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

In the Matter of the First Amended Accusation
Against:

JORA PETROSIAN
1208 Green St.
Glendale, CA 91205

Pharmacy Technician Registration
No. TCH 94104

Respondent.

Case No. 3974

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about December 20, 2012, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed First Amended Accusation No. 3974 against Jora Petrosian ("Respondent") before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about December 3, 2009, the Board of Pharmacy ("Board") issued Pharmacy Technician Registration No. TCH 94104 to Respondent. On or about March 28, 2012, the Pharmacy Technician Registration was automatically suspended, pursuant to Business and Professions Code section 4311, subdivision (a). The Pharmacy Technician Registration expired on September 30, 2013, and has not been renewed. Pursuant to Business and Professions Code

1 section 4300.1, this lapse in licensure does not deprive the Board of its authority to institute or
2 continue this disciplinary proceeding.

3 3. On or about January 1, 2013 and November 21, 2013, Respondent was served by
4 Certified and First Class Mail with copies of the First Amended Accusation No. 3974,¹
5 Supplemental Statement to Respondent, Request for Discovery, and Discovery Statutes
6 (Government Code sections 11507.5, 11507.6, and 11507.7) at Respondent's address of record
7 which, pursuant to Business and Professions Code section 4100, is required to be reported and
8 maintained with the Board. Respondent's address of record was and is: 1208 Green St. Glendale,
9 CA 91205.

10 4. Service of the First Amended Accusation was effective as a matter of law under the
11 provisions of Government Code section 11505, subdivision (c) and/or Business & Professions
12 Code section 124.

13 5. On or about August 8, 2011, Respondent signed and returned a Notice of Defense,
14 requesting a hearing in this matter.

15 6. On or about October 8, 2013, a Notice of Hearing was served by mail at Respondent's
16 address of record and informed him that an administrative hearing in this matter was scheduled
17 for December 30, 2013. Respondent failed to appear at that hearing.

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

19 (c) The respondent shall be entitled to a hearing on the merits if the respondent
20 files a notice of defense, and the notice shall be deemed a specific denial of all parts
21 of the accusation not expressly admitted. Failure to file a notice of defense shall
22 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
23 may nevertheless grant a hearing.

24 8. California Government Code section 11520 states, in pertinent part:

25 (a) If the respondent either fails to file a notice of defense or to appear at the
26 hearing, the agency may take action based upon the respondent's express admissions
27 or upon other evidence and affidavits may be used as evidence without any notice to
28 respondent.

¹ On or about July 22, 2011, Respondent was served with a copy of the original Accusation in this matter at his address of record with the Board.

1 *People of the State of California v. Jora Petrosian* (Super. Ct. Los Angeles County, 2010, No.
2 GA080995).

3 (iii) On or about August 10, 2010, Respondent was convicted of four (4) felonies:
4 violating Penal Code section 12031(a)(1) [carrying a loaded firearm in a public place]; violating
5 Penal Code section 530.5(a) [get credit/etc: use other's identification]; violating Penal Code
6 section 484e(d) [theft]; and violating Penal Code section 470(b) [possession of a forged drivers
7 license] in the criminal proceeding entitled *The People of the State of California v. Jora Petrosian*
8 (Super. Ct. Los Angeles County, 2010, No. GA080130).

9 (iv) On or about January 2, 2009, Respondent was convicted of one misdemeanor
10 count of violating Vehicle Code section 23103, subdivision (a) [reckless driving] in the criminal
11 proceeding entitled *The People of the State of California v. Jora Petrosian* (Super. Ct. Los
12 Angeles County, 2009, No 8GN04346).

13 (b) Business and Professions Code section 4301, subdivision (f), on the grounds of
14 unprofessional conduct in that Respondent committed acts involving moral turpitude, dishonesty,
15 fraud, deceit, and/or corruption.

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ORDER

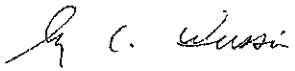
IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 94104, heretofore issued to Respondent Jora Petrosian, is revoked.

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 April 7, 2014.

It is so ORDERED ON March 6, 2014.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By 
STAN C. WEISSER
Board President

51453267.DOCX/DOJ Matter ID:LA2011501333
Attachment: Exhibit A: First Amended Accusation

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Attorneys for Complainant
7

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

11 In the Matter of the First Amended Accusation Against:

Case No. 3974

12 **JORA PETROSIAN**
1208 Green St.
13 Glendale, CA 91205

**FIRST AMENDED
ACCUSATION**

14 Registered Pharmacy Technician License No. TCH 94104

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

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

22 2. On or about December 3, 2009, the Board issued Registered Pharmacy Technician
23 License Number TCH 94104 to Jora Petrosian (Respondent). The Registered Pharmacy
24 Technician License was in full force and effect at all times relevant to the charges brought herein
25 and will expire on September 30, 2011, unless renewed.

26 **JURISDICTION**

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

1 Court ordered Respondent to make restitution to the victim in the amount of \$1862.35, restitution
2 and parole restitution fines, and court fees.

3 b. The circumstances underlying the conviction are that on or about July 7, 2011,
4 Respondent (the driver) and a passenger, angered over a parking space dispute, pursued the
5 occupants in another vehicle, threw bricks at the vehicle, and after the occupants stopped and
6 exited the vehicle, began physically assaulting (which included knocking the victim to the ground
7 by throwing a brick at him and placing him in a choke hold while the other repeatedly hit him)
8 one of the occupants causing substantial injuries to him.

9 c. On or about September 13, 2010, after pleading nolo contendere, Respondent was
10 convicted of one felony count of violating Penal Code section 530.5(c)(2) [fraud] in the criminal
11 proceeding entitled *The People of the State of California v. Jora Petrosian* (Super. Ct. Los
12 Angeles County, 2010, No. GA080995). The Court sentenced Respondent to 365 days in jail and
13 placed him on a three-year probation.

14 d. The circumstances underlying the conviction are that on or about August 26, 2010,
15 Respondent was in possession of a fraudulent re-encoded credit card.

16 e. On or about August 10, 2010, after pleading nolo contendere, Respondent was
17 convicted of four (4) felony counts of violating Penal Code section 12031(a)(1) [carry a loaded
18 firearm in a public place]; Penal Code section 530.5(a) [get credit/etc: use other's identification];
19 Penal Code section 484e(d) [theft]; and Penal Code section 470(b) [possession of a forged drivers
20 license] in the criminal proceeding entitled *The People of the State of California v. Jora Petrosian*
21 (Super. Ct. Los Angeles County, 2010, No. GA080130). The Court sentenced Respondent to
22 eight (8) days in jail, placed him on a three-year probation, and ordered Respondent to stay away
23 from victims S.M and A.B., and make restitution to victim A.W. in the amount of \$150.
24 Furthermore, the Court ordered Respondent to complete 45 days of Probation Adult Alternative
25 Work Service (P.A.A.W.S).

26 f. The circumstances underlying the conviction are that on or about April 12, 2010,
27 Respondent was in possession of a loaded firearm, a fictitious driver's license, and a fraudulent
28 re-encoded credit card.

1 g. On or about January 2, 2009, after pleading nolo contendere, Respondent was
2 convicted of one misdemeanor count of violating Vehicle Code section 23103, subdivision (a)
3 [reckless driving] in the criminal proceeding entitled *The People of the State of California v.*
4 *Sergio Aguirre* (Super. Ct. Los Angeles County, 2009, No 8GN04346). The Court ordered
5 suspension of sentence and granted probation for a period of 36 months, with terms and
6 conditions that included, but was not limited to, completion of an alcohol program.

7 **SECOND CAUSE FOR DISCIPLINE**

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

9 11. Respondent is subject to disciplinary action under sections 4300, subdivision (a) and
10 4301, subdivision (f), on the grounds of unprofessional conduct, in that, Respondent committed
11 acts involving moral turpitude, dishonesty, fraud, deceit, and/or corruption. Complaint refers to
12 and by this reference incorporates the allegations set forth above in paragraph 10, subparagraphs
13 a-f, inclusive, as though set forth fully.

14 **THIRD CAUSE FOR DISCIPLINE**

15 (Unprofessional Conduct)

16 12. Respondent is subject to disciplinary action under sections 4301, subdivision (o), in
17 that, Respondent committed acts of unprofessional conduct violating provisions of the Pharmacy
18 Law. Complaint refers to and by this reference incorporates the allegations set forth above in
19 paragraphs 10 and 11, inclusive, as though set forth fully.

20 **PRAYER**

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

- 23 1. Revoking or suspending Registered Pharmacy Technician License Number TCH
24 94104, issued to Jora Petrosian
- 25 2. Ordering Jora Petrosian to pay the Board of Pharmacy the reasonable costs of the
26 investigation and enforcement of this case, pursuant to Business and Professions Code
27 section 125.3;
- 28 3. Taking such other and further action as deemed necessary and proper.

DATED: 12/20/12

Virginia Herold

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

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