

1 KAMALA D. HARRIS
Attorney General of California
2 LINDA L. SUN
Supervising Deputy Attorney General
3 State Bar No. 207108
300 South Spring Street, Suite 1700
4 Los Angeles, CA 90013
Telephone: (213) 897-6375
5 Facsimile: (213) 897-2804
E-mail: Linda.Sun@doj.ca.gov
6 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:

Case No. 5875

12 **CLAUDIUS EMMANUEL SANDERS**
430 S. St. Andrews Pl, Apt. 113
Los Angeles, CA 90020

A C C U S A T I O N

13 **Pharmacy Technician Registration No. TCH**
14 **145630**

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 ("Board"), Department of Consumer Affairs.

21 2. On or about January 30, 2015, the Board issued Pharmacy Technician Registration
22 Number TCH 145630 to Claudius Emmanuel Sanders ("Respondent"). The Pharmacy Technician
23 Registration expired on March 31, 2016, and was cancelled on June 3, 2016.

24 **JURISDICTION**

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

1 (I) The conviction of a crime substantially related to the qualifications, functions, and duties
2 of a licensee under this chapter.

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4 **COST RECOVERY**

5 8. Code section 125.3 states, in pertinent part, that the Board may request the
6 administrative law judge to direct a licentiate found to have committed a violation or violations of
7 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
8 enforcement of the case.

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Conviction of Crimes)**

11 9. Respondent's registration is subject to discipline under Code section 4301, subdivision
12 (I), and section 490, subdivision (a), in that he was conviction of the following crimes which are
13 substantially related to the qualifications, functions, and duties of a pharmacy technician:

14 a. On or about April 20, 2016, in the case of *People v. Claudius Emmanuel Sanders*
15 (Superior Court of Los Angeles County Case No. BA439921), Respondent was convicted on his
16 plea of nolo contendere of violating Penal Code section 25400(a)(3) (carrying a concealed
17 firearm), a felony. Respondent was sentenced to serve 2 years in state prison with credit for 256
18 days total, to run concurrent with state prison time imposed in Court Case No. BA442955-01,
19 payment of fines, etc. The facts and circumstances are as follows: On or about June 9, 2015,
20 officers with the Los Angeles Police Department performed a traffic stop on the vehicle in which
21 Respondent was the passenger. While questioning Respondent, the officer performed a warrant
22 check, which revealed that Respondent had a misdemeanor warrant. The officers arrested
23 Respondent on his warrant, and the driver on unlawful display of evidence of registration. The
24 Officers conducted a search incident to arrest of the vehicle and located a chrome .25 caliber
25 handgun under the front passenger seat where Respondent was sitting. The firearm had a
26 magazine with five (5) live rounds. Respondent admitted to the officer that it was his firearm.
27 While at the police station, an officer ran the serial number of the firearm, which matched a stolen
28 firearm in the system.

1 b. On or about May 5, 2016, in the case of *People v. Claudius Sanders* (Superior Court
2 of Los Angeles County Case No. BA442955), Respondent was convicted on his plea of nolo
3 contendere of violating Health and Safety Code section 11370.1(a) (Possession of controlled
4 substance while carrying a loaded firearm), a felony. Respondent was sentenced to serve 2 years
5 in state prison with credit for 256 days total, to run concurrent with state prison time imposed in
6 Court Case No. BA439921, payment of fines, etc. The facts and circumstances are as follows: On
7 or about January 8, 2016, while on patrol, officers with the Los Angeles Police Department
8 observed Respondent look in the direction of their vehicle, quickly remove his hand from his
9 sweatshirt pocket, and throw an unknown object toward a van parked at the curb. The officers
10 heard a loud metal on metal sound which they believed was a gun hitting the van. Respondent
11 began to run and the officers chased him. The officers caught up to Respondent and took him into
12 custody. The officers went to the location where they had seen Respondent throw an object and
13 located a 9mm Ruger semi-automatic handgun on the ground behind the van. The handgun was
14 loaded with 10 rounds of live ammunition. Upon search of Respondent's sweatshirt, an officer
15 found a baggie containing an off-white rock like substance resembling cocaine base, several large
16 chunks of narcotics, and numerous smaller packages individually wrapped in plastic.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Violation of Statutes Regulating Controlled Substances)**

19 10. Respondent's registration is subject to disciplinary action under Code section 4301,
20 subdivision (j), on the grounds of unprofessional conduct, in that on or about January 8, 2016,
21 Respondent violated statutes regulating controlled substances, including Business and Professions
22 Code section 4060 and Health and Safety Code section 11370.1(a), as more fully set forth above
23 in paragraph 9, subpart b.

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THIRD CAUSE FOR DISCIPLINE

(Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit or Corruption)

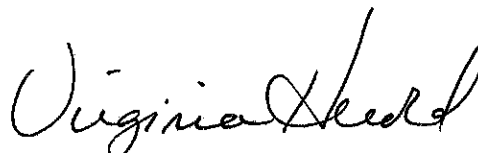
11. Respondent's registration is subject to disciplinary action under Code section 4301, subdivision (f), on the grounds of unprofessional conduct, in that on or about June 9, 2015, Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit, or corruption, when he possessed a loaded firearm which he knew or should have known to be stolen, as more fully set forth above in paragraph 9, subpart (a).

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 Registration Number TCH 145630, issued to Claudius Emmanuel Sanders
2. Ordering Claudius Emmanuel Sanders 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; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 9/26/16



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

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