

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Supervising Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:
11 **DUC THUONG VU**
12 **568 Altino Blvd.**
13 **San Jose, CA 95136**
14 **Pharmacy Technician License No. TCH 72742**
15 Respondent.

Case No. 5255
ACCUSATION

16 Complainant alleges:

17 PARTIES

- 18 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
19 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
20 2. On or about October 26, 2006, the Board of Pharmacy issued Pharmacy Technician
21 License No. TCH 72742 to Duc Thuong Vu (Respondent). The License was in effect at all times
22 relevant to the charges brought herein and will expire on January 31, 2016, unless renewed.

23
24 JURISDICTION

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

28 ///

1 DISCIPLINE CONSIDERATIONS

2 16. To determine the appropriate level of discipline, if any, to be imposed on Respondent,
3 Complainant further alleges the following:

4 a. On or about January 30, 2002, in Case No. CC133853 in Santa Clara County
5 Superior Court, Respondent was convicted of violating Vehicle Code section 23152, subdivision
6 (a) (Driving Under the Influence of Alcohol/Drugs), a misdemeanor.

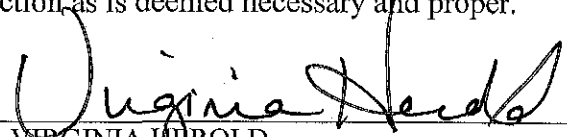
7 b. On or about June 10, 2010, in Case No. C1070721 in Santa Clara County
8 Superior Court, Respondent was convicted of violating Vehicle Code section 23152, subdivision
9 (b) (Driving With a Blood Alcohol Level of 0.08% or Higher), a misdemeanor, and admitted to a
10 special allegation that he had a prior conviction in Case No. CC133853, above.

11
12 PRAYER

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

- 15 1. Revoking or suspending Pharmacy Technician License Number TCH 72742, issued to
16 Duc Thuong Vu (Respondent);
- 17 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
18 enforcement of this case, pursuant to Business and Professions Code section 125.3;
- 19 3. Taking such other and further action as is deemed necessary and proper.

20 DATED: 12/3/14

21 
22 VIRGINIA HEROLD
23 Executive Officer
24 Board of Pharmacy
25 Department of Consumer Affairs
26 State of California
27 Complainant

28 SF2014409391
41105367.doc