

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

**In the Matter of the Accusation Against:**

**FILIBERTO MANUEL ENRIQUEZ, Respondent**

**Pharmacy Technician Registration No. TCH 150139**

**Agency Case No. 7201**

**DECISION AND ORDER**

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

This Decision shall become effective at 5:00 p.m. on March 30, 2022.

It is so ORDERED on February 28, 2022.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Seung W. Oh". The signature is written in a cursive style with a large, sweeping initial "S".

Seung W. Oh, Pharm.D.  
Board President

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 BRIAN LEE  
Deputy Attorney General  
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*Attorneys for Complainant*  
7

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. 7201

13 **FILIBERTO MANUEL ENRIQUEZ**  
14 **18024 Schoenborn St, #6**  
15 **Northridge, CA 91325**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

16 **Pharmacy Technician Registration No. TCH**  
17 **150139**

Respondent.

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21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
25 (Board). She brought this action solely in her official capacity and is represented in this matter by  
26 Rob Bonta, Attorney General of the State of California, by Brian Lee, Deputy Attorney General.

27 2. Filiberto Manuel Enriquez (Respondent) is representing himself in this proceeding  
28 and has chosen not to exercise his right to be represented by counsel.





**ORDER**

IT IS HEREBY ORDERED that Pharmacy Technician Registration No. TCH 150139, issued to Respondent Filiberto Manuel Enriquez, is surrendered and accepted by the Board.

1. The surrender of Respondent's Pharmacy Technician Registration and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

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

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

4. If Respondent ever applies for licensure or petitions for reinstatement in the State of California, the Board shall treat it as a new application for licensure. Respondent must comply with all the laws, regulations and procedures for licensure in effect at the time the application or petition is filed, and all of the charges and allegations contained in Accusation No. 7201 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the application or petition.

5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$4,387.50 prior to issuance of a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation, No. 7201 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent may not apply for any license, permit, or registration from the Board for a period of three (3) years from the effective date of the Decision and Order.

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**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. 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: \_\_\_\_\_  
FILIBERTO MANUEL ENRIQUEZ  
*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: \_\_\_\_\_  
Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
  
BRIAN LEE  
Deputy Attorney General  
*Attorneys for Complainant*


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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Pharmacy Technician Registration. 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: 01/31/22

  
FILIBERTO MANUEL ENRIQUEZ  
*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: February 1, 2022

Respectfully submitted,  
ROB BONTA  
Attorney General of California  
ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
  
BRIAN LEE  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 7201**

1 ROB BONTA  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 BRIAN LEE  
Deputy Attorney General  
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E-mail: Brian.Lee@doj.ca.gov  
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14 **18024 Schoenborn St, #6**  
**Northridge, CA 91325**

**ACCUSATION**

15 **Pharmacy Technician Registration No. TCH**  
16 **150139**

17 Respondent.

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22 **PARTIES**

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

25 2. On or about January 25, 2016, the Board of Pharmacy issued Pharmacy Technician  
26 Registration Number TCH 150139 to Filiberto Manuel Enriquez (Respondent). The Pharmacy  
27 Technician Registration was in full force and effect at all times relevant to the charges brought  
28 herein and will expire on December 31, 2021, unless renewed.

1 **JURISDICTION**

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

5 4. Section 4300 of the Code provides, in pertinent part, that every license issued by the  
6 board is subject to discipline, including suspension or revocation.

7 5. Section 4300.1 of the Code states:

8 The expiration, cancellation, forfeiture, or suspension of a board-issued license  
9 by operation of law or by order or decision of the board or a court of law, the  
10 placement of a license on a retired status, or the voluntary surrender of a license by a  
11 licensee shall not deprive the board of jurisdiction to commence or proceed with any  
12 investigation of, or action or disciplinary proceeding against, the licensee or to render  
13 a decision suspending or revoking the license.

14 **STATUTORY PROVISIONS**

15 6. Section 4060 of the Code states:

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

7. Code section 4301, subdivision (j), states:

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

...

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

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1 8. Health and Safety Code section 11377, subdivision (a), states:

2 Except as authorized by law and as otherwise provided in subdivision (b) or  
3 Section 11375, or in Article 7 (commencing with Section 4211) of Chapter 9 of  
4 Division 2 of the Business and Professions Code, every person who possesses any  
5 controlled substance which is (1) classified in Schedule III, IV, or V, and which is not  
6 a narcotic drug, (2) specified in subdivision (d) of Section 11054, except paragraphs  
7 (13), (14), (15), and (20) of subdivision (d), (3) specified in paragraph (11) of  
8 subdivision (c) of Section 11056, (4) specified in paragraph (2) or (3) of subdivision  
9 (f) of Section 11054, or (5) specified in subdivision (d), (e), or (f) of Section 11055,  
10 unless upon the prescription of a physician, dentist, podiatrist, or veterinarian,  
11 licensed to practice in this state, shall be punished by imprisonment in a county jail  
12 for a period of not more than one year, except that such person may instead be  
13 punished pursuant to subdivision (h) of Section 1170 of the Penal Code if that person  
14 has one or more prior convictions for an offense specified in clause (iv) of  
15 subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 of the Penal Code  
16 or for an offense requiring registration pursuant to subdivision (c) of Section 290 of  
17 the Penal Code.

18 9. Health and Safety Code section 11370.1 states:

19 (a) Notwithstanding Section 11350 or 11377 or any other provision of law,  
20 every person who unlawfully possesses any amount of a substance containing cocaine  
21 base, a substance containing cocaine, a substance containing heroin, a substance  
22 containing methamphetamine, a crystalline substance containing phencyclidine, a  
23 liquid substance containing phencyclidine, plant material containing phencyclidine, or  
24 a hand-rolled cigarette treated with phencyclidine while armed with a loaded,  
25 operable firearm is guilty of a felony punishable by imprisonment in the state prison  
26 for two, three, or four years.

27 As used in this subdivision, "armed with" means having available for  
28 immediate offensive or defensive use.

(b) Any person who is convicted under this section shall be ineligible for  
diversion or deferred entry of judgment under Chapter 2.5 (commencing with Section  
1000) of Title 6 of Part 2 of the Penal Code.

### **COST RECOVERY**

10. Code section 125.3 states, 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.

### **CONTROLLED SUBSTANCES**

11. Methamphetamine is a Schedule II controlled substance as defined in Health and  
Safety Code section 11055, subdivision (d).

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**FACTUAL ALLEGATIONS**

**OFFENSE #1**

12. On or about September 30, 2020, at approximately 2:30 a.m., Los Angeles Police Department (LAPD) officers observed a vehicle traveling at a high rate of speed and straddle dividing lines, causing another vehicle to brake to avoid a collision. The officers recognized the vehicle as one that was involved in a home invasion/assault with a deadly weapon incident on September 19, 2020. The officers initiated a traffic stop.

13. The officers instructed the three (3) occupants of the vehicle to roll down all the windows. The occupants did not immediately comply, and instead, began moving around inside the vehicle. Respondent Enriquez was observed in the driver's seat. Respondent Enriquez verified that the vehicle was registered to him. The front seat passenger, Robert Garcia, was positively identified as an individual that was involved in the crime that took place on September 19, 2020. Robert Garcia was arrested and the vehicle was searched for evidence of the crime.

14. A search of the center console revealed an empty holster. As the search continued, an officer observed the carpet lining along the right side of the driver's floorboard peeled away from the plastic console casing. When the officer pulled the carpet lining away from the console, a semi-automatic pistol and glass pipe with a bulbous end containing a white residue resembling methamphetamine were revealed. The firearm was loaded with a magazine containing nine (9) rounds of live ammunition seated in the grip of the firearm. There was no serial number on the firearm. It was discovered that the firearm fit perfectly in the holster found in the center console.

15. Respondent was arrested and taken to the police station for booking. Due to Respondent being in possession of a loaded firearm and a controlled substance, a strip search was conducted. Officers instructed Respondent to remove his underwear. Upon doing so, two plastic bindles containing white crystal like substance resembling methamphetamine fell from the front portion of Respondent's underwear and landed on the ground. Respondent immediately stepped on the bindles with his left foot. Officers told Respondent to take a step back and recovered the bindles of methamphetamine. One of the bindles was sent to the laboratory for testing. The testing confirmed the bindle contained methamphetamine.

1           16. On April 1, 2021, the Los Angeles District Attorney’s Office filed a felony criminal  
2 complaint against Respondent for the allegations set forth in paragraphs 13-16, above. The four  
3 (4) charges are for violations of Health and Safety Code section 11370.1(A)[Possession of a  
4 Controlled Substance While at the Same Time being Armed with an Operable Firearm]; Health  
5 and Safety Code section 11378 [Possession of Methamphetamine with Intent to Sell]; Penal Code  
6 section 25400(A)(1)[Carrying a Concealed Firearm]; and Penal Code section 25850(A)[Carrying  
7 a Loaded Firearm]. The criminal matter is currently still pending under Los Angeles County  
8 Superior Court Case No. LA094525.

9 **OFFENSE #2**

10           17. On or about February 2, 2021, LAPD officers were on a foot beat in an area due to a  
11 recent shooting. Officers recognized one of the individuals that was involved in the shooting  
12 incident in the rear seat of a vehicle. Respondent Enriquez was in the front passenger seat.  
13 Officers requested both occupants of the vehicle to exit but they failed to immediately comply,  
14 and instead began moving around the vehicle, consistent with trying to hide a firearm. Officers  
15 eventually located a loaded 9mm handgun in the glove box.

16           18. While being taken to the police station, Respondent stated that he was carrying the  
17 firearm because he got shot at by rival gangs and was scared because of a shooting incident on  
18 January 31, 2021. When officers asked Respondent if he had any narcotics on him, Respondent  
19 admitted hiding a baggie of narcotics in his left sock. A clear baggie containing a clear crystal  
20 like substances resembling methamphetamine was recovered by officers. Respondent was  
21 arrested for Health and Safety Code section 11307.1 – Possession of Controlled Substances While  
22 Armed with Loaded Firearm. A lab test confirmed that the baggie contained methamphetamine.

23           19. On or about February 4, 2021, the Los Angeles City Attorney’s Office filed a  
24 misdemeanor complaint in Los Angeles County Superior Court, Case No. ISV01224, against  
25 Respondent Enriquez for violations of Penal Code sections 25850, subdivision (a) [Carrying a  
26 Loaded Firearm in a Vehicle while in a Public Place and on a Public Street] and 29180,  
27 subdivision (c) [Owning a Firearm Without a Serial Number]. On or about May 18, 2021, the

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1 Court, over the People's objection, ordered judicial diversion for 18 months pursuant to Penal  
2 Code section 1001.95.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Violation of Laws Regulating Controlled Substances)**

5 20. Respondent has subjected his license to disciplinary action under Code section 4301,  
6 subdivision (j) for unprofessional conduct in that, as more fully set forth in paragraphs 12 through  
7 19, above, incorporated herein by reference, Respondent violated Code section 4060, Health and  
8 Safety Code section 11377, subdivision (a), and Health and Safety Code section 11370.1,  
9 subdivision (a).

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 Number TCH 150139,  
14 issued to Filiberto Manuel Enriquez;
- 15 2. Ordering Filiberto Manuel Enriquez to pay the Board of Pharmacy the reasonable  
16 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
17 Code section 125.3; and,
- 18 3. Taking such other and further action as deemed necessary and proper.
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20  
21 DATED: 10/11/2021 \_\_\_\_\_

Signature on File

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

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