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

In the Matter of the Accusation Against:  
  
**CHRISTY CATHLEEN BALDOZA**  
1512 S. Wooster Ave. #301  
Los Angeles, CA 90035  
  
Pharmacy Technician Registration  
No. TCH 119648  
  
Respondent.

Case No. 5441  
**DEFAULT DECISION AND ORDER**  
  
[Gov. Code, §11520]

**FINDINGS OF FACT**

1. On or about September 20, 2015, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5441 against Christy Cathleen Baldoza (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about January 18, 2012, the Board of Pharmacy (Board) issued Pharmacy Technician Registration No. TCH 119648 to Respondent. The Pharmacy Technician Registration was in full force and effect at all times relevant to the charges brought in Accusation No. 5441 and will expire on August 31, 2017, unless renewed.

3. On or about September 25, 2015, Respondent was served by Certified and First Class Mail copies of the Accusation No. 5441, Statement to Respondent, Notice of Defense, Request

1 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
2 11507.7) at Respondent's previous address of record which, pursuant to Business and Professions  
3 Code section 4100, is required to be reported and maintained with the Board. Respondent's  
4 address of record was: 527 Venice Way, #A, Venice, CA 90291.

5 4. On or about October 23, 2015, Respondent was served by Certified and First Class  
6 Mail copies of the Accusation No. 5441, Statement to Respondent, Notice of Defense, Request  
7 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and  
8 11507.7) at Respondent's current address of record which, pursuant to Business and Professions  
9 Code section 4100, is required to be reported and maintained with the Board. Respondent's  
10 address of record was and is: 1512 S. Wooster Ave., #301, Los Angeles, CA 90035.

11 5. Service of the Accusation was effective as a matter of law under the provisions of  
12 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
13 124.

14 6. On or about November 9, 2015, the aforementioned documents were returned by the  
15 U.S. Postal Service marked "Return to Sender - Unclaimed- Unable to Forward." The address on  
16 the documents was the same as the previous address on file with the Board. Respondent failed to  
17 maintain an updated address with the Board and the Board has made attempts to serve the  
18 Respondent at the address on file. Respondent has not made herself available for service and  
19 therefore, has not availed herself of her right to file a notice of defense and appear at hearing.

20 7. On or about December 4, 2015, the aforementioned documents were returned by the  
21 U.S. Postal Service marked "Return to Sender - Unclaimed- Unable to Forward." The address on  
22 the documents was the same as the current address on file with the Board. Respondent failed to  
23 maintain an updated address with the Board and the Board has made attempts to serve the  
24 Respondent at the address on file. Respondent has not made herself available for service and  
25 therefore, has not availed herself of her right to file a notice of defense and appear at hearing.

26 8. Government Code section 11506 states, in pertinent part:

27 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
28 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
of the accusation not expressly admitted. Failure to file a notice of defense shall

1 constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
2 may nevertheless grant a hearing.

3 9. Respondent failed to file a Notice of Defense within 15 days after service upon her of  
4 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 5441.

5 10. California Government Code section 11520 states, in pertinent part:

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

10 11. Pursuant to its authority under Government Code section 11520, the Board finds  
11 Respondent is in default. The Board will take action without further hearing and, based on the  
12 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
13 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
14 file at the Board's offices regarding the allegations contained in Accusation No. 5441, finds that  
15 the charges and allegations in Accusation No. 5441, are separately and severally, found to be true  
16 and correct by clear and convincing evidence.

17 12. Taking official notice of its own internal records, pursuant to Business and  
18 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
19 and Enforcement is \$1,370.00 as of January 29, 2016.

20 **DETERMINATION OF ISSUES**

21 1. Based on the foregoing findings of fact, Respondent Christy Cathleen Baldoza has  
22 subjected her Pharmacy Technician Registration No. TCH 119648 to discipline.

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

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

27 (a) Business and Professions Code section 4301, subdivision (j), as defined in section  
28 4060, in that Respondent obtained or possessed a controlled substance.

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1 (b) Business and Professions Code section 4301, subdivision (h), in that Respondent used  
2 a controlled substance to an extent or in a manner as to be dangerous or injurious to herself,  
3 another person, or the public.

4 **ORDER**

5 IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 119648, heretofore  
6 issued to Respondent Christy Cathleen Baldoza, is revoked.

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

11 This Decision shall become effective at 5:00 p.m. on April 1, 2016.

12 It is so ORDERED March 2, 2016.

13 BOARD OF PHARMACY  
14 DEPARTMENT OF CONSUMER AFFAIRS  
15 STATE OF CALIFORNIA

16 

17  
18 By \_\_\_\_\_

19 Amy Gutierrez, Pharm.D.  
20 Board President

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25 51978621.DOC  
26 DOJ Matter ID:LA2015500868  
Jz(2/8/16)

27 Attachment:  
28 Exhibit A: Accusation

# Exhibit A

Accusation

1 KAMALA D. HARRIS  
Attorney General of California  
2 LINDA K. SCHNEIDER  
Senior Assistant Attorney General  
3 LINDA L. SUN  
Supervising Deputy Attorney General  
4 State Bar No. 207108  
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7 *Attorneys for Complainant*

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

12 In the Matter of the Accusation Against:

Case No. 5441

13 **CHRISTY CATHLEEN BALDOZA**  
527 Venice Way #A  
14 Venice, CA 90291

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

15 Pharmacy Technician Registration  
No. TCH 119648

16 Respondent.

17 Complainant alleges:

18 **PARTIES**

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

21 2. On or about January 18, 2012, the Board of Pharmacy (Board) issued Pharmacy  
22 Technician Registration No. TCH 119648 to Christy Cathleen Baldoza (Respondent). The  
23 Pharmacy Technician Registration was in full force and effect at all times relevant to the charges  
24 brought herein and will expire on August 31, 2015, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board under the authority of the following  
27 laws. All section references are to the Business and Professions Code unless otherwise indicated.

28 ///



1 act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the  
2 case.

3 **CONTROLLED SUBSTANCES AND DANGEROUS DRUGS**

4 9. "Methamphetamine," is a Schedule II controlled substance as designated by Health  
5 and Safety Code section 11055, subdivision (d)(2) and is categorized as a dangerous drug  
6 pursuant to section 4022.

7 10. "Trazodone Hydrochloride," is used for anxiety, anxiety disorder, and depression, and  
8 is categorized as a dangerous drug pursuant to section 4022.

9 **FIRST CAUSE FOR DISCIPLINE**

10 **(Illegally Obtained or Possessed a Controlled Substance)**

11 11. Respondent is subject to disciplinary action under section 4301, subdivision (j), as  
12 defined in section 4060, in that Respondent obtained or possessed a controlled substance, as  
13 follows:

14 a. On or about May 11, 2014, Santa Barbara County Sheriff's Department Officers  
15 observed Respondent sitting inside a parked vehicle, in a public parking lot, in the front passenger  
16 side seat, with the interior lights on, and she appeared to be hunched over. Upon approaching the  
17 vehicle, the officer observed an open grape flavored four-loko alcoholic beverage, in the center  
18 cup holder, along with a glass of what appeared to be wine. During a consented search of  
19 Respondent's vehicle, officers located a clear glass Methamphetamine pipe wrapped in tissue,  
20 with burnt markings around the bowl portion, a small plastic container with numerous empty  
21 plastic baggies, containing white residue inside, and multiple pieces of cut straws, commonly used  
22 to snort various drugs.

23 b. On or about May 11, 2013, during an investigation at Respondent's residence located  
24 at 527 Venice Way, Los Angeles Police Department Officers observed, in Respondent's bedroom,  
25 several plastic baggies, commonly used for packaging narcotics, a usable amount of a clear-like  
26 substance, resembling Methamphetamine, and an un-labeled pill container, containing an  
27 unknown white pill, later identified as Trazodone Hydrochloride 50 mg. Respondent stated, "I  
28 knew I was not supposed to have the pills, because my neighbor told me that I could get in trouble



1 having them; however I forgot to throw them away. The plastic baggies is not Methamphetamine,  
2 I put earrings in those baggies, and I have not done Methamphetamine in a long time.”

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Dangerous Use of a Controlled Substance)**

5 12. Respondent is subject to disciplinary action under section 4301, subdivision (h), in  
6 that Respondent used a controlled substance to an extent or in a manner as to be dangerous or  
7 injurious to herself, another person, or the public. Complainant refers to, and by this reference  
8 incorporates, the allegations set forth above in paragraph 11, subparagraph (b), as though set forth  
9 fully.

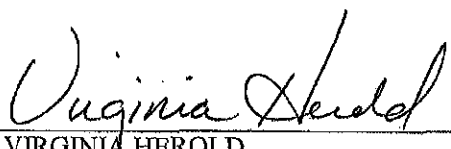
10 **PRAYER**

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

- 13 1. Revoking or suspending Pharmacy Technician Registration No. TCH 119648, issued  
14 to Christy Cathleen Baldoza;
- 15 2. Ordering Christy Cathleen Baldoza to pay the Board of Pharmacy the reasonable costs  
16 of the investigation and enforcement of this case, pursuant to Business and Professions Code  
17 section 125.3; and
- 18 3. Taking such other and further action as deemed necessary and proper.
- 19

20  
21 DATED: \_\_\_\_\_

9/20/15

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

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