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

In the Matter of the Accusation Against:  
**SADIE MICHELLE WALKER**  
**2855 Pinecreek Drive, Apt. E425**  
**Costa Mesa, CA 92649**  
  
**Pharmacy Technician Registration**  
**No. TCH 132929**  
  
Respondent.

Case No. 5925  
**DEFAULT DECISION AND ORDER**  
[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about October 14, 2016, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, filed Accusation No. 5925 against Sadie Michelle Walker (Respondent). (A copy of the Accusation is attached as Exhibit A.)

2. On or about July 17, 2013, the Board issued Pharmacy Technician Registration No. TCH 132929 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5925 and will expire on May 31, 2017, unless renewed.

3. On or about October 24, 2016, Respondent was served by Certified and First Class Mail copies of the Accusation No. 5925, Statement to Respondent, Notice of Defense, Request

1 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
2 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code  
3 section 4100, subdivision (a), is required to be reported and maintained with the Board.

4 Respondent's address of record was and is:

5 2855 Pinecreek Drive, Apt. E425  
6 Costa Mesa, CA 92649.

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 November 23, 2016 the aforementioned documents served by certified  
11 mail were returned by the U.S. Postal Service marked "Return to Sender – Unable to Forward."

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. 5925.

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 Investigatory Evidence Packet in this matter,  
28 as well as 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. 5925,  
finds that the charges and allegations in Accusation No. 5925, 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 132929, heretofore issued to Respondent Sadie Michelle Walker, 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

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Attachment:  
Exhibit A: Accusation

# Exhibit A

Accusation

(SADIE MICHELLE WALKER)

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
4 State Bar No. 132645  
600 West Broadway, Suite 1800  
5 San Diego, CA 92101  
P.O. Box 85266  
6 San Diego, CA 92186-5266  
Telephone: (619) 738-9409  
7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5925

13 **SADIE MICHELLE WALKER**  
14 **2855 Pinecreek Drive, Apartment E425**  
**Costa Mesa, CA 92649**

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

15 **Pharmacy Technician Registration No. TCH**  
16 **132929**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

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

24 2. On July 17, 2013, the Board issued Pharmacy Technician Registration Number  
25 TCH 132929 to Sadie Michelle Walker (Respondent). The Pharmacy Technician Registration  
26 was in full force and effect at all times relevant to the charges brought herein, and will expire on  
27 May 31, 2017, unless renewed.

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8. Code section 4301 states, in pertinent part:

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

...

(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of 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.

...

(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.

....

9. Health & Safety Code section 11055 states, in pertinent part:

(a) The controlled substances listed in this section are included in Schedule II.

...

(d) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers.

(2) Methamphetamine, its salts, isomers, and salts of its isomers.

....

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1 a. At or about 1:00 in the morning on January 15, 2016, officers from the  
2 Costa Mesa Police Department responded to a noise complaint. When they arrived at the  
3 apartment, Respondent appeared to be under the influence of drugs. The officers observed  
4 Respondent's rapid speech, large pupils, absence of horizontal and vertical gaze nystagmus,  
5 and lack of convergence. Respondent admitted to having been up for the past three days using  
6 methamphetamine. Respondent also admitted to smoking marijuana and taking approximately .5  
7 to 1 gram of Xanax. Respondent failed the under the influence of a combination of central  
8 nervous system (CNS) stimulants and CNS depressants examination and was arrested for being  
9 under the influence of drugs. Respondent was transported to the jail for booking and processing.  
10 On February 24, 2016, Respondent's toxicological examination report indicated positive for  
11 amphetamine and methamphetamine.

12 b. On January 25, 2016, in a criminal proceeding entitled *The People of the*  
13 *State of California vs. Sadie Michelle Walker*, in Orange County Superior Court, West Justice  
14 Center, Case Number 16WM01136, Respondent was charged with violation of HSC section  
15 11550, subdivision (a), use and under the influence of controlled substance methamphetamine, a  
16 misdemeanor. On April 21, 2016, Respondent completed the Defense Drug Dismissal Program.  
17 On June 20, 2016, the motion of the People for terminal disposition was granted, the charge was  
18 dismissed, and the case closed.

19 **SECOND CAUSE FOR DISCIPLINE**

20 **(Violation of Pharmacy Law Regulating Controlled Substances and Dangerous Drugs)**

21 15. Respondent has subjected her Pharmacy Technician Registration to discipline  
22 under Code section 4301, subdivisions (j) and (o) in that Respondent violated Health and Safety  
23 Code section 11550, subdivision (a), a pharmacy law of the State of California regulating  
24 controlled substances and dangerous drugs, as detailed in paragraph 14, above, and incorporated  
25 herein by this reference.

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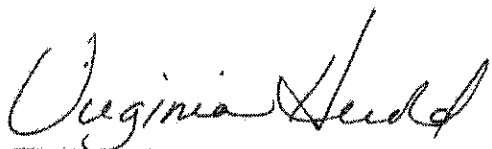
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PRAYER

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:

1. Revoking or suspending Pharmacy Technician Registration Number TCH 132929, issued to Sadie Michelle Walker;
2. Ordering Sadie Michelle Walker 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: 10/14/16



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

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