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of the State of California
2 ELENA L. ALMANZO, State Bar No. 131058
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3 California Department of Justice
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7 Attorneys for Complainant

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

10 In the Matter of the Accusation Against:
11 STEVEN ALLEN WEAVER
8100 Haystack Drive
12 Sacramento, CA 95828
13 Pharmacist License No. RPH 37039
14 Respondent.

Case No. 2539

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
17 proceeding that the following matters are true:

18 PARTIES

19 1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of
20 Pharmacy. She brought this action solely in her official capacity and is represented in this matter
21 by Bill Lockyer, Attorney General of the State of California, by Elena L. Almanzo, Deputy
22 Attorney General.

23 2. Steven Allen Weaver (Respondent) is representing himself in this
24 proceeding and has chosen not to exercise his right to be represented by counsel.

25 3. On or about December 1, 1981, the Board of Pharmacy issued Pharmacist
26 License No. RPH 37039 to Steven Allen Weaver. Said License will expire on May 31, 2004
27 unless renewed.

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CONTINGENCY

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10. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

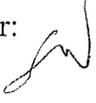
12. Respondent understands and agrees that he shall not be eligible to either reapply or petition for the reinstatement of his pharmacist license for at least three (3) years from the effective date of the Board's decision.

13. Respondent agrees that prior to petitioning for the reinstatement of his pharmacist license or reapplication for licensure, respondent shall pay costs to the Board for investigation and prosecution of Accusation No. 2539.

14. Respondent understands that if he applies or petitions for the reinstatement of his pharmacist license, he shall not resume the practice of pharmacy until he takes and passes the pharmacist's licensure exam.

15. In consideration of the foregoing admissions and recitals, the parties agree that the (Board) may, without further notice or formal proceeding, issue and enter the following

Order:

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ORDER

IT IS HEREBY ORDERED that Pharmacist License No. RPH 37039, issued to Respondent Steven Allen Weaver is surrendered and accepted by the Board of Pharmacy.

16. Respondent shall lose all rights and privileges as a pharmacist in California as of the effective date of the Board's Decision and Order.

17. Respondent shall cause to be delivered to the Board both his wall and pocket license certificate on or before the effective date of the Decision and Order.

18. Respondent fully understands and agrees that if he ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Petition; Order to Compel Psychiatric Examination No. 2539 will be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

19. Respondent shall pay the Board its costs of investigation and enforcement in the amount of \$2, 275.00 prior to issuance of a new or reinstated license.

ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacist License No. 37039. I understand that in signing the Stipulation I am waiving my right to a hearing on the charges set forth in Accusation No. 2539. I hereby voluntarily surrender my certificate of licensure, Pharmacist License No. 37039 to the Board of Pharmacy for its acceptance. I recognize that upon formal acceptance of this Stipulation by the Board, I will lose all rights privileges to practice as a pharmacist in the State of California. I enter into this Stipulated Surrender of License and Order

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1 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the
2 Board of Pharmacy.

3 DATED: 5/29/03 jw

4
5 Steven Allen Weaver AA. B.A. (Pharm.)
6 STEVEN ALLEN WEAVER
7 Respondent

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9 ENDORSEMENT

10 The foregoing Stipulated Surrender of License and Order is hereby respectfully
11 submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

12 DATED: 6/3/03

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14 BILL LOCKYER, Attorney General
15 of the State of California

16
17 Elena L. Almanzo
18 ELENA L. ALMANZO
19 Deputy Attorney General
20 Attorneys for Complainant

**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

Case No. 2539

In the Matter of the Accusation Against:

STEVEN ALLEN WEAVER
8100 Haystack Drive
Sacramento, CA 95828

Respondent.

DECISION AND ORDER

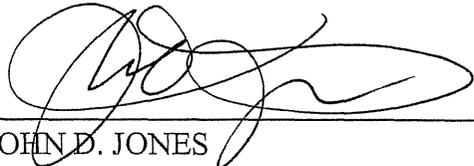
The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 21, 2003.

It is so ORDERED July 22, 2003.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



JOHN D. JONES
Board President

Exhibit A
Accusation Case No. 2539

1 BILL LOCKYER, Attorney General
of the State of California
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9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2539

12 Steven Allen Weaver
8100 Haystack Drive
13 Sacramento, CA 95828

A C C U S A T I O N

14 Pharmacist License No. RPH 37039

15 Respondent.

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17 Complainant alleges:

18 PARTIES

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

22 2. On or about December 1, 1981, the Board of Pharmacy issued Pharmacist
23 License RPH 37039 to Steven Allen Weaver (Respondent). The Pharmacist License No. RPH
24 37039 was in full force and effect at all times relevant to the charges brought herein and will
25 expire on May 31, 2004, unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board of Pharmacy (Board),
28 Department of Consumer Affairs under the authority of the below mentioned statutes and

1 regulations.¹

2 4. Section 820 of the Code states:

3 "Whenever it appears that any person holding a license, certificate or permit under
4 this division or under any initiative act referred to in this division may be unable to
5 practice his or her profession safely because the licentiate's ability to practice is impaired
6 due to mental illness, or physical illness affecting competency, the licensing agency may
7 order the licentiate to be examined by one or more physicians and surgeons or
8 psychologists designated by the agency. The report of the examiners shall be made
9 available to the licentiate and may be received as direct evidence in proceedings
10 conducted pursuant to Section 822."

11 5. Section 822 of the Code states:

12 "If a licensing agency determines that its licentiate's ability to practice his or her
13 profession safely is impaired because the licentiate is mentally ill, or physically ill
14 affecting competency, the licensing agency may take action by any one of the following
15 methods:

16 (a) Revoking the licentiate's certificate or license

17 (b) Suspending the licentiate's right to practice

18 (c) Placing the licentiate on probation

19 (d) Taking such other action in relation to a licentiate as the licensing agency
20 deems proper.

21 The licensing agency shall not reinstate a revoked or suspended certificate or
22 license until it has received competent evidence of the absence or control of the condition
23 which caused its action and until it is satisfied that with due regard for the public health
24 and safety the person's right to practice his or her profession may be safely reinstated.

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28 1. All statutory references are to the Business and Professions Code (Code) unless
otherwise indicated.

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3. Taking such other and further action as deemed necessary and proper.

DATED: 5/7/03

P. F. Harris

PATRICIA F. HARRIS
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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