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

12 In the Matter of the Accusation Against:

Case No. 5586

13 **DENIECE RENEE TOLLIVER**  
14 **aka DENIECE TOLLIVER-SHORTER**  
723 W. 159th Street  
Gardena, CA 90247

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

15 Pharmacy Technician Registration  
No. TCH 115427

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about September 2, 2011, the Board issued Pharmacy Technician Registration  
23 No. TCH 115427 to Deniece Renee Tolliver aka Deniece Tolliver-Shorter (Respondent). The  
24 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges  
25 brought herein and will expire on August 31, 2017, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following laws.  
28 All section references are to the Business and Professions Code unless otherwise indicated.



1 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning  
2 of this provision. The board may take action when the time for appeal has elapsed, or the  
3 judgment of conviction has been affirmed on appeal or when an order granting probation is made  
4 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of  
5 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not  
6 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or  
7 indictment."

### 8 **REGULATORY PROVISIONS**

9 7. California Code of Regulations, title 16, section 1770, states:

10 "For the purpose of denial, suspension, or revocation of a personal or facility license  
11 pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a  
12 crime or act shall be considered substantially related to the qualifications, functions or duties of a  
13 licensee or registrant if to a substantial degree it evidences present or potential unfitness of a  
14 licensee or registrant to perform the functions authorized by his license or registration in a manner  
15 consistent with the public health, safety, or welfare."

### 16 **FIRST CAUSE FOR DISCIPLINE**

#### 17 **(Conviction of a Substantially Related Crime)**

18 8. Respondent is subject to disciplinary action under section 4301, subdivision (l), in  
19 conjunction with California Code of Regulations, title 16, section 1770, in that, Respondent was  
20 convicted of a crime substantially related to the qualifications, functions or duties of a pharmacy  
21 technician as follows:

22 a. On or about March 5, 2015, after pleading nolo contendere, Respondent was  
23 convicted of one misdemeanor count of violating Penal Code section 487, subdivision (a) [grand  
24 theft by embezzlement] in the criminal proceeding entitled *The People of the State of California v.*  
25 *Deniece Tolliver Shorte* (Super. Ct. L.A. County, 2015, No. SA089739). The Court sentenced  
26 Respondent to serve 14 days in jail, ordered her to pay restitution, and placed her on 3 years  
27 probation, with terms and conditions.

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