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

10 In the Matter of the Accusation Against:

Case No. 4272

11 **ASHLEY REBECCA BREE OLIVER**  
12 **617 Grant Avenue**  
13 **San Leandro, CA 94580**

**A C C U S A T I O N**

14 **Pharmacy Technician License No. TCH**  
15 **91169**

Respondent.

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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 May 28, 2009, the Board of Pharmacy issued Pharmacy Technician  
22 License Number TCH 91169 to Ashley Rebecca Bree Oliver (Respondent). The Pharmacy  
23 Technician License was in full force and effect at all times relevant to the charges brought herein  
24 and will expire on December 31, 2012, 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 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
2 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
3 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
4 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
5 indictment.

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7 "(p) Actions or conduct that would have warranted denial of a license."

8 6. Section 490 of the Code provides, in pertinent part, that a board may suspend or  
9 revoke a license on the ground that the licensee has been convicted of a crime substantially  
10 related to the qualifications, functions, or duties of the business or profession for which the  
11 license was issued.

12 7. Section 125.3 of the Code states, in pertinent part, that the Board may request the  
13 administrative law judge to direct a licensee found to have committed a violation or violations of  
14 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
15 enforcement of the case.

16 8. Section 118, subdivision (b), of the Code provides that the  
17 suspension/expiration/surrender/cancellation of a license shall not deprive the  
18 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period  
19 within which the license may be renewed, restored, reissued or reinstated.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (UNPROFESSIONAL CONDUCT)

3 9. Respondent is subject to disciplinary action under section 490 and 4301 (f), (l) and  
4 (p) in that on or about December 30, 2011, in a criminal proceeding entitled *People v. Ashley*  
5 *Rebecca Bree Oliver*, in Alameda Superior court Case No. H 51032B Respondent was convicted  
6 by a plea of no contest to a violation of Penal Code Section 211. (Robbery). The circumstances  
7 are as follows:

8 a. On or about October 18, 2010, Respondent participated in a robbery at her  
9 place of employment, in San Leandro, California by deactivating the alarm to the building and  
10 surreptitiously allowing an individual to access the building premises and initiate a robbery at  
11 gunpoint.

12 b. On or about December 30, 2011, Respondent was sentenced as follows:  
13 Five years probation, 15 days jail time, 100 yard restriction on victim D.H., observe a 100 yard  
14 restriction on her former place of employment, and pay fines of approximately \$250.00.

15 **SECOND CAUSE FOR DISCIPLINE**

16 (UNPROFESSIONAL CONDUCT)

17 10. Respondent is subject to disciplinary action under section 490 and 4301 (p) in that on  
18 or about December 30, 2011, in a criminal proceeding entitled *People v. Ashley Rebecca Bree*  
19 *Oliver*, in Alameda Superior Court Case No. H 51032B Respondent was convicted by a plea of  
20 no contest to a violation of Penal Code Section 211. (Robbery). The circumstances are as  
21 follows:

22 a. On or about October 18, 2010, Respondent participated in a robbery at her  
23 place of employment, in San Leandro, California by deactivating the alarm to the building and  
24 surreptitiously allowing an individual to access the building premises and initiate a robbery at  
25 gunpoint.

26 b. On or about December 30, 2011, Respondent was sentenced as follows:  
27 Five years probation, 15 days jail time, 100 yard restriction on victim D.H., observe a 100 yard  
28 restriction on her former place of employment, and pay fines of approximately \$250.00.

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**PRAYER**

**WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Pharmacy issue a decision:

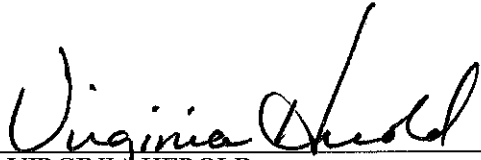
1. Revoking or suspending Pharmacy Technician License Number TCH 91169, issued to Ashley Rebecca Bree Oliver

2. Ordering Ashley Rebecca Bree Oliver to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED:

12/14/12



VIRGINIA HEROLD  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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accusation.rtf