

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

In the Matter of the Accusation Against:  
  
**CESAR SANCHEZ,  
aka CESAR ISAAC SANCHEZ**  
12700 Elliott Ave., #522  
El Monte, CA 91732  
  
**Pharmacy Technician Registration No.  
TCH 129029**  
  
Respondent.

Case No. 5908  
  
**DEFAULT DECISION AND ORDER**  
  
[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about March 3, 2017, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5908 against Cesar Sanchez, aka Cesar Isaac Sanchez (“Respondent”) before the Board of Pharmacy. (Accusation attached as Exhibit A.)
2. On or about February 4, 2013, the Board of Pharmacy (“Board”) issued Pharmacy Technician Registration No. TCH 129029 to Respondent. The Pharmacy Technician Registration expired on September 30, 2016, and has not been renewed.
3. On or about March 14, 2017, Respondent was served by Certified and First Class Mail copies of the Accusation No. 5908, Statement to Respondent, Notice of Defense, Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and

1 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
2 section 4100, is required to be reported and maintained with the Board. Respondent's address of  
3 record was and is: 12700 Elliott Ave., #522, El Monte, CA 91732.

4 4. Service of the Accusation was effective as a matter of law under the provisions of  
5 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
6 124.

7 5. Government Code section 11506(c) states, in pertinent part:

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

13 6. Respondent failed to file a Notice of Defense within 15 days after service upon him  
14 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.  
15 5908.

16 7. California Government Code section 11520(a) states, in pertinent part:

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

21 8. Pursuant to its authority under Government Code section 11520, the Board finds  
22 Respondent is in default. The Board will take action without further hearing and, based on the  
23 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
24 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
25 file at the Board's offices regarding the allegations contained in Accusation No. 5908, finds that  
26 the charges and allegations in Accusation No. 5908, are separately and severally, found to be true  
27 and correct by clear and convincing evidence.

28 9. Taking official notice of its own internal records, pursuant to Business and  
Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
and Enforcement are \$1,327.50 as of April 24, 2017.

///

1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Cesar Sanchez, aka Cesar Isaac  
3 Sanchez has subjected his Pharmacy Technician Registration No. TCH 129029 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician  
6 Registration based upon the following violations alleged in the Accusation which are supported  
7 by the evidence contained in the Default Decision Evidence Packet in this case:

8 a. Business and Professions Code section 4301, subdivision (l), in conjunction with  
9 California Code of Regulations, title 16, section 1770, in that Respondent was convicted of  
10 crimes substantially related to qualifications, functions, or duties of a registered pharmacy  
11 technician which to a substantial degree evidence his present or potential unfitness to perform the  
12 functions authorized by his registration in a manner consistent with the public health, safety, or  
13 welfare, as follow:

14 i. On or about April 15, 2016, Respondent was convicted of one misdemeanor  
15 count of violating Vehicle Code sections 23152, subdivision (b) and 23540 [drive while  
16 having a blood alcohol content ("BAC") of 0.08% or higher by weight with a prior  
17 conviction within ten years], in the criminal proceeding entitled *The People of the State of*  
18 *California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2016, No. 5PS27089).  
19 Respondent admitted to a BAC of 0.15% or greater. The court sentenced Respondent to 96  
20 hours in jail, placed him on 48 months probation, ordered him to complete a 18-month  
21 second-offender alcohol and other drug education and counseling program, a hospital and  
22 morgue program, a victim impact program of mothers against drunk driving, and pay fines.

23 ii. The circumstances surrounding the conviction are that on or about November  
24 13, 2015, Monrovia Police Department officers observed a vehicle stopped in the #3 lane of  
25 a traffic and found Respondent sleeping in the driver seat. An officer knocked on the  
26 window several times to wake Respondent. When Respondent finally woke up, the vehicle  
27 began to roll forward. The officer pounded the window and commanded Respondent to  
28 stop the vehicle. The vehicle picked up speed running the red signal and continued toward

1 other vehicles that were stopped at a red signal. Respondent almost collided with other  
2 vehicles and sped away. The officer subsequently located Respondent and upon contact,  
3 Respondent admitted to drinking alcoholic beverages. Respondent had a strong odor of  
4 alcohol emitting from his breath, slurred and slow speech, and watery and bloodshot eyes.  
5 Respondent's breath test revealed a BAC of 0.18%.

6 iii. On or about April 6, 2015, Respondent was convicted of one misdemeanor  
7 count of violating Penal Code section 273.5, subdivision (a) [inflict corporal injury to  
8 spouse, cohabitant, girlfriend, etc.], in the criminal proceeding entitled *The People of the*  
9 *State of California v Cesar Sanchez* (Super. Ct. L.A. County, 2015, No. 4DV00295). The  
10 court sentenced Respondent to one (1) day in jail, placed him on three (3) years probation,  
11 ordered him to perform 24 hours of community service, a 52-week domestic violence  
12 treatment program, stay at least 100 yards away from and have no contact with the victim,  
13 and pay fines.

14 iv. The circumstances surrounding the conviction are that on or about June 27,  
15 2014, El Monte Police Department officers responded to a report of a family disturbance.  
16 Upon arrival, the victim, Respondent's wife, informed an officer that Respondent dragged  
17 her out of bed and started a fight. When the victim exited the residence and got in her car  
18 attempting to get away, Respondent fought and tried to take away the car key. When the  
19 victim exited the car to walk away from Respondent, he grabbed an empty vodka bottle and  
20 threw it at her head causing a large bump. The victim sustained scratches to her neck from  
21 Respondent while fighting over the car keys. Respondent admitted to consuming alcohol  
22 prior to the fight.

23 b. Business and Professions Code section 4301, subdivision (h), in that Respondent used  
24 alcohol in a manner as to be dangerous or injurious to himself, any person of the public, or to the  
25 extent that the use impaired his ability to conduct with safety to the public the practice authorized  
26 by his license.

27 c. Business and Professions Code section 4301, subdivision (k), in that Respondent had  
28 convictions of more than one misdemeanor or any felony involving the use, consumption or self-

1 administration of alcoholic beverages, as follows:

2 i. On or about April 15, 2016, Respondent was convicted of one misdemeanor  
3 count of violating Vehicle Code sections 23152, subdivision (b) and 23540 [drive while  
4 having a blood alcohol content ("BAC") of 0.08% or higher by weight with a prior  
5 conviction within ten years], in the criminal proceeding entitled *The People of the State of*  
6 *California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2016, No. 5PS27089).

7 ii. On or about September 17, 2014, Respondent was convicted of one  
8 misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [drive while  
9 having a BAC of 0.08% or higher by weight], in the criminal proceeding entitled *The*  
10 *People of the State of California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2014, No.  
11 4RI03315).

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 129029, heretofore issued to Respondent Cesar Sanchez, aka Cesar Isaac Sanchez, 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 July 19, 2017.

It is so ORDERED on June 19, 2017.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By \_\_\_\_\_

Amy Gutierrez, Pharm.D.  
Board President

52464689.DOC  
DOJ Matter ID:LA2016602157

Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

1 XAVIER BECERRA  
General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
4 State Bar No. 225325  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2542  
6 Facsimile: (213) 897-2804

7 *Attorneys for Complainant*

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

11 In the Matter of the Accusation Against:  
12 **CESAR SANCHEZ**  
aka **CESAR ISAAC SANCHEZ**  
13 12700 Elliott Ave., #522  
El Monte, CA 91732  
14  
15 **Pharmacy Technician Registration No.  
TCH 129029**  
16  
17 **Respondent.**

Case No. 5908  
**ACCUSATION**

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 ("Board"), Department of Consumer Affairs.  
22 2. On or about February 4, 2013, the Board issued Pharmacy Technician Registration  
23 No. TCH 129029 to Cesar Sanchez, aka Cesar Isaac Sanchez ("Respondent"). The Pharmacy  
24 Technician Registration expired on September 30, 2016, and has not been renewed.

25 **JURISDICTION**

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



1 4. Section 4011 of the Code provides that "[t]he board shall administer and enforce this  
2 chapter [Pharmacy Law, (Business and Professions Code, Sec 4000 et seq.)] and the Uniform  
3 Controlled Substances Act (Division 10 (commencing with Section 11000) of the Health and  
4 Safety Code)."

5 5. Section 4300, subdivision (a), of the Code states, in pertinent part, that "[e]very  
6 license issued may be suspended or revoked."

7 6. Section 4300.1 of the Code states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
9 by operation of law or by order or decision of the board or a court of law, the  
10 placement of a license on a retired status, or the voluntary surrender of a license by a  
11 licensee shall not deprive the board of jurisdiction to commence or proceed with any  
12 investigation of, or action or disciplinary proceeding against, the licensee or to render  
13 a decision suspending or revoking the license.

14 STATUTORY AND REGULATORY PROVISIONS

15 7. Section 4301 of the Code states:

16 The board shall take action against any holder of a license who is guilty of  
17 unprofessional conduct or whose license has been issued by mistake. Unprofessional  
18 conduct shall include, but is not limited to, any of the following:

19 .....  
20 (f) The commission of any act involving moral turpitude, dishonesty, fraud,  
21 deceit, or corruption, whether the act is committed in the course of relations as a  
22 licensee or otherwise, and whether the act is a felony or misdemeanor or not.

23 .....  
24 (h) The administering to oneself, of any controlled substance, or the use of any  
25 dangerous drug or of alcoholic beverages to the extent or in a manner as to be  
26 dangerous or injurious to oneself, to a person holding a license under this chapter, or  
27 to any other person or to the public, or to the extent that the use impairs the ability of  
28 the person to conduct with safety to the public the practice authorized by the license.

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

29 .....  
30 (k) The conviction of more than one misdemeanor or any felony involving the  
31 use, consumption, or self-administration of any dangerous drug or alcoholic beverage,  
32 or any combination of those substances.

33 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

(l) The conviction of a crime substantially related to the qualifications, functions, and duties of a licensee under this chapter. The record of conviction of a violation of Chapter 13 (commencing with Section 801) of Title 21 of the United States Code regulating controlled substances or of a violation of the statutes of this state regulating controlled substances or dangerous drugs shall be conclusive evidence of unprofessional conduct. In all other cases, the record of conviction shall be conclusive evidence only of the fact that the conviction occurred. The board may inquire into the circumstances surrounding the commission of the crime, in order to fix the degree of discipline or, in the case of a conviction not involving controlled substances or dangerous drugs, to determine if the conviction is of an offense substantially related to the qualifications, functions, and duties of a licensee under this chapter. A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this provision. The board may take action when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or indictment.

.....

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

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

8. California Code of Regulations, title 16, section 1770, states, in pertinent part:

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

#### COST RECOVERY

9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

FIRST CAUSE FOR DISCIPLINE

(Conviction of a Substantially Related Crime)

10. Respondent is subject to disciplinary action under Code section 4301, subdivision (1), in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was convicted of a crime substantially related to qualifications, functions, or duties of a registered pharmacy technician which to a substantial degree evidence his present or potential unfitness to perform the functions authorized by his registration in a manner consistent with the public health, safety, or welfare, as follow:

a. On or about April 15, 2016, Respondent was convicted of one misdemeanor count of violating Vehicle Code sections 23152, subdivision (b) and 23540 [drive while having a blood alcohol content ("BAC") of 0.08% or higher by weight with a prior conviction within ten years], in the criminal proceeding entitled *The People of the State of California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2016, No. 5PS27089). Respondent admitted to a BAC of 0.15% or greater. The court sentenced Respondent to 96 hours in jail, placed him on 48 months probation, ordered him to complete a 18-month second-offender alcohol and other drug education and counseling program, a hospital and morgue program, a victim impact program of mothers against drunk driving, and pay fines.

b. The circumstances surrounding the conviction are that on or about November 13, 2015, Monrovia Police Department officers observed a vehicle stopped in the #3 lane of a traffic and found Respondent sleeping in the driver seat. An officer knocked on the window several times to wake Respondent. When Respondent finally woke up, the vehicle began to roll forward. The officer pounded the window and commanded Respondent to stop the vehicle. The vehicle picked up speed running the red signal and continued toward other vehicles that were stopped at a red signal. Respondent almost collided with other vehicles and sped away. The officer subsequently located Respondent and upon contact, Respondent admitted to drinking alcoholic beverages. Respondent had a strong odor of alcohol emitting from his breath, slurred and slow speech, and watery and bloodshot eyes. Respondent's breath test revealed a BAC of 0.18%.

///

1 SECOND CAUSE FOR DISCIPLINE

2 (Conviction of a Substantially Related Crime)

3 11. Respondent is subject to disciplinary action under Code section 4301, subdivision (l),  
4 in conjunction with California Code of Regulations, title 16, section 1770, in that Respondent was  
5 convicted of a crime substantially related to qualifications, functions, or duties of a registered  
6 pharmacy technician which to a substantial degree evidence his present or potential unfitness to  
7 perform the functions authorized by his registration in a manner consistent with the public health,  
8 safety, or welfare, as follow:

9 a. On or about April 6, 2015, Respondent was convicted of one misdemeanor count of  
10 violating Penal Code section 273.5, subdivision (a) [inflict corporal injury to spouse, cohabitant,  
11 girlfriend, etc.], in the criminal proceeding entitled *The People of the State of California v Cesar*  
12 *Sanchez* (Super. Ct. L.A. County, 2015, No. 4DV00295). The court sentenced Respondent to one  
13 (1) day in jail, placed him on three (3) years probation, ordered him to perform 24 hours of  
14 community service, a 52-week domestic violence treatment program, stay at least 100 yards away  
15 from and have no contact with the victim, and pay fines.

16 b. The circumstances surrounding the conviction are that on or about June 27, 2014, El  
17 Monte Police Department officers responded to a report of a family disturbance. Upon arrival,  
18 the victim, Respondent's wife, informed an officer that Respondent dragged her out of bed and  
19 started a fight. When the victim exited the residence and got in her car attempting to get away,  
20 Respondent fought and tried to take away the car key. When the victim exited the car to walk  
21 away from Respondent, he grabbed an empty vodka bottle and threw it at her head causing a large  
22 bump. The victim sustained scratches to her neck from Respondent while fighting over the car  
23 keys. Respondent admitted to consuming alcohol prior to the fight.

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**THIRD CAUSE FOR DISCIPLINE**

**(Dangerous Use of Alcohol)**

12. Respondent is subject to disciplinary action under Code section 4301, subdivision (h), in that on or about November 13, 2015 and June 27, 2014, Respondent used alcohol in a manner as to be dangerous or injurious to himself, any person of the public, or to the extent that the use impaired his ability to conduct with safety to the public the practice authorized by his license. Complainant refers to and by this reference incorporates the allegations set forth above in paragraphs 10, subparagraph b, and 11, subparagraph b, inclusive, as though set forth fully.

**FOURTH CAUSE FOR DISCIPLINE**

**(Multiple Convictions Involving Alcohol-Use)**

13. Respondent is subject to disciplinary action under Code section 4301, subdivision (k), in that Respondent had convictions of more than one misdemeanor or any felony involving the use, consumption or self-administration of alcoholic beverages, as follows:

a. On or about April 15, 2016, Respondent was convicted of one misdemeanor count of violating Vehicle Code sections 23152, subdivision (b) and 23540 [drive while having a blood alcohol content ("BAC") of 0.08% or higher by weight with a prior conviction within ten years], in the criminal proceeding entitled *The People of the State of California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2016, No. 5PS27089). Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 10, inclusive, as though set forth fully.

b. On or about September 17, 2014, Respondent was convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [drive while having a BAC of 0.08% or higher by weight], in the criminal proceeding entitled *The People of the State of California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2014, No. 4RI03315). The court placed Respondent on 36 months probation, ordered him to complete a 9-month driving under the influence program, a hospital and morgue program, a victim impact program of mothers against drunk driving, and pay fines. The circumstances surrounding the conviction are that on or around May 1, 2014, El Monte Police Department officers responded to a report of a vehicle driving recklessly through a mobile home park. The police air unit observed a vehicle almost crashing

1 into mobile homes several times. An officer made contact with the driver, Respondent, and  
2 Respondent admitted to drinking alcoholic beverages. The officer noticed several empty and full  
3 beer cans located inside of Respondent's vehicle. Respondent was unable to satisfactorily  
4 complete the field sobriety tests as explained and demonstrated by the officer.

5 **FIFTH CAUSE FOR DISCIPLINE**

6 **(Violating Pharmacy Law / Acts Warranting Denial of Licensure)**

7 14. Respondent is subject to disciplinary action under Code section 4301, subdivisions  
8 (o) and (p), on the grounds of unprofessional conduct, in that Respondent committed acts  
9 violating the Pharmacy Law and/or federal and state laws that would have warranted denial of a  
10 license. Complainant refers to and by this reference incorporates the allegations set forth above  
11 in paragraphs 10 through 13, inclusive, as though set forth fully.

12 **DISCIPLINE CONSIDERATIONS**

13 15. To determine the degree of discipline, Complainant further alleges that on or about  
14 October 24, 2014, the Board issued Citation Number CI 2013 61346 with a \$1,200.00 fine to  
15 Respondent. Respondent has an outstanding balance of \$1,200.00. The Citation alleged  
16 violations as follows:

17 a. Code section 4301, subdivision (l), in that Respondent was convicted of a crime  
18 substantially related to qualifications, functions, or duties of a registered pharmacy technician,  
19 specifically, on or about September 17, 2014, Respondent was convicted of one misdemeanor  
20 count of violating Vehicle Code section 23152, subdivision (b) [drive while having a BAC of  
21 0.08% or higher by weight], in the criminal proceeding entitled *The People of the State of*  
22 *California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2014, No. 4RI03315). Complainant  
23 refers to and by this reference incorporates the allegations set forth above in paragraph 13,  
24 subparagraph (a), inclusive, as though set forth fully.

25 b. Code section 4301, subdivision (k), in that Respondent had convictions of more than  
26 one misdemeanor or any felony involving the use, consumption or self-administration of  
27 alcoholic beverages:

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

i. On or about April 24, 2001, Respondent was convicted of one misdemeanor of violating Vehicle Code section 23152, subdivision (b) [drive while having a BAC of 0.08% or higher by weight], in the criminal proceeding entitled *The People of the State of California v Cesar Sanchez* (Super. Ct. L.A. County, 2001, No. 1RH01744). The court placed Respondent on three (3) years probation, ordered him to complete a 3-month first-offender alcohol and other drug education and counseling program, 40 hours of community service, suspended his driver's license for 12 months, and ordered him to pay fines.

ii. On or about September 17, 2014, Respondent was convicted of one misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [drive while having a BAC of 0.08% or higher by weight], in the criminal proceeding entitled *The People of the State of California v Cesar Isaac Sanchez* (Super. Ct. L.A. County, 2014, No. 4RI03315). Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 13, subparagraph (a), inclusive, as though set forth fully.

c. Code section 4301, subdivision (h), in that on or about May 1, 2014, Respondent used alcohol in a manner as to be dangerous or injuries to himself, any person of the public, or to the extent that the use impaired his ability to conduct with safety to the public the practice authorized by his license. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 13, subparagraph (a), inclusive, as though set forth fully.

d. Code section 4301, subdivision (f), in that on or about June 27, 2014, Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit, or corruption, specifically. Complainant refers to and by this reference incorporates the allegations set forth above in paragraph 11, subparagraph (b), inclusive, as though set forth fully.

///  
///  
///  
///  
///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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. Revoking or suspending Pharmacy Technician Registration No. TCH 139029, issued to Cesar Sanchez, aka Cesar Isaac Sanchez
2. Ordering Cesar Sanchez to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED:

3/3/17

*Virginia Herold*

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

LA2016602157  
52245578\_3.doc  
3/2/2017