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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. 6736

13 **CHRISTOPHER JIMMY PRUITT-LIGON**
14 7000 Dry Wood Way
Orangevale, CA 95662

DEFAULT DECISION AND ORDER

15 **Pharmacy Technician License No. TCH**
16 **161766**

[Gov. Code, §11520]

17 Respondent.
18

19
20 **FINDINGS OF FACT**

21 1. On or about September 3, 2019, Complainant Anne Sodergren, in her official
22 capacity as the Interim Executive Officer of the Board of Pharmacy, Department of Consumer
23 Affairs, filed Accusation No. 6736 against Christopher Jimmy Pruitt-Ligon (“Respondent”)
24 before the Board of Pharmacy. (Accusation attached as **Exhibit A.**)

25 2. On or about July 14, 2017, the Board of Pharmacy (“Board”) issued Pharmacy
26 Technician License No. TCH 161766 to Respondent. The Pharmacy Technician License was in
27 full force and effect at all times relevant to the charges brought in Accusation No. 6736 and will
28 expire on January 31, 2021, unless renewed.

1 3. On or about September 9, 2019, Respondent was served by Certified and First Class
2 Mail copies of the Accusation No. 6736, Statement to Respondent, Notice of Defense, Request
3 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of
6 record was and is:

7 7000 Dry Wood Way
8 Orangevale, CA 95662.

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

11 5. Government Code section 11506(c) states, in pertinent part:

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

17 6. The Board takes official notice of its records and the fact that Respondent failed to
18 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
19 waived his right to a hearing on the merits of Accusation No. 6736.

20 7. California Government Code section 11520(a) states, in pertinent part:

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

25 8. Pursuant to its authority under Government Code section 11520, the Board finds
26 Respondent is in default. The Board will take action without further hearing and, based on the
27 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
28 as well as taking official notice of all the investigatory reports, exhibits and statements contained
therein on file at the Board's offices regarding the allegations contained in Accusation No. 6736,
finds that the charges and allegations in Accusation No. 6736, are separately and severally, found
to be true and correct by clear and convincing evidence.

9. The Board finds that the actual costs for Investigation and Enforcement are \$1,912.50, as of October 4, 2019.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent Christopher Jimmy Pruitt-Ligon has subjected his Pharmacy Technician License No. TCH 161766 to discipline.

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

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

- a. Business and Professions Code section 4301, subdiv. (l), for criminal conviction for possession of Marijuana for Sale, a misdemeanor; and
- b. Business and Professions Code section 4301, subdiv. (j), for violation of a state statute regulating controlled substances.

ORDER

IT IS SO ORDERED that Pharmacy Technician License No. TCH 161766, issued to Respondent Christopher Jimmy Pruitt-Ligon, is revoked.

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

This Decision shall become effective at 5:00 p.m. on January 23, 2020.

It is so ORDERED on December 24, 2019.

FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By 

Greg Lippe
Board President

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DOJ Matter ID:SA2019102947

Exhibit A

Accusation

(CHRISTOPHER JIMMY PRUITT-LIGON)

1 XAVIER BECERRA
Attorney General of California
2 DAVID E. BRICE
Supervising Deputy Attorney General
3 SUMMER D. HARO
Deputy Attorney General
4 State Bar No. 245482
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7510
Facsimile: (916) 327-8643
7 E-mail: Summer.Haro@doj.ca.gov
Attorneys for Complainant
8

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

13 In the Matter of the Accusation Against:

Case No. 6736

14 **CHRISTOPHER JIMMY PRUITT-LIGON**
7000 Dry Wood Way
15 Orangevale, CA 95662

ACCUSATION

16 **Pharmacy Technician License No. TCH**
161766

17 Respondent.
18

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20 **PARTIES**

21 1. Anne Sodergren (“Complainant”) brings this Accusation solely in her official
22 capacity as the Interim Executive Officer of the Board of Pharmacy (“Board”), Department of
23 Consumer Affairs.

24 2. On or about July 14, 2017, the Board of Pharmacy issued Pharmacy Technician
25 License Number TCH 161766 to Christopher Jimmy Pruitt-Ligon (“Respondent”). The
26 Pharmacy Technician License was in full force and effect at all times relevant to the charges
27 brought herein and will expire on January 31, 2021, unless renewed.

28 ///

JURISDICTION

3. This Accusation is brought before the Board 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, 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 of the Code 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.

(c) The board may refuse a license to any applicant guilty of unprofessional conduct. The board may, in its sole discretion, issue a probationary license to any applicant for a license who is guilty of unprofessional conduct and who has met all other requirements for licensure. The board may issue the license subject to any terms or conditions not contrary to public policy, including, but not limited to, the following:

(1) Medical or psychiatric evaluation.

(2) Continuing medical or psychiatric treatment.

(3) Restriction of type or circumstances of practice.

(4) Continuing participation in a board-approved rehabilitation program.

(5) Abstention from the use of alcohol or drugs.

(6) Random fluid testing for alcohol or drugs.

(7) Compliance with laws and regulations governing the practice of pharmacy.

1 (d) The board may initiate disciplinary proceedings to revoke or suspend any
2 probationary certificate of licensure for any violation of the terms and conditions of
3 probation. Upon satisfactory completion of probation, the board shall convert the
probationary certificate to a regular certificate, free of conditions.

4 (e) The proceedings under this article shall be conducted in accordance with
5 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the
6 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.

7 **STATUTORY AND REGULATORY PROVISIONS**

8 **Business and Professions Code:**

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

10 The board shall take action against any holder of a license who is guilty of
11 unprofessional conduct or whose license has been issued by mistake. Unprofessional
conduct shall include, but is not limited to, any of the following:

12 ...

13 (j) The violation of any of the statutes of this state, of any other state, or of the
14 United States regulating controlled substances and dangerous drugs.

15 ...

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
substantially related to the qualifications, functions, and duties of a licensee under this
chapter. A plea or verdict of guilty or a conviction following a plea of nolo
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.

26 **California Code of Regulations:**

27 7. California Code of Regulations, title 16, section 1770, states:

28 For the purpose of denial, suspension, or revocation of a personal or facility

license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant if to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions authorized by his license or registration in a manner consistent with the public health, safety, or welfare.

DRUGS

8. Section 4021 of the Code provides that a “controlled substance” means any substance listed in Schedules I through V contained in Health and Safety Code section 11053 et seq.

9. Tetrahydrocannabinol is a Schedule I controlled substance pursuant to Health and Safety Code section 11054, subdivision (d)(20), and Code of Federal Regulations, title 21, section 1308.11, subdivision (d)(31). Tetrahydrocannabinol is in cannabis, and is commonly referred to as “THC.”

COST RECOVERY

10. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FIRST CAUSE FOR DISCIPLINE

(Criminal Conviction)

11. Respondent is subject to disciplinary action for unprofessional conduct under Code section 4301, subdivision (l), in that was he was convicted of crimes substantially related to the qualifications, functions, and duties of a pharmacy technician, in that on or about February 6, 2019, in the criminal proceeding entitled *People of the State of California v. Christopher Jimmy Pruitt-Ligon*, (San Joaquin County Super. Ct., Case No. LOD-CR-FECOD-2018-0015453), Respondent was convicted on his plea of nolo contendere of violating Health and Safety Code section 11359, subdivision (b) (Possession of Marijuana for Sale), a misdemeanor. The circumstances of the crime is as follows: On or about December 13, 2018, officers from the Lodi Police Department entered a warehouse pursuant to a search warrant where they discovered a

1 large-scale marijuana THC extraction lab, including a large amount of marijuana, a large amount
2 of the finished product in the form of concentrated marijuana, and isopropyl alcohol, a volatile
3 substance, that was being used to extract THC from the marijuana. In executing the search
4 warrant, the officers also found Respondent and ten other individuals in the lab. Respondent and
5 those ten other individuals were arrested.

6 **SECOND CAUSE FOR DISCIPLINE**

7 (Violation of State Statute Regulating Controlled Substance)

8 12. Respondent is subject to disciplinary action for unprofessional conduct under Code
9 section 4301, subdivision (j), in that Respondent violated a state statute regulating controlled
10 substances as set forth above in paragraph 11.

11 **PRAYER**

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

14 1. Revoking or suspending Pharmacy Technician License Number TCH 161766, issued
15 to Christopher Jimmy Pruitt-Ligon;

16 2. Ordering Christopher Jimmy Pruitt-Ligon to pay the Board of Pharmacy the
17 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
18 Professions Code section 125.3; and,

19 3. Taking such other and further action as deemed necessary and proper.
20
21

22 DATED: September 3, 2019



23 ANNE SODERGREN
24 Interim Executive Officer
25 Board of Pharmacy
26 Department of Consumer Affairs
27 State of California
28 *Complainant*

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