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Attorneys for Complainant
7

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

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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.

STATUTORY PROVISIONS

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2 4. Section 118, subdivision (b), of the Code provides that the
3 suspension/expiration/surrender/cancellation of a license shall not deprive the
4 Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period
5 within which the license may be renewed, restored, reissued or reinstated.

6 5. Section 490 of the Code provides that a board may suspend or revoke a license on the
7 ground that the licensee has been convicted of a crime substantially related to the qualifications,
8 functions, or duties of the business or profession for which the license was issued. A conviction
9 within the meaning of this section means a plea or verdict of guilty or a conviction following a
10 plea of nolo contendere. Any action which a board is permitted to take following the
11 establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment
12 of conviction has been affirmed on appeal, or when an order granting probation is made
13 suspending the imposition of sentence, irrespective of a subsequent order under the provisions of
14 Section 1203.4 of the Penal Code.

15 6. Section 4300, subdivision (a), states that "[e]very license issued may be suspended or
16 revoked."

17 7. Section 4301 of the Code states, in pertinent part:

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

21

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

25 "(l) The conviction of a crime substantially related to the qualifications, functions, and
26 duties of a licensee under this chapter.

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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 **PRAAYER**

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

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

LA2011501333

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14 Registered Pharmacy Technician License No. TCH 94104	
15 Respondent.	

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19 **PARTIES**

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21 as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs (Board).
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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
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25 "(l) The conviction of a crime substantially related to the qualifications, functions, and
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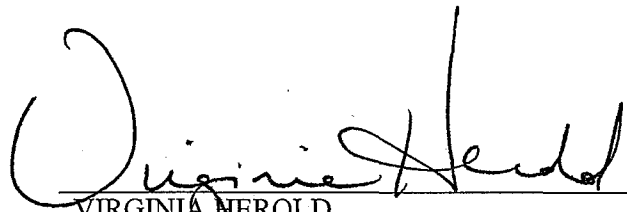
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PRAYER

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 Registered Pharmacy Technician License Number TCH 94104, issued to Jora Petrosian
2. Ordering Jora Petrosian 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;
3. Taking such other and further action as deemed necessary and proper.

DATED: 7/14/11



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

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