danger.

26 ///

27 ///

28 ///

