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7 *Attorneys for Complainant*

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

11 In the Matter of the Statement of Issues  
12 Against:

Case No. 3283

13 **EVAN ROGER RICHARDSON**  
14 **2986 Avenida Simi**  
**Simi Valley, CA 93063**  
**Pharmacy Technician Applicant**

**STATEMENT OF ISSUES**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about October 30, 2007, the Board of Pharmacy (Board) received an  
22 Application for Registration as a Pharmacy Technician from Evan Roger Richardson  
23 (Respondent). On or about September 19, 2007, Evan Roger Richardson certified under penalty  
24 of perjury to the truthfulness of all statements, answers, and representations in the application.  
25 The Board denied the application on May 30, 2008.

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1 **FIRST CAUSE FOR DENIAL OF APPLICATION**

2 **(Conviction of a Substantially-Related Crime)**

3 7. Respondent's application is subject to denial under section 480, subdivisions (a)(1),  
4 and (a)(3)(B), as a result of Respondent's conviction of a crime that is substantially related to the  
5 qualifications, functions, and duties of a pharmacy technician. On or about February 22, 2006,  
6 after pleading no contest, Respondent was convicted of one misdemeanor count of violating  
7 Vehicle Code section 23222, subdivision (b) [possession of marijuana while driving], and one  
8 misdemeanor count of violating Vehicle Code section 23103.5 [reckless driving], in the criminal  
9 proceeding entitled *The People of the State of California v. Evan Roger Richardson* (Super. Ct.  
10 Santa Barbara County, 2006, No. 1207799). Respondent received a suspended sentence of 90  
11 days in jail, was placed on probation for three years, and had his driver's license suspended for  
12 one year.

13 **SECOND CAUSE FOR DENIAL OF APPLICATION**

14 **(Committing Acts That Would Result in License Suspension or Revocation)**

15 8. Respondent's application is subject to denial under section 480, subdivision (a)(3), in  
16 conjunction with section 4300, and section 4301, subdivision (l), as a result of Respondent's  
17 conviction of a crime substantially related to the qualifications, functions, and duties of a  
18 pharmacy technician, which would result in license suspension or revocation in the case of a  
19 Respondent who was already licensed as pharmacy technician. Complainant refers to and  
20 incorporates all the allegations contained in paragraph 6, as though set forth fully.

21 9. Respondent's application is subject to denial under section 480, subdivision (a)(3), in  
22 conjunction with section 4300, and section 4301, subdivision (h), as a result of Respondent's use  
23 of marijuana, a dangerous drug, in a manner dangerous to himself and others, which would result  
24 in license suspension or revocation in the case of a Respondent who was already licensed as  
25 pharmacy technician. Complainant refers to and incorporates all the allegations contained in  
26 paragraph 7, as though set forth fully.

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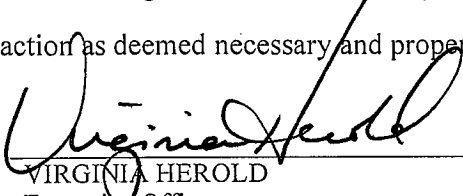
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PRAYER

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

- 1. Denying Respondent's Application for Registration as a Pharmacy Technician; and
- 2. Taking such other and further action as deemed necessary and proper.

DATED: 10/28/09



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

LA2009602828