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of the State of California  
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3 California Department of Justice  
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6 Attorneys for Complainant

7  
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. 2871

13 CHRISTIAN BEVAN WILLIAMS  
9 Poinsettia Gardens Drive  
14 Ventura, CA 93004

**DEFAULT DECISION  
AND ORDER**

15 and

[Gov. Code, §11520]

16 c/o Sierra Conservation Center  
Inmate Reg. No. V50004  
17 PO Box 497  
5100 O-Byrnes Ferry Road  
18 Jamestown, CA 95327

19 Pharmacy Technician Registration No.  
TCH 44940

Respondent.

20  
21 FINDINGS OF FACT

22 1. On or about November 10, 2005, Complainant Patricia F. Harris, in her  
23 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer  
24 Affairs, filed Accusation No. 2871 against Christian Bevan Williams (Respondent) before the  
25 Board of Pharmacy.

26 2. On or about October 22, 2002, the Board of Pharmacy (Board) issued  
27 Pharmacy Technician Registration No. TCH 44940 to Respondent. On or about July 25, 2005,  
28 pursuant to Business and Professions Code section 4311, subdivision (a), the Board issued a

1 Notice of Automatic Suspension of License. Pharmacy Technician Registration No. TCH 44940  
2 will expired on April 30, 2006, unless renewed.

3 3. On or about November 30, 2005, MariaElena Hernandez, an employee of  
4 the Department of Justice served by Certified and First Class Mail a copy of the Accusation No.  
5 2871, Statement to Respondent, Notice of Defense, Request for Discovery, and Government  
6 Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board,  
7 which was and is 9 Poinsettia Gardens Drive, Ventura, CA 93004. The Accusation and related  
8 documents were also served on Respondent, c/o Sierra Conservation Center, Inmate Reg. No. V  
9 50004, P. O. Box 497, 5100 O-Byrnes Ferry Road, Jamestown, CA 95327. A copy of the  
10 Accusation is attached hereto as Exhibit A, and is incorporated herein by reference.

11 4. On or about December 5, 2005, the aforementioned documents were  
12 received by Respondent at the following address: Sierra Conservation Center, Inmate Reg. No.  
13 V 50004, P. O. Box 497, 5100 O-Byrnes Ferry Road, Jamestown, CA 95327. A copy of the  
14 Domestic Return Receipt is attached hereto as Exhibit B and incorporated herein by reference.

15 5. Service of the Accusation was effective as a matter of law under the  
16 provisions of Government Code section 11505, subdivision (c).

17 6. Business and Professions Code section 118 states, in pertinent part:

18 "(b) The suspension, expiration, or forfeiture by operation of law of a license  
19 issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the  
20 board or by order of a court of law, or its surrender without the written consent of the board, shall  
21 not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the  
22 board of its authority to institute or continue a disciplinary proceeding against the licensee upon  
23 any ground provided by law or to enter an order suspending or revoking the license or otherwise  
24 taking disciplinary action against the license on any such ground."

25 7. Government Code section 11506 states, in pertinent part:

26 "(c) The respondent shall be entitled to a hearing on the merits if the respondent  
27 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the  
28 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of



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**DECISION AND ORDER**

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 44940, heretofore issued to Respondent Christian Bevan Williams, is revoked.

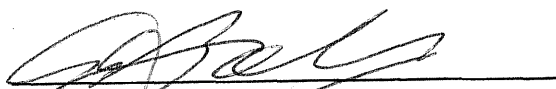
Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on May 31, 2006.

It is so ORDERED May 1, 2006

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



STANLEY W. GOLDENBERG  
Board President

Attachments: Exhibit A: Accusation No. 2871  
Exhibit B: Postal return document

**Exhibit A**  
**Accusation No. 2871**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 JAMI L. CANTORE, State Bar No. 165410  
Deputy Attorney General  
3 California Department of Justice  
300 So. Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 897-2569  
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant

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

9

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11 In the Matter of the Accusation Against:

Case No. 2871

12 CHRISTIAN BEVAN WILLIAMS  
9 Poinsettia Gardens Drive  
13 Ventura, CA 93004

**ACCUSATION**

14 - and -

15 c/o Sierra Conservation Center  
Inmate Reg. No. V50004  
16 PO Box 497  
5100 O-Byrnes Ferry Road  
17 Jamestown, CA 95327

18 Pharmacy Technician Registration No. TCH 44940

19 Respondent.

20

21 Complainant alleges:

22

PARTIES

23

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

26

2. On or about October 22, 2002, the Board issued Pharmacy Technician  
27 Registration No. TCH 44940 to Christian Bevan Williams (Respondent). On or about July 25,  
28 2005, pursuant to Business and Professions Code section 4311, subdivision (a), the Board issued

1 a Notice of Automatic Suspension of License. The Pharmacy Technician Registration will expire  
2 on April 30, 2006, unless renewed.

3 JURISDICTION

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

7 4. Section 4300 permits the Board to take disciplinary action to suspend or  
8 revoke a license or permit.

9 E. Section 118, subdivision (b), provides that the suspension/  
10 expiration/surrender/cancellation of a license shall not deprive the Board of jurisdiction to  
11 proceed with a disciplinary action during the period within which the license may be renewed,  
12 restored, reissued or reinstated.

13 F. Section 490 states:

14 "A board may suspend or revoke a license on the ground that the licensee has been  
15 convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties  
16 of the business or profession for which the license was issued. A conviction within the meaning  
17 of this section means a plea or verdict of guilty or a conviction following a plea of nolo  
18 contendere. Any action which a board is permitted to take following the establishment of a  
19 conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has  
20 been affirmed on appeal, or when an order granting probation is made suspending the imposition  
21 of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the  
22 Penal Code."

23 7. Section 4301 states, in pertinent part:

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

28 .....

1                   (f) The commission of any act involving moral turpitude, dishonesty, fraud,  
2 deceit, or corruption, whether the act is committed in the course of relations as a licensee or  
3 otherwise, and whether the act is a felony or misdemeanor or not.

4                   . . . .

5                   (j) The violation of any of the statutes of this state or of the United States  
6 regulating controlled substances and dangerous drugs.

7                   . . . .

8                   (l) The conviction of a crime substantially related to the qualifications, functions,  
9 and duties of a licensee under this chapter. . . . The record of conviction . . . shall be conclusive  
10 evidence only of the fact that the conviction occurred. . . .

11                   . . . .

12                   (o) Violating or attempting to violate, directly or indirectly, or assisting in or  
13 abetting the violation of or conspiring to violate any provision or term of this chapter or of the  
14 applicable federal and state laws and regulations governing pharmacy, including regulations  
15 established by the board.

16                   (p) Actions or conduct that would have warranted denial of a license. . . ."

17                   8.       Section 4060 states, in pertinent part, that "[n]o person shall possess any  
18 controlled substance, except that furnished to a person upon the prescription of a physician,  
19 dentist, podiatrist, or veterinarian, or furnished pursuant to a drug order issued by a certified  
20 nurse-midwife pursuant to Section 2746.51, a nurse practitioner pursuant to Section 2836.1, or a  
21 physician assistant pursuant to Section 3502.1."

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

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



1                   10.     Section 475 states, in pertinent part:

2                   "(a) Notwithstanding any other provisions of this code, the provisions of this  
3 division shall govern the denial of licenses on the grounds of:

4                   .....

5                   "(2) Conviction of a crime.

6                   "(3) Commission of any act involving dishonesty, fraud or deceit with the intent  
7 to substantially benefit himself or another, or substantially injure another.

8                   "(4) Commission of any act which, if done by a licentiate of the business or  
9 profession in question, would be grounds for suspension or revocation of license. . . ."

10                  11.     Section 125.3 states, in pertinent part, that the Board may request the  
11 administrative law judge to direct a licentiate found to have committed a violation or violations  
12 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
13 enforcement of the case.

14                                   CONTROLLED SUBSTANCES / DANGEROUS DRUGS

15                  12.     Marijuana is a hallucinogenic Schedule I controlled substance as defined  
16 in Health and Safety Code section 11054(d)(13) and a dangerous drug according to Business and  
17 Professions Code section 4022.

18                                   FIRST CAUSE FOR DISCIPLINE

19                  (Unprofessional Conduct: Conviction of Substantially Related Crime - Assault with a Firearm)

20                  13.     Respondent is subject to disciplinary action under section 4300, 490, and  
21 4301, subdivision (l), on the grounds of unprofessional conduct in conjunction with California  
22 Code of Regulations, title 16, section 1770, in that on or about July 1, 2004, Respondent was  
23 convicted of a crime substantially related to the qualifications, functions, or duties of a pharmacy  
24 technician, as follows:

25                  a.     On or about July 1, 2004, in a criminal proceeding entitled *The People of*  
26 *the State of California v. Christian Bevan Williams* in Ventura County Superior Court, Case  
27 No. 2004014916FA, Respondent was convicted on a plea of guilty for violating Penal Code  
28 section 245(a)(2) (assault with a firearm), a felony, and the special allegation of Penal Code

1 section 12022.5(a)(1) (use of a firearm), a felony. On or about August 30, 2004, Respondent was  
2 sentenced to serve five (5) years in the Department of Corrections.

3 b. The circumstances underlying the conviction are that on or about April 10,  
4 2004, Respondent was arrested after making violent and/or death threats, brandishing a Glock .40  
5 caliber pistol, and, during a physical altercation, shooting victim Michael M. in the left shoulder  
6 with the pistol.

### 7 SECOND CAUSE FOR DISCIPLINE

8 (Unprofessional Conduct: Conviction of Substantially Related Crime - DUI)

9 14. Respondent is subject to disciplinary action under section 4300, 490, and  
10 4301, subdivision (1), on the grounds of unprofessional conduct in conjunction with California  
11 Code of Regulations, title 16, section 1770, in that on or about February 5, 2003, Respondent  
12 was convicted of a crime substantially related to the qualifications, functions, or duties of a  
13 pharmacy technician, as follows:

14 a. On or about February 5, 2003, in a criminal proceeding entitled *The*  
15 *People of the State of California v. Christian Bevan Williams* in Ventura County Superior Court,  
16 Case No. 2003001701MA, Respondent was convicted on a plea of guilty for violating Vehicle  
17 Code section 23152(b) (driving while having a 0.08% or higher blood alcohol content), a  
18 misdemeanor.

19 b. The circumstances underlying the conviction are that on or about  
20 January 5, 2003, Respondent was arrested for driving under the influence of an alcoholic  
21 beverage. Respondent's blood alcohol content tested at 0.13%.

### 22 THIRD CAUSE FOR DISCIPLINE

23 (Unprofessional Conduct: Conviction of Substantially Related Crime - Possession of Marijuana)

24 15. Respondent is subject to disciplinary action under section 4300, 490, and  
25 4301, subdivision (1), on the grounds of unprofessional conduct in conjunction with California  
26 Code of Regulations, title 16, section 1770, in that on or about February 2, 2000, Respondent  
27 was convicted of a crime substantially related to the qualifications, functions, or duties of a  
28 pharmacy technician, as follows:



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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 of Pharmacy issue a decision:

A. Revoking or suspending Pharmacy Technician Registration No. TCH 44940, issued to Christian Bevan Williams.

B. Ordering Christian Bevan Williams 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;

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

DATED: 11/10/05

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

**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**  
(Separate Mailings)

Case Name: **In the Matter of the Accusation Against: Christian Bevan Williams**  
Case No: **2871**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On November 30, 2005, I served the attached **Accusation, Statement to Respondent, Request for Discovery, Notice of Defense, and Government Code sections** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **Accusation, Statement to Respondent, Request for Discovery, Notice of Defense, and Government Code sections** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at Los Angeles addressed as follows

Christian Bevan Williams  
9 Poinsettia Gardens Drive  
Ventura, CA 93004

Susan Cappello, Enforcement Analyst  
Board of Pharmacy  
400 R Street, Suite 4070  
Sacramento, CA 95814-6200

Certified Mail Receipt No.  
7001 0360 0003 2701 4893

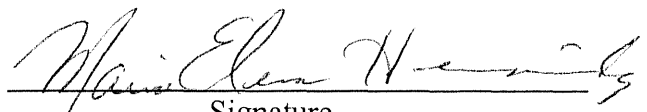
Christian Bevan Williams

7001 0360 0003 2701 4893  
7001 0360 0003 2701 4886

<b>U.S. Postal Service</b>	
<b>CERTIFIED MAIL RECEIPT</b>	
<i>(Domestic Mail Only. No Insurance Coverage Provided)</i>	
<b>OFFICIAL USE</b>	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
	Postmark Here
Sent To <u>Christian Williams</u>	
Street, Apt. No.; or PO Box No.	
City, State, ZIP+ 4 <u>Jamestown CA</u>	

PS Form 3800, January 2001 See Reverse for Instructions

vs of the State of California the foregoing is true and correct  
dated on November 30, 2005, at Los Angeles,

  
Signature

**Exhibit B**  
**Postal Return Document**

Williams  
Acc. Packet

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Christian Bevan Williams  
c/o Sierra Conservation Center  
Inmate Reg. No. V50004  
PO Box 497  
5100 O-Byrnes Ferry Road  
Jamestown, CA 95327**

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *M. Foust* B. Date of Delivery *12/5*

C. Signature *X M. Foust*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label) **7001 0360 0003 2701 4886**