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

In the Matter of the Accusation Against:

**ALEXIS ZUNIGA
2070 Lucretia Ave. # 101
San Jose, CA 95122
Pharmacy Technician Registration
No. TCH 130272**

Respondent.

Case No. 6003

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about March 2, 2017, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 6003 against Alexis Zuniga (Respondent) before the Board of Pharmacy.

(Accusation attached as Exhibit A.)

2. On or about February 11, 2013, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 130272 to Respondent. The Pharmacy Technician Registration expired on September 30, 2016, and has not been renewed.

1 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
2 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

3 This Decision shall become effective at 5:00 p.m. on September 21, 2017.

4 It is so ORDERED on August 22, 2017.

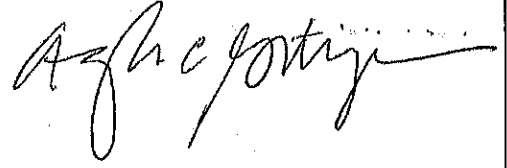
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BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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9

10

By _____

11

Amy Gutierrez, Pharm.D.

12

Board President

13

20994515.DOC
DOJ Matter ID:SF2016202235

14

Attachment:
Exhibit A: Accusation

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Exhibit A

Accusation

(ALEXIS ZUNIGA)

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

In the Matter of the Accusation Against:

**ALEXIS ZUNIGA
2070 Lucretia Ave. # 101
San Jose, CA 95122
Pharmacy Technician Registration
No. TCH 130272**

Respondent.

Case No. 6003

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT


1. On or about March 2, 2017, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 6003 against Alexis Zuniga (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)
2. On or about February 11, 2013, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 130272 to Respondent. The Pharmacy Technician Registration expired on September 30, 2016, and has not been renewed.

1 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
2 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

3 This Decision shall become effective at 5:00 p.m. on September 20, 2017.

4 It is so ORDERED on August 21, 2017.

5
6 BOARD OF PHARMACY
7 DEPARTMENT OF CONSUMER AFFAIRS
8 STATE OF CALIFORNIA

9 

10 By _____

11 Amy Gutierrez, Pharm.D.

12 20994515.DOC
13 DOJ Matter ID:SF2016202235

14 Attachment:
15 Exhibit A: Accusation

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Exhibit A

Accusation

(ALEXIS ZUNIGA)

1 XAVIER BECERRA
Attorney General of California
2 LINDA K. SCHNEIDER
Senior Assistant Attorney General
3 JOSHUA A. ROOM
Supervising Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:	Case No. 6003
11 ALEXIS ZUNIGA	
12 2070 Lucretia Ave. # 101	
13 San Jose, CA 95122	ACCUSATION
14 Pharmacy Technician License No. TCH 130272	
15 Respondent.	

16 Complainant alleges:

17 PARTIES

- 18 1. Virginia Herold (Complainant) brings this Accusation solely in her official capacity
19 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
- 20 2. On or about February 11, 2013, the Board of Pharmacy issued Pharmacy Technician
21 License Number TCH 130272 to Alexis Zuniga (Respondent). The Pharmacy Technician License
22 expired on September 30, 2016, and has not been renewed.

23 JURISDICTION

24 3. This Accusation is brought before the Board of Pharmacy (Board), Department of
25 Consumer Affairs, under the authority of the following laws. All section references are to the
26 Business and Professions Code (Code) unless otherwise indicated.

27 4. Section 4300(a) of the Code provides that every license issued by the Board may be
28 suspended or revoked.

1 THIRD CAUSE FOR DISCIPLINE

2 (Possession of Controlled Substance(s))

3 24. Respondent is subject to discipline under section 4301(j) and/or (o) and/or section
4 4060 of the Code, and/or Health and Safety Code section 11350 and/or 11377, in that
5 Respondent, as described in paragraphs 19-21 above, possessed, conspired to possess, and/or
6 assisted in or abetted possession of, a controlled substance, without a valid prescription.

7
8 FOURTH CAUSE FOR DISCIPLINE

9 (Obtaining Controlled Substance by Fraud, Deceit or Subterfuge)

10 25. Respondent is subject to discipline under section 4301(j) and/or (o) of the Code,
11 and/or Health and Safety Code section 11173(a), in that Respondent, as described in paragraphs
12 19-21 above, obtained, conspired to obtain, and/or assisted in or abetted the obtaining of a
13 controlled substance, by fraud, deceit, subterfuge, or concealment of material fact.

14
15 FIFTH CAUSE FOR DISCIPLINE

16 (Conviction of Substantially Related Crime(s))

17 26. Respondent is subject to disciplinary action under Code section 4301, subsection (l),
18 in that on or about March 16, 2016, he was convicted of violating Health and Safety Code section
19 11173, subdivision (a) (Obtaining Controlled Substance by Fraud), a misdemeanor, a substantially
20 related crime. The circumstances are as follows:

21 27. On or about March 16, 2016, based on the conduct described above in paragraphs 19-
22 21, Respondent was charged in a criminal case titled *People v. Alexis Zuniga*, Case No. LOD-CR-
23 MI-2016-0003989 in Sonoma County Superior Court, with violating (1) Penal Code section 484,
24 subdivision (a) (Petty Theft), a misdemeanor; and (2) Health and Safety Code section 11173,
25 subdivision (a) (Obtaining Controlled Substance by Fraud), a misdemeanor. Respondent pleaded
26 *nolo contendere* and was convicted of count (2); count (1) was dismissed. Imposition of sentence
27 was suspended and Respondent was placed on conditional probation for three (3) years, on terms
28 and conditions including an order to stay away from the Walgreens in Lodi, and fines and fees.

1 SIXTH CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

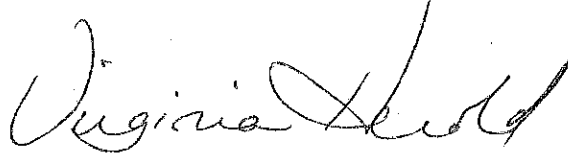
3 28. Respondent is subject to discipline under section 4301 of the Code in that
4 Respondent, as described in paragraphs 19-27 above, engaged in unprofessional conduct.

5
6 PRAYER

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

- 9 1. Revoking or suspending Pharmacy Technician License Number TCH 130272, issued
10 to Alexis Zuniga (Respondent);
- 11 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
12 enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
- 13 3. Taking such other and further action as is deemed necessary and proper.

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16 DATED: 3/2/17



17 VIRGINIA HEROLD
18 Executive Officer
19 Board of Pharmacy
20 Department of Consumer Affairs
21 State of California
22 Complainant

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