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2  
3 **BEFORE THE**  
4 **BOARD OF PHARMACY**  
5 **DEPARTMENT OF CONSUMER AFFAIRS**  
6 **STATE OF CALIFORNIA**

7 In the Matter of the Accusation Against:

8 **NAVEED ASHRAF SALIMI**  
9 **P.O. Box 2141**  
10 **Garden Grove, CA 92842**

11 **Pharmacy Technician Registration No. TCH 11230**

12 Respondent.

13 Case No. 3485

14 **DEFAULT DECISION AND**  
15 **ORDER**

16 [Gov. Code, §11520]

17 **FINDINGS OF FACT**

18 1. On or about November 9, 2011, Complainant Virginia Herold, in her official  
19 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs,  
20 filed Accusation No. 3485 against Naveed Ashraf Salimi (Respondent) before the Board of  
21 Pharmacy. (Accusation attached as Exhibit A.)

22 2. On or about January 3, 1994, the Board of Pharmacy (Board) issued Pharmacy  
23 Technician Registration No. TCH 11230 to Respondent. The Pharmacy Technician Registration  
24 was in full force and effect at all times relevant to the charges brought in Accusation No. 3485  
25 and will expire on March 31, 2011, unless renewed.

26 3. On or about December 5, 2011, Respondent was served by Certified Mail copies  
27 of the Accusation No. 3485, Statement to Respondent, Notice of Defense, Request for Discovery,  
28 and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at  
respondent's address of record which, pursuant to Business and Professions Code (B & P Code)  
section 4100 and title 16 California Code of Regulations (CCR) section 1704, is required to be  
reported and maintained with the Board, which was and is: P.O. Box 2141, Garden Grove, CA  
92842.

4. Service of the Accusation was effective as a matter of law under the provisions of  
Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
124.

1           5.       On or about January 12, 2012, the aforementioned documents were returned by  
2 the U.S. Postal Service marked "Forwarding Address Expired." The address on the documents  
3 was the same as the address on file with the Board. Respondent failed to maintain an updated  
4 address with the Board and the Board has made attempts to serve Respondent at the address on  
5 file. Respondent has not made himself available for service and therefore, has not availed  
6 himself of his right to file a notice of defense and appear at hearing.

7           6.       Government Code section 11506 states, in pertinent part:

8                   (c) The respondent shall be entitled to a hearing on the merits if the  
9 respondent files a notice of defense, and the notice shall be deemed a specific  
10 denial of all parts of the accusation not expressly admitted. Failure to file a notice  
of defense shall constitute a waiver of respondent's right to a hearing, but the  
agency in its discretion may nevertheless grant a hearing.

11           7.       Respondent failed to file a Notice of Defense within 15 days after service upon  
12 him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation  
13 No. 3485.

14           8.       California Government Code section 11520 states, in pertinent part:

15                   (a) If the respondent either fails to file a notice of defense or to appear at  
16 the hearing, the agency may take action based upon the respondent's express  
17 admissions or upon other evidence and affidavits may be used as evidence  
without any notice to respondent.

18           9.       Pursuant to its authority under Government Code section 11520, the Board finds  
19 Respondent is in default. The Board will take action without further hearing and, based on the  
20 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
21 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
22 file at the Board's offices regarding the allegations contained in Accusation No. 3485, finds that  
23 the charges and allegations in Accusation No. 3485, are separately and severally, found to be true  
24 and correct by clear and convincing evidence.

25           10.      Taking official notice of its own internal records, pursuant to Business and  
26 Professions Code section 125.3, it is hereby determined that the reasonable costs for  
27 Investigation and Enforcement is \$8,732.00 as of March 15, 2012.

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1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Naveed Ashraf Salimi has  
3 subjected his Pharmacy Technician Registration No. TCH 11230 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy  
6 Technician Registration based upon the following violations alleged in the Accusation which are  
7 supported by the evidence contained in the Default Decision Evidence Packet in this case:

8 a. Respondent subjected his registration to discipline under sections 490 and  
9 4301, subdivision (l) of the Code in that on or about December 6, 2010, in a criminal proceeding  
10 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
11 *Naveed Basit Salimi*, in Orange County Superior Court, case number 09NF2804, Respondent was  
12 convicted on his plea of guilty for violating Penal Code section 245, subdivision (a)(1),  
13 aggravated assault, a felony that is substantially related to the qualifications, functions, and duties  
14 of a pharmacy technician.

15 b. Respondent subjected his registration to discipline under sections 490 and  
16 4301, subdivision (l) of the Code in that on or about September 8, 2009, in a criminal proceeding  
17 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
18 *Naveed Basit Salimi*, in Orange County Superior Court, case number 09NF2335, Respondent was  
19 convicted on his plea of guilty for violating Health and Safety Code sections 11377, subdivision  
20 (a), possession of a controlled substance, a felony, and 11364, possession of controlled substance  
21 paraphernalia, a misdemeanor, crimes that are substantially related to the qualifications,  
22 functions, and duties of a pharmacy technician.

23 c. Respondent subjected his registration to discipline under sections 490 and  
24 4301, subdivision (l) of the Code in that on or about December 23, 2008, in a criminal proceeding  
25 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
26 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NM14657, Respondent  
27 was convicted on his plea of guilty for violating Penal Code section 417, subdivision (a)(1),

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1 brandishing a deadly weapon, a misdemeanor that is substantially related to the qualifications,  
2 functions, and duties of a pharmacy technician.

3 d. Respondent subjected his license to discipline under sections 490 and 4301,  
4 subdivision (l) of the Code in that on or about September 3, 2008, in a criminal proceeding  
5 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
6 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NF2843, Respondent was  
7 convicted on his plea of guilty for violating Health and Safety Code section 11377, subdivision  
8 (a), possession of a controlled substance, a felony that is substantially related to the qualifications,  
9 functions, and duties of a pharmacy technician.

10 e. Respondent subjected his registration to discipline under sections 490 and  
11 4301, subdivision (l) of the Code in that on or about July 31, 2008, in a criminal proceeding  
12 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
13 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NF2403, Respondent was  
14 convicted on his plea of guilty for violating Health and Safety Code sections 11377, subdivision  
15 (a), possession of a controlled substance, a felony, and 11364, possession of controlled substance  
16 paraphernalia, a misdemeanor, crimes that are substantially related to the qualifications,  
17 functions, and duties of a pharmacy technician.

18 f. Respondent subjected his registration to discipline under sections 490 and  
19 4301, subdivision (l) of the Code in that on or about May 7, 2008, in a criminal proceeding  
20 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
21 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08WF0806, Respondent was  
22 convicted on his plea of guilty for violating Penal Code section 12020, subdivision (a)(1),  
23 possession of a deadly weapon, to wit, a dagger, a misdemeanor that is substantially related to the  
24 qualifications, functions, and duties of a pharmacy technician.

25 g. Respondent subjected his registration to discipline under sections 490 and  
26 4301, subdivision (l) of the Code in that on or about February 29, 2008, in a criminal proceeding  
27 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
28 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NF0725, Respondent was

1 convicted on his plea of guilty for violating Health and Safety Code section 11377, subdivision  
2 (a), possession of a controlled substance, to wit, methamphetamine, a felony that is substantially  
3 related to the qualifications, functions, and duties of a pharmacy technician.

4 h. Respondent subjected his registration to discipline under sections 490 and  
5 4301, subdivision (l) of the Code in that on or about January 18, 2008, in a criminal proceeding  
6 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
7 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NM00006, Respondent  
8 was convicted on his plea of guilty for violating Health and Safety Code section 11364,  
9 possession of controlled substance paraphernalia, a misdemeanor that is substantially related to  
10 the qualifications, functions, and duties of a pharmacy technician.

11 i. Respondent subjected his registration to discipline under sections 490 and  
12 4301, subdivision (l) of the Code in that on or about January 18, 2008, in a criminal proceeding  
13 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
14 *Naveed Basit Salimi*, in Orange County Superior Court, case number 08NM15845, Respondent  
15 was convicted on his plea of guilty for violating Penal Code section 415(1), disturbing the peace  
16 by fighting, a misdemeanor that is substantially related to the qualifications, functions, and duties  
17 of a pharmacy technician.

18 j. Respondent subjected his registration to discipline under sections 490 and  
19 4301, subdivision (l) of the Code in that on or about October 15, 2007, in a criminal proceeding  
20 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
21 *Naveed Basit Salimi*, in Orange County Superior Court, case number 07NM13066, Respondent  
22 was convicted on his plea of guilty for violating Penal Code section 653k, carrying switchblade  
23 knives; and Health and Safety Code section 11364, possession of controlled substance  
24 paraphernalia, misdemeanors that are substantially related to the qualifications, functions, and  
25 duties of a pharmacy technician.

26 k. Respondent subjected his registration to discipline under sections 490 and  
27 4301, subdivision (l) of the Code in that on or about June 20, 2007, in a criminal proceeding  
28 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*

1 *Naveed Basit Salimi*, in Orange County Superior Court, case number 07WM06280, Respondent  
2 was convicted on his plea of guilty for violating Health and Safety Code section 11364,  
3 possession of controlled substance paraphernalia, a misdemeanor that is substantially related to  
4 the qualifications, duties, and functions of a pharmacy technician.

5 l. Respondent subjected his registration to discipline under sections 490 and  
6 4301, subdivision (l) of the Code in that on or about June 8, 2007, in a criminal proceeding  
7 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
8 *Naveed Basit Salimi*, in Orange County Superior Court, case number 07NM06956, Respondent  
9 was convicted on his plea of guilty for violating Health and Safety Code section 11364,  
10 possession of controlled substance paraphernalia, a misdemeanor that is substantially related to  
11 the qualifications, duties, and functions of a pharmacy technician.

12 m. Respondent subjected his registration to discipline under sections 490 and  
13 4301, subdivision (l) of the Code in that on or about October 27, 2006, in a criminal proceeding  
14 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
15 *Naveed Basit Salimi*, in Orange County Superior Court, case number 06NM06992, Respondent  
16 was convicted on his plea of guilty for violating Vehicle Code section 23152, subdivision (a),  
17 driving under the influence of alcohol/drugs; Health and Safety Code section 11550, subdivision  
18 (a), under the influence of a controlled substance; and Health and Safety Code section 11364,  
19 possession of controlled substance paraphernalia, misdemeanors that are substantially related to  
20 the qualifications, duties, and functions of a pharmacy technician.

21 n. Respondent subjected his registration to discipline under sections 490 and  
22 4301, subdivision (l) of the Code in that on or about January 21, 2003, in a criminal proceeding  
23 entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka*  
24 *Naveed Basit Salimi*, in Orange County Superior Court, case number 02NM07788, Respondent  
25 was convicted on his plea of guilty for violating Vehicle Code section 23152, subdivision (a),  
26 driving under the influence of alcohol/drugs, a misdemeanor that is substantially related to the  
27 qualifications, duties, and functions of a pharmacy technician.

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1 o. Respondent has subjected his registration to disciplinary action under  
2 section 4301, subdivision (h) of the Code, administering controlled substances to himself, in that  
3 on or about February 27, 2008, April 3, 2007, and March 26, 2006, he admitted to arresting  
4 officers that he used methamphetamine within the 24 hours prior to his arrest. Moreover,  
5 Respondent tested positive for amphetamine on March 26, 2006, and was subsequently convicted  
6 on October 27, 2006, for being under the influence of methamphetamine on.

7 p. Respondent has subjected his registration to disciplinary action under  
8 section 4301, subdivision (k) of the Code in that he was convicted of four felony offenses and ten  
9 misdemeanor offenses involving the controlled substance, methamphetamine.

10 **ORDER**

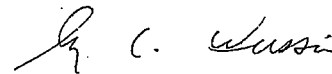
11 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 11230, heretofore  
12 issued to Respondent Naveed Ashraf Salimi, is revoked.

13 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
14 written motion requesting that the Decision be vacated and stating the grounds relied on within  
15 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
16 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

17 This decision shall become effective on June 7, 2012.

18 It is so ORDERED on May 8, 2012.

19 BOARD OF PHARMACY  
20 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

21 

22 By

23 STANLEY C. WEISSER

24 Board President

25 80599893.DOC  
DOJ Matter ID:SD2009804782

26 Attachment:  
27 Exhibit A: Accusation  
28

# Exhibit A

Accusation



1 KAMALA D. HARRIS  
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2 JAMES M. LEDAKIS  
Supervising Deputy Attorney General  
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Deputy Attorney General  
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7 Facsimile: (619) 645-2061  
*Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 3485

13 **NAVEED ASHRAF SALIMI**  
14 **P.O. Box 2141**  
**Garden Grove, CA 92842**

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

15 **Pharmacy Technician Registration**  
16 **No. TCH 11230**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

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

23 2. On or about January 3, 1994, the Board of Pharmacy issued Pharmacy Technician  
24 Registration Number TCH 11230 to Naveed Ashraf Salimi, also known as Naveed Basit Salimi  
25 (Respondent). The Pharmacy Technician Registration was in full force and effect at all times  
26 relevant to the charges brought herein. The Pharmacy Technician Registration expired on March  
27 31, 2011, and has not been renewed.

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JURISDICTION

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

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

5. Section 4300, subdivision (a) of the Code states "Every license issued may be suspended or revoked."

STATUTORY PROVISIONS

6. Section 482 of the Code states:

Each board under the provisions of this code shall develop criteria to evaluate the rehabilitation of a person when:

(a) Considering the denial of a license by the board under Section 480; or

(b) Considering suspension or revocation of a license under Section 490.

Each board shall take into account all competent evidence of rehabilitation furnished by the applicant or licensee.

7. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

8. Section 493 of the Code states:

Notwithstanding any other provision of law, in a proceeding conducted by a board within the department pursuant to law to deny an application for a license or to suspend or revoke a license or otherwise take disciplinary action against a person who holds a license, upon the ground that the applicant or the licensee has been convicted of a crime substantially related to the qualifications, functions, and duties of the licensee in question, the record of conviction of the crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact, and the board may inquire into the circumstances surrounding the commission of the crime in order to fix the degree of discipline or to determine if the conviction is substantially related to the qualifications, functions, and duties of the licensee in question.

1 As used in this section, "license" includes "certificate," "permit," "authority,"  
2 and "registration."

3 9. Section 4301 of the Code states:

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

8 (h) The administering to oneself, of any controlled substance, or the use of any  
9 dangerous drug or of alcoholic beverages to the extent or in a manner as to be  
10 dangerous or injurious to oneself, to a person holding a license under this chapter, or  
11 to any other person or to the public, or to the extent that the use impairs the ability of  
12 the person to conduct with safety to the public the practice authorized by the license.

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

16 (l) The conviction of a crime substantially related to the qualifications,  
17 functions, and duties of a licensee under this chapter. The record of conviction of a  
18 violation of Chapter 13 (commencing with Section 801) of Title 21 of the United  
19 States Code regulating controlled substances or of a violation of the statutes of this  
20 state regulating controlled substances or dangerous drugs shall be conclusive  
21 evidence of unprofessional conduct. In all other cases, the record of conviction shall  
22 be conclusive evidence only of the fact that the conviction occurred. The board may  
23 inquire into the circumstances surrounding the commission of the crime, in order to  
24 fix the degree of discipline or, in the case of a conviction not involving controlled  
25 substances or dangerous drugs, to determine if the conviction is of an offense  
26 substantially related to the qualifications, functions, and duties of a licensee under this  
27 chapter. A plea or verdict of guilty or a conviction following a plea of nolo  
28 contendere is deemed to be a conviction within the meaning of this provision. The  
board may take action when the time for appeal has elapsed, or the judgment of  
conviction has been affirmed on appeal or when an order granting probation is made  
suspending the imposition of sentence, irrespective of a subsequent order under  
Section 1203.4 of the Penal Code allowing the person to withdraw his or her plea of  
guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or  
dismissing the accusation, information, or indictment.

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1 REGULATORY PROVISIONS

2 10. California Code of Regulations, title 16, section 1769 states:

3  
4 (b) When considering the suspension or revocation of a facility or a personal  
5 license on the ground that the licensee or the registrant has been convicted of a crime,  
6 the board, in evaluating the rehabilitation of such person and his present eligibility for  
7 a license will consider the following criteria:

8 (1) Nature and severity of the act(s) or offense(s).

9 (2) Total criminal record.

10 (3) The time that has elapsed since commission of the act(s) or offense(s).

11 (4) Whether the licensee has complied with all terms of parole, probation,  
12 restitution or any other sanctions lawfully imposed against the licensee.

13 (5) Evidence, if any, of rehabilitation submitted by the licensee.

14 11. California Code of Regulations, title 16, section 1770, states:

15 For the purpose of denial, suspension, or revocation of a personal or facility  
16 license pursuant to Division 1.5 (commencing with Section 475) of the Business and  
17 Professions Code, a crime or act shall be considered substantially related to the  
18 qualifications, functions or duties of a licensee or registrant if to a substantial degree  
19 it evidences present or potential unfitness of a licensee or registrant to perform the  
20 functions authorized by his license or registration in a manner consistent with the  
21 public health, safety, or welfare.

22 COSTS

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

27 DRUG

28 13. Methamphetamine is a Schedule II controlled substance as designated by Health  
and Safety Code section 11055, subdivision (d)(2), and is a dangerous drug pursuant to Business  
and Professions Code section 4022.

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FIRST CAUSE FOR DISCIPLINE

(December 6, 2010 Criminal Conviction for Aggravated Assault on September 29, 2009)

14. Respondent subjected his license to discipline under sections 490 and 4301, subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

a. On or about December 6, 2010, in a criminal proceeding entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in Orange County Superior Court, case number 09NF2804, Respondent was convicted on his plea of guilty for violating Penal Code section 245, subdivision (a)(1), aggravated assault, a felony.

b. As a result of the conviction, on or about December 6, 2010, Respondent was sentenced to state prison for the low term of two years, with credit for 365 days time served, and 365 days good conduct.

c. The circumstances that led to the conviction are that on or about the morning of September 29, 2009, the Anaheim Police Department was dispatched to investigate a call of an assault with a deadly weapon. Upon arrival, the officer located two females standing outside of an apartment. The victim, a 30-year-old female, had a severe laceration on her left forearm that was spurting blood. The victim described her assailant, who was later identified as Respondent. The female was transported to a local hospital where she told the officer that Respondent attacked her with a machete while he was inside her apartment. She raised her arms to defend herself, and Respondent struck her three times. The impact of the machete broke the victim's arm, severed her radial artery, and resulted in a four-inch cut that went to the bone. Respondent then threatened that if the victim called the cops or 9-1-1, he would cut her head off. An interview with a witness at the victim's apartment stated that she, along with the victim and Respondent, were smoking methamphetamine most of the morning. The victim accused Respondent of stealing money from her and an argument ensued. After assaulting the victim, Respondent fled the apartment with the machete. Later the same day, Respondent was arrested while checking in with his probation officer.

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1 SECOND CAUSE FOR DISCIPLINE

2 (September 8, 2009 Criminal Conviction for Possession of a Controlled Substance &  
3 Controlled Substance Paraphernalia on July 5, 2009)

4 15. Respondent subjected his license to discipline under sections 490 and 4301,  
5 subdivision (l) of the Code in that he was convicted of crimes that are substantially related to the  
6 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

7 a. On or about September 8, 2009, in a criminal proceeding entitled *People of*  
8 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
9 Orange County Superior Court, case number 09NF2335, Respondent was convicted on his plea of  
10 guilty for violating Health and Safety Code sections 11377, subdivision (a), possession of a  
11 controlled substance, a felony, and 11364, possession of controlled substance paraphernalia, a  
12 misdemeanor.

13 b. As a result of the guilty plea, on or about September 8, 2009, the court  
14 ordered Respondent to enroll in a drug treatment program pursuant to Penal Code section 1210,  
15 complete three years informal probation, pay fees, fines, and restitution, and comply with  
16 probation terms. After two hearings on probation violations, Respondent's probation was  
17 terminated and he was ordered to serve three years formal probation concurrent with the sentence  
18 imposed in case number 09NF2804, above.

19 THIRD CAUSE FOR DISCIPLINE

20 (December 23, 2008 Criminal Conviction for Brandishing a Weapon on November 15, 2008)

21 16. Respondent subjected his license to discipline under sections 490 and 4301,  
22 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
23 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

24 a. On or about December 23, 2008, in a criminal proceeding entitled *People*  
25 *of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*,  
26 in Orange County Superior Court, case number 08NM14657, Respondent was convicted on his  
27 plea of guilty for violating Penal Code section 417, subdivision (a)(1), brandishing a deadly  
28 weapon, a misdemeanor.

1 b. As a result of the conviction, on or about December 23, 2008, the court  
2 ordered Respondent to serve 60 days in jail, with credit for 57 days, complete three years  
3 informal probation, pay fees, fines, and restitution, and comply with probation terms. After a  
4 hearing on probation violations, Respondent's probation was terminated on September 8, 2009.

5 c. The circumstances that led to the conviction are that on or about the  
6 evening of November 15, 2008, officers from the Anaheim Police Department responded to a call  
7 of a subject chasing another subject around a bowling alley parking lot with a knife. Upon the  
8 officers' arrival, a female pointed out Respondent who was walking out of the parking lot. The  
9 officers detained Respondent. According to the female, Respondent drugged and raped her six  
10 months earlier, but he was never prosecuted for the crime. While the female was sitting outside  
11 of the bowling alley smoking a cigarette, she saw Respondent walk by and she confronted him  
12 about the rape. An argument ensued which was joined by the female's boyfriend and another  
13 male. Respondent pulled out a large knife and threatened to stab them. Both males chased  
14 Respondent, got the knife away from him, and called police. Respondent was arrested.

15 **FOURTH CAUSE FOR DISCIPLINE**

16 (September 3, 2008 Criminal Conviction for

17 Possession of a Controlled Substance on August 31, 2008)

18 17. Respondent subjected his license to discipline under sections 490 and 4301,  
19 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
20 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

21 a. On or about September 3, 2008, in a criminal proceeding entitled *People of*  
22 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
23 Orange County Superior Court, case number 08NF2843, Respondent was convicted on his plea of  
24 guilty for violating Health and Safety Code section 11377, subdivision (a), possession of a  
25 controlled substance, a felony.

26 b. As a result of the conviction, on or about September 3, 2008, the court  
27 ordered Respondent to enroll in a drug treatment program pursuant to Penal Code section 1210,  
28 serve three years formal probation, pay fees, fines, and restitution, and comply with probation

1 terms. Respondent was also ordered to attend one AA meeting a day for two weeks. After  
2 Respondent's probation was revoked twice, he was sentenced to serve 270 days in jail on January  
3 22, 2009, concurrent with the sentence imposed in case number 09NF2804, above. After four  
4 additional hearings on probation violations, Respondent's probation was terminated on December  
5 6, 2010.

6 FIFTH CAUSE FOR DISCIPLINE

7 (July 31, 2008 Criminal Conviction for Possession of a Controlled Substance  
8 & Controlled Substance Paraphernalia on July 21, 2008)

9 18. Respondent subjected his license to discipline under sections 490 and 4301,  
10 subdivision (l) of the Code in that he was convicted of crimes that are substantially related to the  
11 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

12 a. On or about July 31, 2008, in a criminal proceeding entitled *People of the*  
13 *State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
14 Orange County Superior Court, case number 08NF2403, Respondent was convicted on his plea of  
15 guilty for violating Health and Safety Code sections 11377, subdivision (a), possession of a  
16 controlled substance, a felony, and 11364, possession of controlled substance paraphernalia, a  
17 misdemeanor.

18 b. As a result of the conviction, on or about July 31, 2008, the court ordered  
19 Respondent to enroll in a drug treatment program pursuant to Penal Code section 1210, serve  
20 three years formal probation, pay fees, fines, and restitution, and comply with probation terms.  
21 Respondent was also ordered to attend one AA meeting a day for two weeks. After Respondent's  
22 probation was revoked four times, on January 22, 2009, Respondent was sentenced to serve 270  
23 days in jail, with credit for 105 days, to be served concurrent to the sentence imposed in case  
24 number 09NF2804, above. After four additional hearings on probation violations, Respondent's  
25 probation was terminated on December 6, 2010.

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1 SIXTH CAUSE FOR DISCIPLINE

2 (May 7, 2008 Criminal Conviction for Possession of a Deadly Weapon on April 27, 2008)

3 19. Respondent subjected his license to discipline under sections 490 and 4301,  
4 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
5 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

6 a. On or about May 7, 2008, in a criminal proceeding entitled *People of the*  
7 *State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
8 Orange County Superior Court, case number 08WF0806, Respondent was convicted on his plea  
9 of guilty for violating Penal Code section 12020, subdivision (a)(1), possession of a deadly  
10 weapon, to wit, a dagger, a misdemeanor.

11 b. As a result of the conviction, on or about May 7, 2008, Respondent was  
12 ordered to serve 90 days in jail, with credit for 18 days, complete three years informal probation,  
13 pay fees, fines, and restitution, and comply with probation terms. After Respondent's probation  
14 was revoked four times, Respondent's probation was terminated on December 6, 2010.

15 c. The circumstances that led to the conviction are that on or about the  
16 evening of April 27, 2008, the Garden Grove Police Department received a call from a hotel  
17 reporting a knife fight that was occurring in one of the rooms. Upon arrival, officers observed  
18 Respondent walking towards them with what appeared to be a kitchen knife in his outstretched  
19 hand. Respondent was ordered to drop the knife. Respondent was hand-cuffed and searched. The  
20 officers found a large hunting knife with a five-inch curved blade concealed in a leather sheath  
21 under Respondent's shirt. Respondent stated that he kept the knife for personal protection. He  
22 was arrested for possession of a deadly weapon.

23 SEVENTH CAUSE FOR DISCIPLINE

24 (February 29, 2008 Criminal Conviction

25 for Possession of a Controlled Substance on February 27, 2008)

26 20. Respondent subjected his license to discipline under sections 490 and 4301,  
27 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
28 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

1 a. On or about February 29, 2008, in a criminal proceeding entitled *People of*  
2 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
3 Orange County Superior Court, case number 08NF0725, Respondent was convicted on his plea of  
4 guilty for violating Health and Safety Code section 11377, subdivision (a), possession of a  
5 controlled substance, to wit, methamphetamine, a felony.

6 b. As a result of the conviction, on or about February 29, 2008, Respondent  
7 was ordered to enroll in a drug treatment program pursuant to Penal Code section 1210, complete  
8 three years formal probation, pay fees, fines, and restitution, and comply with probation terms.  
9 Respondent was also ordered to attend and complete one AA meeting per days for two weeks.  
10 After violating his probation, on May 7, 2008, Respondent was sentenced to 90 days in jail, with  
11 credit for 18 days. After Respondent's probation was revoked on July 23, 2008, he was sentenced  
12 to three years formal probation.

13 c. The circumstances that led to the conviction are that on or about the late  
14 evening of February 27, 2008, a patrol officer with the Buena Park Police Department was  
15 conducting a check of a hotel known to have high narcotics-related activity. As the officer  
16 entered the parking lot, he observed a female who had been standing with Respondent walk away  
17 quickly. The officer stopped both of them and asked them questions. The officer observed that  
18 Respondent's pupils were dilated, he was sweating, his speech appeared rapid, and he was  
19 fidgeting in his pockets. As the officer started to pat down Respondent, Respondent dropped a  
20 small plastic baggie onto the ground with his left hand. Respondent was hand-cuffed and the  
21 officer retrieved the plastic baggie that contained a white, crystalline substance which  
22 subsequently tested positive for methamphetamine. Respondent was arrested and booked.  
23 Respondent gave a voluntary statement to the officer wherein he admitted he had been using  
24 methamphetamine for approximately three years.

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EIGHTH CAUSE FOR DISCIPLINE

(January 18, 2008 Criminal Conviction for Possession of

Controlled Substance Paraphernalia on December 30, 2007)

21. Respondent subjected his license to discipline under sections 490 and 4301, subdivision (1) of the Code in that he was convicted of a crime that is substantially related to the qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

a. On or about January 18, 2008, in a criminal proceeding entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in Orange County Superior Court, case number 08NM00006, Respondent was convicted on his plea of guilty for violating Health and Safety Code section 11364, possession of controlled substance paraphernalia, a misdemeanor.

b. As a result of the conviction, on or about January 18, 2008, Respondent was ordered to enroll in a drug treatment program pursuant to Penal Code section 1210, complete three years informal probation, pay fees, fines, and restitution, and comply with probation terms. Respondent was further ordered not to consume any alcohol or unauthorized drugs. After violating his probation, Respondent was sentenced to 90 days in jail, with credit for 45 days, on May 8, 2008. After Respondent's probation was revoked on July 23, 2008, he was sentenced to three years formal probation.

c. The circumstances that led to the conviction are that on or about the evening of December 30, 2007, an officer with the Anaheim Police Department was on patrol when he observed Respondent walking in the parking lot of a hotel. The officer recognized Respondent and knew he had a warrant for his arrest. The officer stopped Respondent and conducted a search. Inside Respondent's pocket was a paper bag containing two glass methamphetamine pipes containing white and brown residue. Respondent was arrested.

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1 NINTH CAUSE FOR DISCIPLINE

2 (January 18, 2008 Criminal Conviction for Disturbing the Peace/Fighting  
3 on September 30, 2007)

4 22. Respondent subjected his license to discipline under sections 490 and 4301,  
5 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
6 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

7 a. On or about January 18, 2008, in a criminal proceeding entitled *People of*  
8 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
9 Orange County Superior Court, case number 08NM15845, Respondent was convicted on his plea  
10 of guilty for violating Penal Code section 415(1), disturbing the peace by fighting, a  
11 misdemeanor.

12 b. As a result of the conviction, on or about January 18, 2008, Respondent  
13 was ordered to serve 27 days in jail, complete three years informal probation, pay fees, fines, and  
14 restitution, and comply with probation terms.

15 TENTH CAUSE FOR DISCIPLINE

16 (October 15, 2007 Criminal Conviction for Carrying a Switchblade Knife  
17 & Possession of Controlled Substance Paraphernalia on October 11, 2007)

18 23. Respondent subjected his license to discipline under sections 490 and 4301,  
19 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
20 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

21 a. On or about October 15, 2007, in a criminal proceeding entitled *People of*  
22 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
23 Orange County Superior Court, case number 07NM13066, Respondent was convicted on his plea  
24 of guilty for violating Penal Code section 653k, carrying switchblade knives; and Health and  
25 Safety Code section 11364, possession of controlled substance paraphernalia, misdemeanors.

26 b. As a result of the conviction, on or about October 15, 2007, Respondent  
27 was ordered to serve 45 days in jail, complete three years informal probation, pay fees, fines, and  
28 restitution, and comply with probation terms.

ELEVENTH CAUSE FOR DISCIPLINE

(June 20, 2007 Criminal Conviction for Possession of  
Controlled Substance Paraphernalia on April 3, 2007)

24. Respondent subjected his license to discipline under sections 490 and 4301, subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

a. On or about June 20, 2007, in a criminal proceeding entitled *People of the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in Orange County Superior Court, case number 07WM06280, Respondent was convicted on his plea of guilty for violating Health and Safety Code section 11364, possession of controlled substance paraphernalia, a misdemeanor.

b. As a result of the conviction, on or about June 20, 2007, Respondent was ordered to enroll in a drug treatment program pursuant to Penal Code section 1210, complete three years informal probation, pay fees, fines, and restitution, and comply with probation terms. Respondent's probation was revoked twice, and terminated on September 8, 2009.

c. The circumstances that led to the conviction are that on or about the afternoon of April 3, 2007, patrol officers from the Garden Grove Police Department were alerted by a citizen of a possible drug transaction in progress. When the officers arrived on scene, they made contact with Respondent, who was the driver of a vehicle with three passengers. Respondent exited his vehicle and consented to a search; the officer located a glass smoking pipe covered in white and black residue in Respondent's jacket pocket. Respondent was arrested and booked for possession of controlled substance paraphernalia. Respondent provided a voluntary statement to the officer in which admitted being addicted to methamphetamine, and that he had last smoked methamphetamine approximately five hours prior to his arrest.

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1 TWELFTH CAUSE FOR DISCIPLINE

2 (June 8, 2007 Criminal Conviction for Possession of  
3 Controlled Substance Paraphernalia on May 29, 2007)

4 25. Respondent subjected his license to discipline under sections 490 and 4301,  
5 subdivision (l) of the Code in that he was convicted of a crime that is substantially related to the  
6 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

7 a. On or about June 8, 2007, in a criminal proceeding entitled *People of the*  
8 *State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
9 Orange County Superior Court, case number 07NM06956, Respondent was convicted on his plea  
10 of guilty for violating Health and Safety Code section 11364, possession of controlled substance  
11 paraphernalia, a misdemeanor.

12 b. As a result of the conviction, on or about June 8, 2007, Respondent was  
13 ordered to enroll in a drug treatment program pursuant to Penal Code section 1210, complete  
14 three years informal probation, pay fees, fines, and restitution, and comply with probation terms.  
15 After three revocations of probation, Respondent was sentenced to 90 days in jail on May 8,  
16 2008, with credit for 62 days.

17 c. The circumstances that led to the conviction are that on or about the earlier  
18 morning of May 29, 2007, patrol officers with the Anaheim Police Department conducted a  
19 traffic stop on a vehicle driven by Respondent. Respondent exited his vehicle and the officer  
20 observed several items bulging in Respondent's waistband that could have been weapons. The  
21 officer searched Respondent and found two switchblade knives. Respondent directed the officer  
22 to a methamphetamine pipe containing white residue in his pants pocket.

23 THIRTEENTH CAUSE FOR DISCIPLINE

24 (October 27, 2006 Criminal Convictions for DUI Drugs, Under the Influence of a Controlled  
25 Substance & Possession of Controlled Substance Paraphernalia on March 26, 2006)

26 26. Respondent subjected his license to discipline under sections 490 and 4301,  
27 subdivision (l) of the Code in that he was convicted of crimes that are substantially related to the  
28 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

1 a. On or about October 27, 2006, in a criminal proceeding entitled *People of*  
2 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
3 Orange County Superior Court, case number 06NM06992, Respondent was convicted on his plea  
4 of guilty for violating Vehicle Code section 23152, subdivision (a), driving under the influence of  
5 alcohol/drugs; Health and Safety Code section 11550, subdivision (a), under the influence of a  
6 controlled substance; and Health and Safety Code section 11364, possession of controlled  
7 substance paraphernalia, misdemeanors.

8 b. As a result of the convictions, on or about October 27, 2006, Respondent  
9 was ordered to serve 90 days in jail, with credit for 70 days, complete five years informal  
10 probation, attend an 18-month Multiple Offender Alcohol Program, pay fees, fines, and  
11 restitution, and comply with probation terms. Respondent's probation was revoked on January  
12 17, 2007, for failure to pay fines and he was ordered to complete 8 hours of community service.  
13 Respondent's probation was revoked on April 2, 2007 for failure to attend the Multiple Offender  
14 Alcohol Program. On May 29, 2007, Respondent's probation was revoked for failing to complete  
15 community service. On June 8, 2007, and he was ordered to serve 30 days in jail, with credit for  
16 15 days. Respondent's probation was revoked and reinstated three additional times.

17 c. The circumstances that led to the conviction are that on or about the  
18 morning of March 26, 2006, the La Palma Police Department responded to an injury traffic  
19 collision. A witness stated he observed a vehicle driven by Respondent veer to the right side of  
20 the road, striking the curb and guardrail. Respondent's vehicle then flipped onto its top and slide  
21 several feet down the road. The responding officer located a broken methamphetamine pipe  
22 containing white residue on the ground next to Respondent's vehicle. Respondent was  
23 transported to a local hospital with a fractured nose and lacerations to his face and both hands.  
24 The officer followed Respondent to the hospital to continue his investigation. Hospital staff told  
25 the officer that a blood sample taken when Respondent was admitted tested positive for  
26 amphetamine. Respondent told the officer that he last used methamphetamine four months  
27 earlier, then admitted he last smoked and snorted methamphetamine with friends the night before.

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1 FOURTEENTH CAUSE FOR DISCIPLINE

2 (January 21, 2003 Criminal Conviction for

3 Driving Under the Influence of Alcohol/Drugs on June 14, 2002)

4 27. Respondent subjected his license to discipline under sections 490 and 4301,  
5 subdivision (l) of the Code in that he was convicted of crimes that are substantially related to the  
6 qualifications, duties, and functions of a pharmacy technician. The circumstances are as follows:

7 a. On or about January 21, 2003, in a criminal proceeding entitled *People of*  
8 *the State of California v. Naveed Salimi, aka Naveed Ashraf Salimi, aka Naveed Basit Salimi*, in  
9 Orange County Superior Court, case number 02NM07788, Respondent was convicted on his plea  
10 of guilty for violating Vehicle Code section 23152, subdivision (a), driving under the influence of  
11 alcohol/drugs, a misdemeanor.

12 b. As a result of the convictions, on or about January 21, 2003, Respondent  
13 was ordered to serve 50 days in jail, complete three years informal probation, attend an 18-month  
14 Level 2 Alcohol Program, pay fees, fines, and restitution, and comply with probation terms.  
15 Respondent's driver's license was suspended for 18 months.

16 FIFTEENTH CAUSE FOR DISCIPLINE

17 (Unprofessional Conduct – Use of a Controlled Substance)

18 28. Respondent has subjected his registration to disciplinary action under section 4301,  
19 subdivision (h) of the Code in that on or about February 27, 2008, April 3, 2007, and March 26,  
20 2006, Respondent admitted to arresting officers that he used methamphetamine within the 24  
21 hours prior to his arrest, as detailed in paragraphs 20, 24, and 26, above. Further, Respondent  
22 tested positive for amphetamine on March 26, 2006, and was subsequently convicted on October  
23 27, 2006, for being under the influence of methamphetamine on, as detailed in paragraph 26,  
24 above.

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1 SIXTEENTH CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct – Multiple Drug-Related Convictions)

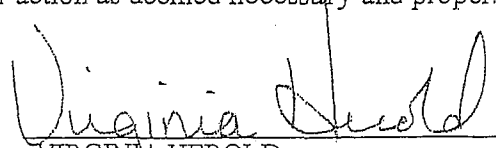
3 29. Respondent has subjected his registration to disciplinary action under section 4301,  
4 subdivision (k) of the Code in that he was convicted of four felony offenses and ten misdemeanor  
5 offenses involving the controlled substance methamphetamine, as detailed in paragraphs 14-27,  
6 above.

7 PRAYER

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

- 10 1. Revoking or suspending Pharmacy Technician Registration Number TCH 11230,  
11 issued to Naveed Ashraf Salimi;
- 12 2. Ordering Naveed Ashraf Salimi to pay the Board of Pharmacy the reasonable costs of  
13 the investigation and enforcement of this case, pursuant to Business and Professions Code section  
14 125.3;
- 15 3. Taking such other and further action as deemed necessary and proper.

16  
17 DATED: 11/9/11

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

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