

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

In the Matter of the Accusation Against:

Case No. 3288

**NICKOLAS HERCULES SPANOS, III**  
306 Shady Acres Drive  
Lodi, California 95242

Original Pharmacy Technician Registration No.  
TCH 10499

Respondent.

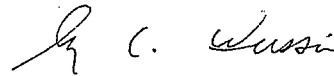
**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on November 18, 2010.

It is so ORDERED October 19, 2010.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA



By

\_\_\_\_\_  
STANLEY C. WEISSER  
Board President

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 GEOFFREY S. ALLEN  
Deputy Attorney General  
4 State Bar No. 193338  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5341  
Facsimile: (916) 327-8643  
7 E-mail: Geoffrey.Allen@doj.ca.gov  
*Attorneys for Complainant*

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

11  
12 In the Matter of the Accusation Against:  
13 **NICKOLAS HERCULES SPANOS, III**  
306 Shady Acres Drive  
14 Lodi, California 95242  
15 Original Pharmacy Technician Registration  
No. TCH 10499

Case No. 3288

OAH No. 2010030497

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16  
17 Respondent.

18  
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
20 proceeding that the following matters are true:

21 PARTIES

22 1. Virginia Herold (Complainant) is the Executive Officer of the Board of Pharmacy.  
23 She brought this action solely in her official capacity and is represented in this matter by Edmund  
24 G. Brown Jr., Attorney General of the State of California, by Geoffrey S. Allen, Deputy Attorney  
25 General.

26 2. Nickolas Hercules Spanos, III (Respondent) is represented in this proceeding by  
27 attorney Randy E. Thomas, whose mailing address is: Law Offices, P.O. Box 717, Woodbridge,  
28 CA 95258-0717.

1           3.     On or about November 8, 1993, the Board of Pharmacy issued Original Pharmacy  
2 Technician Registration No. TCH 10499 (License) to Respondent. The was in full force and  
3 effect at all times relevant to the charges brought in Accusation No. 3288 and will expire on  
4 October 31, 2011, unless renewed.

5                                   JURISDICTION

6           4.     Accusation No. 3288 (Accusation) was filed before the Board of Pharmacy (Board)  
7 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
8 and all other statutorily required documents were properly served on Respondent on November  
9 16, 2009. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of  
10 the Accusation is attached as exhibit A and incorporated herein by reference.

11                                   ADVISEMENT AND WAIVERS

12           5.     Respondent has carefully read, fully discussed with counsel, and understands the  
13 charges and allegations in the Accusation. Respondent also has carefully read, fully discussed  
14 with counsel, and understands the effects of this Stipulated Surrender of License and Order.

15           6.     Respondent is fully aware of his legal rights in this matter, including the right to a  
16 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
17 his own expense; the right to confront and cross-examine the witnesses against him; the right to  
18 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel  
19 the attendance of witnesses and the production of documents; the right to reconsideration and  
20 court review of an adverse decision; and all other rights accorded by the California  
21 Administrative Procedure Act and other applicable laws.

22           7.     Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
23 every right set forth above.

24                                   CULPABILITY

25           8.     Respondent admits the truth of each and every charge and allegation in the  
26 Accusation, agrees that cause exists for discipline and hereby surrenders his License for the  
27 Board's formal acceptance.

1 9. Respondent understands that by signing this stipulation he enables the Board to issue  
 2 an order accepting the surrender of his License without further process.

3 CONTINGENCY

4 10. This stipulation shall be subject to approval by the Board. Respondent understands  
 5 and agrees that counsel for Complainant and the staff of the Board may communicate directly  
 6 with the Board regarding this stipulation and surrender, without notice to or participation by  
 7 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he  
 8 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board  
 9 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,  
 10 the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this  
 11 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not  
 12 be disqualified from further action by having considered this matter.

13 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
 14 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
 15 the originals.

16 12. This Stipulated Surrender of License and Order is intended by the parties to be an  
 17 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
 18 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
 19 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
 20 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
 21 executed by an authorized representative of each of the parties.

22 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
 23 the Board may, without further notice or formal proceeding, issue and enter the following Order:

24 ORDER

25 IT IS HEREBY ORDERED that Original Pharmacy Technician Registration No. TCH  
 26 10499, issued to Respondent Nickolas Hercules Spanos, III, is surrendered and accepted by the  
 27 Board of Pharmacy.  
 28

1           14. The surrender of Respondent's License and the acceptance of the surrendered license  
2 by the Board shall constitute the imposition of discipline against Respondent. This stipulation  
3 constitutes a record of the discipline and shall become a part of Respondent's license history with  
4 the Board.

5           15. Respondent shall lose all rights and privileges as a Pharmacy Technician in California  
6 as of the effective date of the Board's Decision and Order.

7           16. Respondent shall cause to be delivered to the Board both his wall license certificate  
8 and, if one was issued, pocket license on or before the effective date of the Decision and Order.

9           17. Respondent may not apply for any license, permit, or registration from the Board for  
10 three (3) years from the effective date of the Decision and Order. If Respondent ever files an  
11 application for licensure or a petition for reinstatement in the State of California, the Board shall  
12 treat it as a new application for licensure. Respondent must comply with all the laws, regulations  
13 and procedures for licensure in effect at the time the application or petition is filed, and all of the

14 charges and allegations contained in the Accusation shall be deemed to be true, correct and  
15 admitted by Respondent when the Board determines whether to grant or deny the application or  
16 petition.

17           18. If Respondent should ever apply or reapply for a new license or certification, or  
18 petition for reinstatement of a license, by any other health care licensing agency in the State of  
19 California, all of the charges and allegations contained in the Accusation shall be deemed to be  
20 true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other  
21 proceeding seeking to deny or restrict licensure.

22           19. Respondent shall pay the Board its costs of investigation and enforcement in the  
23 amount of \$4,765.50 prior to issuance of a new license.

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Randy E. Thomas. I understand the stipulation and the effect it will have on my License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: \_\_\_\_\_

NICKOLAS HERCULES SPANOS, III  
Respondent

I have read and fully discussed with Respondent Nickolas Hercules Spanos, III the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: \_\_\_\_\_

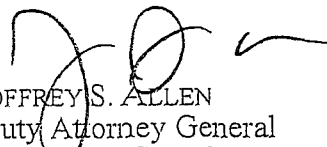
RANDY E. THOMAS  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: August 31, 2010

Respectfully submitted,  
EDMUND G. BROWN JR.  
Attorney General of California  
ARTHUR D. TAGGART  
Supervising Deputy Attorney General

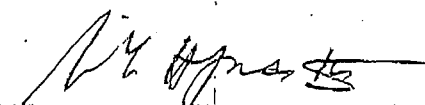
  
GEOFFREY S. ALLEN  
Deputy Attorney General  
Attorneys for Complainant

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Randy E. Thomas. I understand the stipulation and the effect it will have on my License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 8/30/2010   
NICKOLAS HERCULES SPANOS, III  
Respondent

I have read and fully discussed with Respondent Nickolas Hercules Spanos, III the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: Aug 30 2010   
RANDY E. THOMAS  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Pharmacy of the Department of Consumer Affairs.

Dated: August \_\_\_\_, 2010

Respectfully submitted,  
EDMUND G. BROWN JR.  
Attorney General of California  
ARTHUR D. TAGGART  
Supervising Deputy Attorney General

GEOFFREY S. ALLEN  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 3288**



1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ARTHUR D. TAGGART  
Supervising Deputy Attorney General  
3 GEOFFREY S. ALLEN, State Bar No. 193338  
Deputy Attorney General  
4 1300 I Street, Suite 125  
P.O. Box 944255  
5 Sacramento, CA 94244-2550  
Telephone: (916) 324-5341  
6 Facsimile: (916) 327-8643  
E-mail: Geoffrey.Allen@doj.ca.gov

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**BOARD OF PHARMACY**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
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11 In the Matter of the Accusation Against:

12 **NICKOLAS HERCULES SPANOS, III**  
13 306 Shady Acres Drive  
14 Lodi, California 95242

15 Original Pharmacy Technician Registration No.  
TCH 10499

16 Respondent.

Case No. 3288

OAH Case No.

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

17  
18 Complainant alleges:

19 PARTIES

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

22 2. On or about November 8, 1993, the Board of Pharmacy issued Original  
23 Pharmacy Technician Registration No. TCH 10499 (License) to Nickolas Hercules Spanos, III  
24 (Respondent). The License will expire on October 31, 2009, unless renewed.

25 JURISDICTION

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

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4. Code section 4300, in pertinent part, states:

(a) Every license issued may be suspended or revoked.

(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:

- (1) Suspending judgment.
- (2) Placing him or her upon probation.
- (3) Suspending his or her right to practice for a period not exceeding one year.
- (4) Revoking his or her license.
- (5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper.

....

(e) The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure.

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

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:

....

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

....

(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.

....

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

(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

1 21 of the United States Code regulating controlled substances or of a violation of  
2 the statutes of this state regulating controlled substances or dangerous drugs shall  
3 be conclusive evidence of unprofessional conduct. In all other cases, the record of  
4 conviction shall be conclusive evidence only of the fact that the conviction  
5 occurred. The board may inquire into the circumstances surrounding the  
6 commission of the crime, in order to fix the degree of discipline or, in the case of  
7 a conviction not involving controlled substances or dangerous drugs, to determine  
8 if the conviction is of an offense substantially related to the qualifications,  
9 functions, and duties of a licensee under this chapter. A plea or verdict of guilty  
10 or a conviction following a plea of nolo contendere is deemed to be a conviction  
11 within the meaning of this provision. The board may take action when the time  
12 for appeal has elapsed, or the judgment of conviction has been affirmed on appeal  
13 or when an order granting probation is made suspending the imposition of  
14 sentence, irrespective of a subsequent order under Section 1203.4 of the Penal  
15 Code allowing the person to withdraw his or her plea of guilty and to enter a plea  
16 of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,  
17 information, or indictment.

18 . . . .

19 6.. Code section 4022 provides, in pertinent part,

20 "Dangerous drug" or "dangerous device" means any drug or device  
21 unsafe for self-use in humans or animals, and includes the following:

22 (a) Any drug that bears the legend: "Caution: federal law  
23 prohibits dispensing without prescription," "Rx only," or words of similar import

24 7. Section 4060 of the Code states:

25 No person shall possess any controlled substance, except that furnished to  
26 a person upon the prescription of a physician, dentist, podiatrist, optometrist,  
27 veterinarian, or naturopathic doctor pursuant to Section 3640.7, or furnished  
28 pursuant to a drug order issued by a certified nurse-midwife pursuant to Section  
29 2746.51, a nurse practitioner pursuant to Section 2836.1, or a physician assistant  
30 pursuant to Section 3502.1, or naturopathic doctor pursuant to Section 3640.5, or  
31 a pharmacist pursuant to either subparagraph (D) of paragraph (4) of, or clause  
32 (iv) of subparagraph (A) of paragraph (5) of, subdivision (a) of Section 4052.  
33 This section shall not apply to the possession of any controlled substance by a  
34 manufacturer, wholesaler, pharmacy, pharmacist, physician, podiatrist, dentist,  
35 optometrist, veterinarian, naturopathic doctor, certified nurse-midwife, nurse  
36 practitioner, or physician assistant, when in stock in containers correctly labeled  
37 with the name and address of the supplier or producer.

38 Nothing in this section authorizes a certified nurse-midwife, a nurse  
39 practitioner, a physician assistant, or a naturopathic doctor, to order his or her  
40 own stock of dangerous drugs and devices.

41 8. California Code of Regulations, title 16, section 1770, states:

42 For the purpose of denial, suspension, or revocation of a personal or facility  
43 license pursuant to Division 1.5 (commencing with Section 475) of the Business  
44 and Professions Code, a crime or act shall be considered substantially related to  
45 the qualifications, functions or duties of a licensee or registrant if to a substantial  
46 degree it evidences present or potential unfitness of a licensee or registrant to

1 perform the functions authorized by his license or registration in a manner  
2 consistent with the public health, safety, or welfare.

3 9. Section 125.3 of the Code states, in pertinent part, that the Board may  
4 request the administrative law judge to direct a licentiate found to have committed a violation or  
5 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
6 and enforcement of the case.

7 FIRST CAUSE FOR DISCIPLINE

8 (Criminal Conviction)

9 10. Respondent is subject to disciplinary action under Code section 4301,  
10 subd. (1) in that Respondent has been convicted of a crime substantially related to the  
11 qualifications, functions and duties of a pharmacist technician. The circumstances are as  
12 follows:

13 11. On or about, October 17, 2008, in the Superior Court of California, County  
14 of Sacramento, in the case entitled, *People of the State of California v. Nickolas Hercules*  
15 *Spanos, III* (Super. Ct. Sacramento County, 2008, Case No. 08F02053), Respondent was  
16 convicted on his plea of guilty of violating Vehicle Code section 23152(b) (Driving With a Blood  
17 Alcohol Level of 0.08 or higher with three prior violations of Vehicle Code section 23152 and/or  
18 23103/23103.5 within the preceding ten years), a felony, and Vehicle Code section 14601.2(a)  
19 (Driving with a Suspended License), a misdemeanor.

20 12. The circumstances of the crime are that on or about March 17, 2008,  
21 Officers McGinity of the California Highway Patrol responded to a report of a vehicle driving  
22 erratically. Officer McGinity responded to the report. Officer McGinity located the vehicle and  
23 observed the vehicle driving erratically. Officer McGinity initiated an enforcement stop of the  
24 vehicle. As Officer McGinity approached the stopped vehicle, the officer smelled a strong odor  
25 of alcohol on the Respondent. Officer McGinity observed Respondent to be sleepy with slow  
26 and clumsy movements and slurred speech, and, at times, unintelligible. Officer McGinty  
27 performed filed sobriety tests upon the Respondent and concluded that the Respondent was under  
28 the influence of alcohol and/or drugs. Respondent was placed under arrest and searched. The

1 search discovered several prescription type drug tablets and pills in Respondent's pocket.  
2 Respondent indicated that the tablets were "Valium<sup>1</sup>" and he may also have some "Soma.<sup>2</sup>" A  
3 blood alcohol breath test was performed upon Respondent with the results being a 0.09% blood  
4 alcohol content. A blood sample taken from Respondent at the time of his booking and later  
5 tested confirmed Respondent's blood alcohol content of 0.09% and a positive result for  
6 meprobamate<sup>3</sup>, carisoprodol, diazepam and benzoylecgonine (cocaine metabolite)<sup>4</sup>.

7 13. On or about November 3, 1998, Respondent violated Vehicle Code section  
8 23152(a) (Driving Under the Influence of Alcohol and/or Drugs), and which resulted in a  
9 conviction.

10 14. On or about February 9, 2002, Respondent violated Vehicle Code section  
11 23152(a) (Driving Under the Influence of Alcohol and/or Drugs), and which resulted in a  
12 conviction.

13 15. On or about March 27, 2004, Respondent violated Vehicle Code section  
14 23152(a) (Driving Under the Influence of Alcohol and/or Drugs), and which resulted in a  
15 conviction.

16 SECOND CAUSE FOR DISCIPLINE

17 (Corrupt Acts - Acts involving moral turpitude, dishonesty, fraud, deceit or corruption)

18 16. Respondent is subject to disciplinary action under Code section 4301,  
19 subd. (f) in that Respondent engaged in acts involving moral turpitude, dishonesty, fraud, deceit

20 \_\_\_\_\_  
21 1. Valium is a brand name of Diazepam, a Schedule IV controlled substance as designated  
22 by Health and Safety Code section 11057(d)(9), and is a dangerous drug within the meaning of  
Code section 4022, in that under federal law it requires a prescription.

23 2. Soma is a brand name of Carisoprodol and is a dangerous drug pursuant to Code section  
24 4022 in that under federal law it requires a prescription.

25 3. Meprobamate is a Schedule IV controlled substance as designated by Health and Safety  
26 Code section 11057(d)(18), and is a dangerous drug within the meaning of Code section 4022,  
in that under federal law it requires a prescription

27 4. Cocaine is a Schedule II controlled substance as designated by Health and Safety Code  
28 section 11056(b)(6), and is a dangerous drug within the meaning of Code section 4022, in that  
under federal law it requires a prescription

1 or corruption. The circumstances are detailed above in paragraphs 12 -15.

2 THIRD CAUSE FOR DISCIPLINE

3 (Unlawful Self-Administration of Controlled Substances or Dangerous Drugs)

4 17. Respondent is subject to disciplinary action under Code section 4301,  
5 subd. (h) in that Respondent unlawfully self-administered controlled substances and/or dangerous  
6 drugs and/or alcoholic beverages in a dangerous or injurious manner. The circumstances are  
7 detailed above in paragraphs 12-15.

8 FORTH CAUSE FOR DISCIPLINE

9 (Conviction Involving Alcohol and/or Dangerous Drugs)

10 18. Respondent is subject to disciplinary action under Code section 4301,  
11 subd. (k) in that Respondent was convicted of more than one misdemeanor or any felony  
12 involving the use, consumption, or self administration of any dangerous drug or alcoholic  
13 beverage, or any combination of those substances. The circumstances are detailed above in  
14 paragraphs 11 - 15.

15 PRAYER

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

18 1. Revoking or suspending Original Pharmacy Technician Registration No.  
19 TCH 10499, issued to Nickolas Hercules Spanos, III;

20 2. Ordering Nickolas Hercules Spanos, III, to pay the Board of Pharmacy the  
21 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
22 Professions Code section 125.3;

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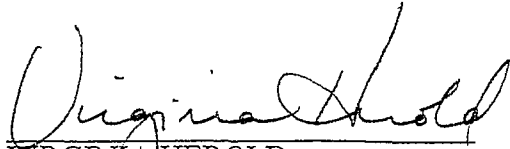
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3. . . Taking such other and further action as deemed necessary and proper.

DATED: 10/27/09



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

SA2009308405

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**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**  
(Separate Mailings)

**Case Name:** In the Matter of the Accusation Against: Nickolas Hercules Spanos, III

**Case No.:** 3288

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On November 16, 2009, I served the attached **ACCUSATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 copies); and GOVERNMENT CODE SECTIONS** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **ACCUSATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 copies); and GOVERNMENT CODE SECTIONS** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

NICKOLAS HERCULES SPANOS, III  
306 Shady Acres Drive  
Lodi, California 95242  
(7160 3901 9848 5452 3056)

Certified Article Number

7160 3901 9848 5452 3056

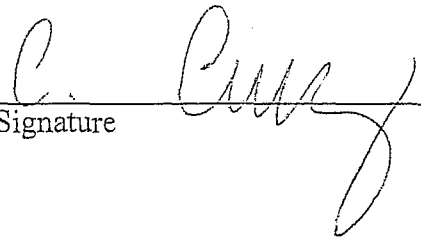
SENDER'S RECORD

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 16, 2009, at Sacramento, California.

\_\_\_\_\_  
C. CRUZ  
Declarant

\_\_\_\_\_  
Signature

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7160 3901 9848 5452 3056

**TO:**

Nickolas Hercules Spanos, III  
306 Shady Acres Drive  
Lodi, CA 95242

**SENDER:**

Geoffrey S. Allen, DAG

**REFERENCE:**

03583110SA2009308415

PS Form 3800, January 2005

RETURN RECEIPT SERVICE	Postage	
	Certified Fee	
	Return Receipt Fee	
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE

2. Article Number



7160 3901 9848 5452 3056

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

Nickolas Hercules Spanos, III  
306 Shady Acres Drive  
Lodi, CA 95242

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) <i>Nickolas Spanos</i>	B. Date of Delivery <i>11-18-07</i>
C. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

03583110SA2009308415  
Geoffrey S. Allen, DAG  
Accusation Packet/Spanos