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

10 In the Matter of the Statement of Issues
11 Against:
12 **CAROLYN SHARANE POWELL**
13 Applicant for Pharmacy Technician License
14 Respondent.

Case No. 6067

STATEMENT OF ISSUES

15
16 Complainant alleges:

17 PARTIES

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

21 2. On or about June 7, 2016, the Board received an application for a Pharmacy
22 Technician License from Carolyn Sharane Powell (Respondent). On or about June 1, 2016,
23 Respondent certified under penalty of perjury to the truthfulness of all statements, answers, and
24 representations in the application. The Board denied the application on December 19, 2016.

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1 was ordered to stay away from Marshalls in Vallejo, California. The facts underlying the
2 conviction are that on or about May 5, 2013, Respondent was employed at Marshalls in Vallejo,
3 California. Respondent cooperated with a customer in stealing merchandise from the store. At the
4 time of her arrest, Respondent admitted to having engaged in this misconduct on numerous other
5 occasions. On or about December 2, 2015, Respondent's Petition for Dismissal under PC section
6 1203.4 was granted.

7 10. Contrary to Respondent's admissions to the Vallejo Police Department, in her
8 application to the Board, Respondent denied any involvement with the customer's theft activity.

9 11. On or about January 26, 2017, Respondent violated PC section 470, subdivision (a), a
10 felony, for altering a governmental agency identification card. The facts underlying the arrest are
11 that on or about January 26, 2017, Respondent was inside a library making copies, cutting paper,
12 and using whiteout on a social security card. Respondent informed the investigating deputy that
13 she was issued two social security numbers but did not have the card for the second social security
14 number. Respondent needed to submit a copy of the second social security card for a car loan
15 because her first social security number was associated with bad credit. Respondent cut one social
16 security number and pasted it over another social security card that she had in her possession.

17 **FIRST CAUSE FOR DENIAL OF APPLICATION**

18 **(Criminal Conviction for Second Degree Burglary)**

19 12. Respondent's application for a Pharmacy Technician License is subject to denial under
20 Code section 480, subdivisions (a)(1), and under Code sections 480, subdivision (a)(3)(A) and
21 4301, subdivision (l), in that Respondent was convicted of a crime substantially related to the
22 qualifications, duties, and functions of a registered pharmacy technician, as described in paragraphs
23 8-9, above.

24 **SECOND CAUSE FOR DENIAL OF APPLICATION**

25 **(Commission of Acts Involving Dishonesty, Fraud, or Deceit)**

26 13. Respondent's application for a Pharmacy Technician License is subject to denial under
27 Code section 480, subdivision (a)(2), and under Code sections 480, subdivision (a)(3)(A) and
28 4301, subdivision (f), in that Respondent committed numerous acts which involve dishonesty,

1 fraud, or deceit. Respondent was dishonest, fraudulent, or deceitful when she committed second-
2 degree burglary on numerous occasions, as described in paragraphs 8-10, above.

3 **THIRD CAUSE FOR DENIAL OF APPLICATION**

4 **(Knowingly Making a False Statement of Fact to the Board)**

5 14. Respondent's application for Pharmacy Technician License is subject to denial under
6 Code section 480, subdivision (d), in that Respondent knowingly made a false statement of fact in
7 her application to the Board, as described in paragraph 10, above.

8 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

9 **(Commission of Acts Involving Dishonesty, Fraud, or Deceit)**

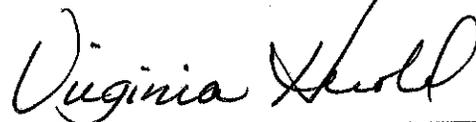
10 15. Respondent's application for a Pharmacy Technician License is subject to denial under
11 Code section 480, subdivision (a)(2), and under Code sections 480, subdivision (a)(3)(A) and
12 4301, subdivision (f), in that Respondent committed an act which involving dishonesty, fraud, or
13 deceit, as described in paragraph 11, above.

14 **PRAYER**

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

- 17 1. Denying the application of Carolyn Sharane Powell for a Pharmacy Technician
18 License;
- 19 2. Taking such other and further action as deemed necessary and proper.

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21 DATED: 8/29/17



22 VIRGINIA HEROLD
23 Executive Officer
24 Board of Pharmacy
25 Department of Consumer Affairs
26 State of California
27 Complainant

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