1	Kamala D. Harris	
2	Attorney General of California FRANK H. PACOE	
3	Supervising Deputy Attorney General JUSTIN R. SURBER	
4	Deputy Attorney General State Bar No. 226937	
5	455 Golden Gate Avenue, Suite 11000 San Francisco, CA 94102-7004	
6	Telephone: (415) 355-5437 Facsimile: (415) 703-5480	
7	Attorneys for Complainant	קייין או
8	BEFORE THE BOARD OF PHARMACY DEPARTMENT OF CONSUMER AFFAIRS	
9	STATE OF C	
10	In the Matter of the Accusation Against:	Case No. 5618
11	DEAN RUSSELL SPENCER, JR.	Case 110. 5015
12	1301 4th Street Napa, CA 94559	ACCUSATION
13	Pharmacy Technician Registration No. TCH	
14	100459	
15	Respondent.	
16		
17	Complainant alleges:	
18		
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 17, 2010, the Board of Pharmacy issued Pharmacy Technician	
22	Registration Number TCH 100459 to Dean Russell Spencer, Jr. (Respondent). The Pharmacy	
23	Technician Registration was in full force and effect at all times relevant to the charges brought	
24		
25		
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	ACCUSATION
1	11	

_--

4. Section 118, subdivision (b), of the Code provides that the 1 suspension/expiration/surrender/cancellation of a license shall not deprive the 2 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period 3 within which the license may be renewed, restored, reissued or reinstated. 4 5. Section 125.9 of the code states: 5 a) Except with respect to persons regulated under Chapter 11 (commencing with Section 6 7500), any board, bureau, or commission within the department, the board created by the 7 Chiropractic Initiative Act, and the Osteopathic Medical Board of California, may establish, by 8 regulation, a system for the issuance to a licensee of a citation which may contain an order of 9 abatement or an order to pay an administrative fine assessed by the board, bureau, or commission 10 where the licensee is in violation of the applicable licensing act or any regulation adopted 11 pursuant thereto. 12 (b) The system shall contain the following provisions: 13 14 (5) Failure of a licensee to pay a fine within 30 days of the date of assessment, unless the 15 citation is being appealed, may result in disciplinary action being taken by the board, bureau, or 16 commission. Where a citation is not contested and a fine is not paid, the full amount of the 17 assessed fine shall be added to the fee for renewal of the license. A license shall not be renewed 18 without payment of the renewal fee and fine. 19 6. Section 4300 of the Code states: 20"(a) Every license issued may be suspended or revoked. 21 "(b) The board shall discipline the holder of any license issued by the board, whose default 22 has been entered or whose case has been heard by the board and found guilty, by any of the 23 following methods: 24 "(1) Suspending judgment. 25 "(2) Placing him or her upon probation. 26 "(3) Suspending his or her right to practice for a period not exceeding one year. 27 "(4) Revoking his or her license. 28

ACCUSATION

"(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.

3

4

5

6

7

1

2

7. Section 4301 of the Code states:

"The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been procured by fraud or misrepresentation or issued by mistake.
Unprofessional conduct shall include, but is not limited to, any of the following:

. . ."

8

"(1) The conviction of a crime substantially related to the qualifications, functions, and 9 duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13 10 (commencing with Section 801) of Title 21 of the United States Code regulating controlled 11 substances or of a violation of the statutes of this state regulating controlled substances or 12 dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the 13 record of conviction shall be conclusive evidence only of the fact that the conviction occurred. 14 The board may inquire into the circumstances surrounding the commission of the crime, in order 15 16 to fix the degree of discipline or, in the case of a conviction not involving controlled substances or dangerous drugs, to determine if the conviction is of an offense substantially related to the 17 qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or 18 19 a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this provision. The board may take action when the time for appeal has elapsed, or the 20 judgment of conviction has been affirmed on appeal or when an order granting probation is made 21 suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of 22 the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not 23guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or 24 indictment. 25 111

26

27 || ///

28 ///

1	REGULATORY PROVISIONS	
2	8. California Code of Regulations Title 16, Section 1775.1 states, in pertinent part, that	
3	the failure of a person or entity cited to pay a fine within 30 days of the date of assessment, unless	
4	the citation is being appealed, may result in disciplinary action by the board.	
5	COSTS	
6	9. Section 125.3 of the Code states, in pertinent part, that the Board may request the	
7	administrative law judge to direct a licentiate found to have committed a violation or violations of	
8	the licensing act to pay a sum not to exceed the reasonable costs of the investigation and	
9	enforcement of the case.	
10	FACTUAL BACKGROUND	
11	10. On or about January 26, 2013, Respondent was arrested for a violating Penal Code	
12	Section 148(a)(1), obstructing/resisting a public/peace officer. Respondent resisted/obstructed a	
13	peace officer in Vallejo, California.	
14	11. On or about May 17, 2013, Respondent was arrested for violations of Penal Code	
15	Section 273.5, inflicting corporal injury on spouse/cohabitant and Penal Code Section 236, false	
16	imprisonment. Charges were filed but dismissed.	
17	12. On October 22, 2013, Respondent was arrested for violating Penal Code Section	
18	415(1), disturbing the peace by fighting, and Penal Code Section 148(a)(1), obstructing/resisting	
19	public/peace officer. Respondent challenged another to a fight in public and resisted arrest in	
20	Napa, California.	
21	13. On or about December 6, 2013, Respondent was arrested for violating Penal	
22	Code Section 602(0)(1), refusing a police officer's request to leave private property. Respondent	
23	refused to leave the Napa County Homeless Shelter when instructed by officers to do so. Charge	
24	were filed but dismissed.	
25	14. On or about December 23, 2013, Respondent was arrested for violating Penal Code	
26	Section 242, battery. Respondent was in a fight at the Hope Center in Napa where he battered	
27	another person.	
28		

15. On or about February 26, 2014, in Napa County Superior Court Case No. CR 169019,
 Respondent was convicted of violating Penal Code Section 242/243(a), Battery. The
 circumstances leading to the conviction are described in paragraph 14, above.

1

2

3

16. On or about February 26, 2014, in Napa County Superior Court Case No. CR 168680,
Respondent was convicted of violating Penal Code Section 415(1), disturbing the peace by
fighting, and Penal Code Section 148(a)(1), obstructing/resisting a public/peace officer. The
circumstances leading to the conviction are described in paragraph 12, above.

8 17. On or about March 14, 2014 Respondent renewed his pharmacy technician license
9 and indicated on his renewal application form that he had not been convicted of any crime since
10 his last renewal in 2011. This was not true.

18. On or about March 24, 2014, In Solano County Superior Court Case No VCR217067,
Respondent was convicted of violating Penal Code Section 148(a)(1), obstructing/resisting a
public/peace officer, and sentenced to a three year probations period. The facts giving rise to the
conviction are described in paragraph 10, above.

15 19. On or about April 18, 2014, Respondent was arrested for violating Penal Code
16 Section 21310, possession of a dirk or dagger, and two counts of violating Penal Code Section
17 1203.2, violating probation. Napa police found Respondent in possession of a dirk or dagger.
18 Respondent was also in possession of alcohol in violation of his probationary terms.

20. On or about April 22, 2014, In Napa County Superior Court Case No. CR170540, a
 criminal complaint was filed against Respondent alleging Respondent violated Penal Code
 Section 21310, possession of a dirk or dagger. The circumstances leading the charges are
 described in paragraph 19, above.

23 21. On or about August 1, 2014, the Board issued a Citation No. CI 2012 56917 to
24 Respondent. The citation imposed a fine in the amount of \$300.00. That Citation is now final.
25 Respondent failed to pay the citation. The citation is based in part on the facts described in
26 paragraphs 11, 13-15, and 17, above.

27 22. On or about November 4, 2014, Respondent was arrested for violating Penal Code
28 Section 148(a)(1), obstructing/resisting a public/peace officer; Penal Code Section 602.1(a),

5

trespassing; Penal Code Section 21510(b), possession of a switchblade; Penal Code Section 69,
 resisting an executive officer; and two counts of Penal Code Section 1203.2, violation of
 probation. Respondent refused to leave a Walmart after being requested to do so by a Walmart
 manager. Respondent was in possession of a dirk or dagger.

5 23. On or about November 6, 2014, In Napa County Superior Court Case no. CR173297,
6 a criminal complaint was filed against Respondent alleging Respondent twice violated Penal
7 Code Section 69, resisting an executive officer, and Penal Code Section 2131, possession of a
8 dirk or dagger.

9 24. On or about April 2, 2015, Respondent was ordered to be committed to the State
10 Department of Mental Health, Napa State Hospital, or other facility designated by the California
11 Department of Mental Health, for a period not to exceed three years, or until mental competency
12 has been restored. The Court granted the request that the defendant submit to involuntary
13 medications. This order was in cases CR173297 and CR170540.

25. On or about August 13, 2015, In Napa County Superior Court Case no. CR173297,
Respondent was convicted of violating Penal Code Section 69, resisting an executive officer. The
circumstances leading to the conviction are described in paragraph 22, above.

17

18

23

24

(Failure to comply with citation)

FIRST CAUSE FOR DISCIPLINE

19 26. Respondent is subject to disciplinary action under section 125.9 of the Code in
20 conjunction with California Code of Regulations, Title 16, section 1775.1 in that respondent
21 failed to pay a citation issued by the Board within 30 days. The circumstances are described in
22 paragraph 21, above.

SECOND CAUSE FOR DISCIPLINE

(Convictions)

25 27. Respondent is subject to disciplinary action under section 4301, subsection (l), of the
26 code in that respondent was convicted of multiple crimes that are substantially related to the
27 duties, functions, or qualifications of a pharmacy technician. The circumstances are described in
28 paragraphs 10, 12, 16, 18, and 22-25.

10final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above.11 PRAYER 12WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,13and that following the hearing, the Board of Pharmacy issue a decision:141. Revoking or suspending Pharmacy Technician Registration Number TCH 100459,15issued to Dean Russell Spencer, Jr.;162. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of17the investigation and enforcement of this case, pursuant to Business and Professions Code section18125.3;193. Taking such other and further action as deemed necessary and proper.20VIRGIN(A HEROLD Executive Ofherer Board of Pharmacy Department of Consumer Affairs State of California Complainant21SP2015402719 41380927.doe				
3 28. Respondent is subject to disciplinary action under section 4301 of the code in that he was involved in unprofessional conduct. The circumstances are described in paragraphs 10, 12, 16, 18, and 22-25, above. 6 DISCIPLINARY CONSIDERATIONS 7 29. To determine the degree of discipline, if any, to be imposed on Respondent, 8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. Cl 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 11 PRAYER 12 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: 14 I. Revoking or suspending Pharmacy Technician Registration Number TCH 100459, issued to Dean Russell Spencer, Jr.; 15 issued to Dean Russell Spencer 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; 18 125.3; 19 A. Taking such other and further action as deemed necessary and proper. 20 DATED: 12 (21) 15 21 VIRGIN A HEROLD Executive Officer Board of California Complainant 22 DATED: 12 (21) 15 23 <th>1</th> <th>FOURTH CAUSE FOR DISCIPLINE</th>	1	FOURTH CAUSE FOR DISCIPLINE		
4 was involved in unprofessional conduct. The circumstances are described in paragraphs 10, 12, 16, 18, and 22-25, above. 6 DISCIPLINARY CONSIDERATIONS 7 29. To determine the degree of discipline, if any, to be imposed on Respondent, 8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now 10 final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 11 PRAYER 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 . Revoking or suspending Pharmacy Technician Registration Number TCH 100459, 15 issued to Dean Russell Spencer, Jr.; 16 2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of 17 the investigation and enforcement of this case, pursuant to Business and Professions Code section 12 12.5.3; 3. Taking such other and further action as deemed necessary and proper. 20 DATED: 12.5.21.15 21 VIRGUNA ThROULD Executive QURGON A ThROULD 22 DATED:	2	(Unprofessional Conduct)		
5 16, 18, and 22-25, above. 6 DISCIPLINARY CONSIDERATIONS 7 29. To determine the degree of discipline, if any, to be imposed on Respondent, 8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now 10 FRAYER 11 PRAYER 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 I. Revoking or suspending Pharmacy Technician Registration Number TCH 100459, 15 issued to Dean Russell Spencer, Jr.; 16 2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of 17 the investigation and enforcement of this case, pursuant to Business and Professions Code section 18 125.3; 19 3. Taking such other and further action as deemed necessary and proper. 21 DATED: 22 DATED: 12 Z2 23 DATED: 24 VIRGINA HEROLD 25 Executive Qriceor	3	28. Respondent is subject to disciplinary action under section 4301 of the code in that he		
6 DISCIPLINARY CONSIDERATIONS 7 29. To determine the degree of discipline, if any, to be imposed on Respondent, 8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now 10 final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 11 PRAYER 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 Revoking or suspending Pharmacy Technician Registration Number TCH 100459, 15 issued to Dean Russell Spencer, Jr.; 16 2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of 18 125.3; 19 3. Taking such other and further action as deemed necessary and proper. 20 VIRGINA HEROLD 21 VIRGINA HEROLD 22 DATED: 12 (21 1/5) 23 DATED: 12 (21 1/5) 24 VIRGINA HEROLD 25 Department of Consumer Affairs 26 State of California	4	was involved in unprofessional conduct. The circumstances are described in paragraphs 10, 12,		
7 29. To determine the degree of discipline, if any, to be imposed on Respondent, 8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now 10 final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 11 PRAYER 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 . Revoking or suspending Pharmacy Technician Registration Number TCH 100459, 15 issued to Dean Russell Spencer, Jr.; 16 2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of 17 the investigation and enforcement of this case, pursuant to Business and Professions Code section 18 125.3; 19 3. Taking such other and further action as deemed necessary and proper. 21 VIRGINA HEROLD 22 DATED: 12 (21) 15 23 DATED: 12 (21) 15 24 VIRGINA HEROLD 25 Department of Consumer Affairs 26 State of California	5	16, 18, and 22-25, above.		
8 Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012 9 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now 10 final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 11 PRAYER 12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, 13 and that following the hearing, the Board of Pharmacy issue a decision: 14 Revoking or suspending Pharmacy Technician Registration Number TCH 100459, 15 issued to Dean Russell Spencer, Jr.; 16 2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of 17 the investigation and enforcement of this case, pursuant to Business and Professions Code section 18 125.3; 19 3. Taking such other and further action as deemed necessary and proper. 21 DATED: 12 (21) 15 22 VIRGIN(A HEROLD 23 DATED: 12 (21) 15 24 State of Consumer Affairs 25 State of Consumer Affairs 26 State of California 27 State of California 28 SP201540	6	DISCIPLINARY CONSIDERATIONS		
 56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above. 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: Revoking or suspending Pharmacy Technician Registration Number TCH 100459, issued to Dean Russell Spencer, Jr.; Ordering Dean Russell Spencer 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; Taking such other and further action as deemed necessary and proper. DATED: 12/21/15 VIRGINA HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant 	7	29. To determine the degree of discipline, if any, to be imposed on Respondent,		
10final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above.11 PRAYER 12WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,13and that following the hearing, the Board of Pharmacy issue a decision:14I. Revoking or suspending Pharmacy Technician Registration Number TCH 100459,15issued to Dean Russell Spencer, Jr.;162. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of17the investigation and enforcement of this case, pursuant to Business and Professions Code section18125.3;193. Taking such other and further action as deemed necessary and proper.20VIRGINA HEROLD Executive Ofherer Board of Pharmacy Department of Consumer Affairs State of California Complainant21SP2015402719 41380927.doc	8	Complainant alleges that on or about August 1, 2014, the Board issued a Citation No. CI 2012		
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: Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention Intervention	9	56917 to Respondent. The citation imposed fine in the amount of \$300.00. That Citation is now		
 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: Revoking or suspending Pharmacy Technician Registration Number TCH 100459, issued to Dean Russell Spencer, Jr.; Ordering Dean Russell Spencer 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; Taking such other and further action as deemed necessary and proper. DATED: 12 21 15 DATED: 12 21 15 WIRGIN(A HEROLD Excentive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant SF2015402719 41380927.doc 	10	final. The citation is based in part on the facts described in paragraphs 11, 13-15, and 17, above.		
 and that following the hearing, the Board of Pharmacy issue a decision: Revoking or suspending Pharmacy Technician Registration Number TCH 100459, issued to Dean Russell Spencer, Jr.; Ordering Dean Russell Spencer 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; Taking such other and further action as deemed necessary and proper. DATED: 12/21/15 VIRGINA HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs SF2015402719 41380927.doc	11	<u>PRAYER</u>		
 Revoking or suspending Pharmacy Technician Registration Number TCH 100459, issued to Dean Russell Spencer, Jr.; Ordering Dean Russell Spencer 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; Taking such other and further action as deemed necessary and proper. DATED: 12 21 15 DATED: 12 21 15 VIRGINIA HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant 	12	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,		
 issued to Dean Russell Spencer, Jr.; Ordering Dean Russell Spencer 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; Taking such other and further action as deemed necessary and proper. DATED: 12/21/15 VIRGIN A HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California <i>Complainant</i> SF2015402719 41380927.doc 	13	and that following the hearing, the Board of Pharmacy issue a decision:		
 16 2. Ordering Dean Russell Spencer 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. 20 21 22 23 DATED: 12/21/15 VIRGIN(A HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant 27 28 SF2015402719 28 SF2015402719 	14	1. Revoking or suspending Pharmacy Technician Registration Number TCH 100459,		
17the investigation and enforcement of this case, pursuant to Business and Professions Code section18125.3;193. Taking such other and further action as deemed necessary and proper.2021212223DATED: 12/21/1524VIRGIN(A HEROLD) Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant26SF2015402719 41380927.doc	15	issued to Dean Russell Spencer, Jr.;		
18 125.3; 19 3. Taking such other and further action as deemed necessary and proper. 20 21 21 22 23 DATED: $12/21/15$ 24 VIRGIN(A HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant 26 SF2015402719 41380927.doc	16	2. Ordering Dean Russell Spencer to pay the Board of Pharmacy the reasonable costs of		
 3. Taking such other and further action as deemed necessary and proper. a. Taking such other and further action as deemed necessary and proper. b. DATED: 12/21/15	17	the investigation and enforcement of this case, pursuant to Business and Professions Code section		
20 21 22 23 $DATED: 12 21 15$ VIRGINIA HEROLD 24 25 $VIRGINIA HEROLD$ Executive Officer Board of Pharmacy Department of Consumer Affairs State of California <i>Complainant</i> 27 28 SF2015402719 41380927.doc	18	125.3;		
 21 22 23 DATED: 12 21 15 Virginia Herold 24 25 26 27 28 25 26 27 28 28 29 21 20 21 21 22 23 24 25 26 27 28 26 27 28 26 27 28 27 29 21 20 21 21 22 23 24 25 26 27 28 29 20 20 21 21 22 23 24 25 26 27 28 29 29 20 20 21 21 21 22 23 24 25 26 27 28 29 20 20 21 21 25 26 27 28 29 20 20 21 21 25 21 25 21 25 21 25 21 22 23 24 24 25 21 22 23 24 25 25 26 27 28 27 28 27 28 29 20 20 21 21 22 23 24 24 25 25 26 27 28 29 20 20 21 21 21 22 23 24 24 25 26 27 28 27 28 28 29 20 20 21 21 21 21 21 21 21 2	19	3. Taking such other and further action as deemed necessary and proper.		
22 23 DATED: 12/21/15 URGINIA HEROLD 24 VIRGINIA HEROLD 25 Executive Officer 26 Department of Consumer Affairs 27 SF2015402719 28 SF2015402719 28 SF2015402719	20			
23 DATED: 12 21 15 24 VIRGINIA HEROLD Executive Officer Board of Pharmacy Department of Consumer Affairs State of California Complainant 26 SF2015402719 41380927.doc	21	$\bigcap)$		
 24 24 25 25 26 27 28 28 28 29 29 29 20 20 21 21 22 23 24 25 26 27 28 27 28 29 20 20 21 21 22 23 24 24 25 26 27 28 29 29 20 20 21 21 22 23 24 24 25 26 27 28 27 28 28 29 29 20 20 20 21 21 22 23 24 24 25 26 27 28 26 27 28 27 28 29 29 20 20 20 21 21 22 23 24 24 25 25 26 27 28 27 28 29 29 20 20 20 21 21 22 23 24 24 25 25 26 27 28 27 28 29 20 20 20 21 21 22 23 24 24 24 24 24 25 26 27 27 28 27 28 27 28 29 20 20 20 21 21 22 23 24 24 24 24 24 24 24 25 26 27 27 28 29 20 20 21 21 21 21 21 22 23 24 24 24 24 24 24 24 <	22	$\left(- \frac{1}{2} \right)$		
 24 Executive Officer Board of Pharmacy Department of Consumer Affairs State of California <i>Complainant</i> 27 28 SF2015402719 41380927.doc 	23			
 25 Department of Consumer Affairs State of California <i>Complainant</i> 27 28 SF2015402719 41380927.doc 	24	ExecutiveOfficer		
26 Complainant 27	25	Department of Consumer Affairs		
28 SF2015402719 41380927.doc	26			
28 41380927.doc	27	SE2015402719		
	28			
		7 ACCUSATION		