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

In the Matter of the Accusation Against:  
**CHABELLI ALEJANDRA OLACHEA**  
15675 Paine St.  
Fontana, CA 92336  
  
Pharmacy Technician Registration  
No. TCH 142431  
  
Respondent.

Case No. 5855  
**DEFAULT DECISION AND ORDER**  
  
[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about September 14, 2016, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5855 against Chabelli Alejandra Olachea (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)
2. On or about September 10, 2014, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 142431 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5855, expired on July 31, 2016, and has not been renewed. This lapse in licensure, however, pursuant to Business and Professions Code section 118(b) and/or agency specific statute does not deprive the [Board] of its authority to institute or continue this disciplinary proceeding.

1           3.     On or about September 20, 2016, Respondent was served by Certified and First Class  
2 Mail copies of the Accusation No. 5855, Statement to Respondent, Notice of Defense, Request  
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
6 record was and is: 15675 Paine St., Fontana, CA 92336.

7           4.     Service of the Accusation was effective as a matter of law under the provisions of  
8 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
9 124.

10          5.     On or about October 27, 2016, the aforementioned documents were returned by the  
11 U.S. Postal Service marked "Unclaimed."

12          6.     Government Code section 11506(c) states, in pertinent part:

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

18          7.     Respondent failed to file a Notice of Defense within 15 days after service upon her of  
19 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 5855.

20          8.     California Government Code section 11520(a) states, in pertinent part:

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

25          9.     Pursuant to its authority under Government Code section 11520, the Board finds  
26 Respondent is in default. The Board will take action without further hearing and, based on the  
27 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
28 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
file at the Board's offices regarding the allegations contained in Accusation No. 5855, finds that  
the charges and allegations in Accusation No. 5855, are separately and severally, found to be true  
and correct by clear and convincing evidence.



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**ORDER**

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 142431, heretofore issued to Respondent Chabelli Alejandra Olachea, 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 at 5:00 p.m. on February 9, 2017.

It is so ORDERED on January 10, 2017.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By \_\_\_\_\_

Amy Gutierrez, Pharm.D.  
Board President

52310271.DOC  
DOJ Matter ID:LA2016601932  
Jz(12/5/16)

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

(CHABELLI ALEJANDRA OLACHEA)

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 LINDA L. SUN  
Supervising Deputy Attorney General  
4 State Bar No. 207108  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-6375  
6 Facsimile: (213) 897-2804

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 Accusation Against:

Case No. 5855

12 **CHABELLI ALEJANDRA OLACHEA**

**A C C U S A T I O N**

13 15675 Paine St.  
14 Fontana, CA 92336

15 Pharmacy Technician Registration  
16 No. TCH 142431

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

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

22 2. On or about September 10, 2014, the Board of Pharmacy issued Pharmacy  
23 Technician Registration No. TCH 142431 to Chabelli Alejandra Olachea (Respondent). The  
24 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges  
25 brought herein, expired on July 31, 2016, and has not been renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Acts Involving Dishonesty, Fraud, or Deceit)**

3 7. Respondent is subject to disciplinary action under section 4301, subdivision (f), in  
4 that Respondent committed acts involving dishonesty, fraud, or deceit. Specifically, on January 7,  
5 2016, during an investigation at a Wal-Mart store regarding an employee who was detained for  
6 embezzlement, Respondent, a pharmacy technician employed at a Wal-Mart was observed by a  
7 Loss Prevention Agent (LPA) on surveillance video of December 30, 2015, passing merchandise  
8 items through her check stand without scanning them. Respondent was also observed scanning  
9 certain merchandise items and voiding the transactions or doing a private over-ride. LPA  
10 reviewed additional video surveillance footage from the entire month of December and  
11 discovered several other fraudulent transactions. On one specific occasion, Respondent charged a  
12 random customer for a drink for herself on their credit card without the customer knowing. When  
13 confronted by LPA, Respondent showed no emotion, but said she was sorry. Respondent  
14 admitted to all the thefts including several others. Respondent estimated that she passed  
15 approximately \$3,000 worth of merchandise to her friends and family since her employment in  
16 April, 2015.

17 **SECOND CAUSE FOR DISCIPLINE**

18 **(Violating Provisions of the Pharmacy Act)**

19 8. Respondent is subject to disciplinary action under section 4301, subdivision (o), in  
20 that Respondent violated provisions of the Pharmacy Act. Complainant refers to, and by this  
21 reference incorporates, the allegations set forth above in paragraph 7, as though set forth fully.

22 **PRAYER**

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

25 1. Revoking or suspending Pharmacy Technician Registration No. TCH 142431, issued  
26 to Chabelli Alejandra Olachea;

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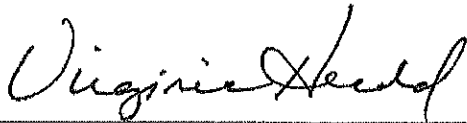


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2. Ordering Chabelli Alejandra Olachea to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and

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

DATED: 9/14/16



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

LA2016601932  
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Jz(9/12/16)