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

In the Matter of the Accusation Against:

ELIJAH ANTHONY WILLIAMS
3337 W Florida Ave #58
Hemet, CA 92545

Pharmacy Technician License No. TCH
178301

Respondent.

Case No. 7752

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about June 10, 2024, Complainant Anne Sodergren, in her official capacity as the Executive Officer of the Board of Pharmacy (Board), Department of Consumer Affairs, filed Accusation No. 7752 against Elijah Anthony Williams (Respondent) before the Board. (Accusation attached as Exhibit A.)
2. On or about August 25, 2020, the Board issued Pharmacy Technician License No. TCH 178301 to Respondent. The Pharmacy Technician License expired on January 31, 2024, and has not been renewed. This lapse in licensure, however, pursuant to Business and Professions Code section 118, subdivision (b), and/or section 4300.1, does not deprive the Board of its authority to institute or continue this disciplinary proceeding.

1 3. On or about June 13, 2024, Respondent was served by Certified and First Class Mail
2 copies of the Accusation No. 7752, Statement to Respondent, Notice of Defense, Request for
3 Discovery, and discovery statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
4 Respondent's address of record which, pursuant to Business and Professions Code section 4100,
5 is required to be reported and maintained with the Board. Respondent's address of record was
6 and is: 3337 W Florida Ave #58, Hemet, CA 92545.

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

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

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

16 6. The Board takes official notice of its records and the fact that Respondent failed to
17 file a Notice of Defense within 15 days after service upon him of the Accusation, and therefore
18 waived his right to a hearing on the merits of Accusation No. 7752.

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

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

24 8. Pursuant to its authority under Government Code section 11520, the Board finds
25 Respondent is in default. The Board will take action without further hearing and, based on the
26 relevant evidence contained in the Default Decision Investigatory Evidence Packet in this matter,
27 finds that the charges and allegations in Accusation No. 7752, are separately and severally, found
28 to be true and correct by clear and convincing evidence.

 9. The Board finds that the actual costs of Investigation and Enforcement incurred by
the Attorney General's Office are \$3,713.75 and the actual costs incurred by the Board are
\$339.29, for a total of \$4,053.04 as of July 9, 2024.

1 **DETERMINATION OF ISSUES**

2 1. Based on the foregoing findings of fact, Respondent Elijah Anthony Williams has
3 subjected his Pharmacy Technician License No. TCH 178301 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 technician
6 license based upon the following violations alleged in the Accusation which are supported by the
7 evidence contained in the Default Decision Investigatory Evidence Packet in this case:

8 a. Respondent has subjected his pharmacy technician license to disciplinary action
9 under Business and Professions Code section 4301, subdivision (f), because on November 20,
10 2018; November 24, 2021; and October 7, 2023, Respondent committed acts involving moral
11 turpitude, dishonesty, fraud, deceit, or corruption leading to his arrest.

12 b. Respondent has subjected his pharmacy technician license to disciplinary action
13 under Business and Professions Code sections 490 and 4301, subdivision (l), because on August
14 12, 2022, Respondent was convicted of a crime that is substantially related to the qualifications,
15 functions, and duties of a licensed pharmacy technician.

16 **ORDER**

17 IT IS SO ORDERED that Pharmacy Technician License No. TCH 178301, issued to
18 Respondent Elijah Anthony Williams, is revoked.

19 Upon revocation per this Order, under Business and Professions Code section 4307,
20 subdivision (a), Respondent shall be prohibited from serving as a manager, administrator, owner,
21 member, officer, director, associate, partner, or serving in any other position with management or
22 control of a licensee. This prohibition shall continue until the license is issued or reinstated.

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

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This Decision shall become effective at 5:00 p.m. on September 20, 2024.

It is so ORDERED on August 21, 2024.

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



By _____

Seung W. Oh, Pharm.D.
Board President

84628140.DOCX
DOJ Matter ID:SD2024800566

Attachment:
Exhibit A: Accusation

1 ROB BONTA
Attorney General of California
2 GREGORY J. SALUTE
Supervising Deputy Attorney General
3 MICHAEL M. KARIMI
Deputy Attorney General
4 State Bar No. 260906
600 West Broadway, Suite 1800
5 San Diego, CA 92101
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7 Facsimile: (619) 645-2061
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. 7752

14 **ELIJAH ANTHONY WILLIAMS**
15 **3337 W Florida Ave #58**
Hemet, CA 92545

ACCUSATION

16 **Pharmacy Technician License No.**
17 **TCH 178301**

18 Respondent.

19
20 **PARTIES**

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

23 2. On or about August 25, 2020, the Board issued Pharmacy Technician License
24 Number TCH 178301 to Elijah Anthony Williams (Respondent). The Pharmacy Technician
25 License expired on January 31, 2024, and has not been renewed.

26 **JURISDICTION**

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

1 indicated.

2 4. Code section 4300, subdivision (a), states, “Every license issued may be suspended or
3 revoked.”

4 5. Code section 4300.1 states:

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

9 **STATUTORY PROVISIONS**

10 6. Code section 482 states:

11 (a) Each board under this code shall develop criteria to evaluate the rehabilitation
12 of a person when doing either of the following:

13 (1) Considering the denial of a license by the board under Section 480.

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

15 (b) Each board shall consider whether an applicant or licensee has made a
showing of rehabilitation if either of the following are met:

16 (1) The applicant or licensee has completed the criminal sentence at issue
17 without a violation of parole or probation.

18 (2) The board, applying its criteria for rehabilitation, finds that the applicant
is rehabilitated.

19 ...

20 (d) This section shall become operative on July 1, 2020.

21 7. Code section 490 states:

22 (a) In addition to any other action that a board is permitted to take against a
23 licensee, a board may suspend or revoke a license on the ground that the licensee has
24 been convicted of a crime, if the crime is substantially related to the qualifications,
functions, or duties of the business or profession for which the license was issued.

25 (b) Notwithstanding any other provision of law, a board may exercise any
authority to discipline a licensee for conviction of a crime that is independent of the

26 authority granted under subdivision (a) only if the crime is substantially related to the
27 qualifications, functions, or duties of the business or profession for which the licensee’s
28 license was issued.

1 (c) A conviction within the meaning of this section means a plea or verdict of
2 guilty or a conviction following a plea of nolo contendere. An action that a board is
3 permitted to take following the establishment of a conviction may be taken when the
4 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal,
5 or when an order granting probation is made suspending the imposition of sentence,
6 irrespective of a subsequent order under Section 1203.4 of the Penal Code.

7

8 8. Code section 493 states:

9 (a) Notwithstanding any other law, in a proceeding conducted by a board within
10 the department pursuant to law to deny an application for a license or to suspend or
11 revoke a license or otherwise take disciplinary action against a person who holds a
12 license, upon the ground that the applicant or the licensee has been convicted of a crime
13 substantially related to the qualifications, functions, and duties of the licensee in
14 question, the record of conviction of the crime shall be conclusive evidence of the fact
15 that the conviction occurred, but only of that fact.

16 (b) (1) Criteria for determining whether a crime is substantially related to the
17 qualifications, functions, or duties of the business or profession the board regulates
18 shall include all of the following:

19 (A) The nature and gravity of the offense.

20 (B) The number of years elapsed since the date of the offense.

21 (C) The nature and duties of the profession.

22 (2) A board shall not categorically bar an applicant based solely on the type
23 of conviction without considering evidence of rehabilitation.

24 (c) As used in this section, "license" includes "certificate," "permit," "authority,"
25 and "registration."

26

27 9. Code section 4301 states:

28 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 includes, but is not limited to, any of the following:

...
...

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

...

(l) The conviction of a crime substantially related to the qualifications, functions,
and duties of a licensee under this chapter. The record of conviction of a violation of
Chapter 13 (commencing with Section 801) of Title 21 of the United States Code
regulating controlled substances or of a violation of the statutes of this state regulating
controlled substances or dangerous drugs shall be conclusive evidence of

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

14

15 10. Section 4307 states, in pertinent part:

16 (a) Any person who has been denied a license or whose license has been
17 revoked or is under suspension, or who has failed to renew his or her license while it
18 was under suspension, or who has been a manager, administrator, owner, member,
19 officer, director, associate, partner, or any other person with management or control
20 of any partnership, corporation, trust, firm, or association whose application for a
21 license has been denied or revoked, is under suspension or has been placed on
22 probation, and while acting as the manager, administrator, owner, member, officer,
23 director, associate, partner, or any other person with management or control had
24 knowledge of or knowingly participated in any conduct for which the license was
25 denied, revoked, suspended, or placed on probation, shall be prohibited from serving
26 as a manager, administrator, owner, member, officer, director, associate, partner, or in
27 any other position with management or control of a licensee as follows:

28 (1) Where a probationary license is issued or where an existing license is placed
on probation, this prohibition shall remain in effect for a period not to exceed five
years.

(2) Where the license is denied or revoked, the prohibition shall continue until the
license is issued or reinstated.

...

REGULATORY PROVISIONS

11. California Code of Regulations, title 16, section 1769, subdivision (c), states:

Suspension or revocation of a license.

When considering the suspension or revocation of a facility or a personal license
on the ground that the licensee has been convicted of a crime, the board will consider
whether the licensee made a showing of rehabilitation and is presently fit for a license,
if the licensee completed the criminal sentence at issue without a violation of parole or
probation. In making this determination, the board will consider the criteria in
subdivisions (b)(1)(A) through (E). If the licensee has not completed the criminal
sentence at issue without a violation of parole or probation or the board determines that
the licensee did not make the showing of rehabilitation based on the criteria in
subdivisions (b)(1)(A) through (E), the board will apply the following criteria in
evaluating the licensee's rehabilitation:

1 (1) Nature and gravity of the act(s) or offenses.

2 (2) Total criminal record.

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

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

5 (5) The criteria in subdivisions (b)(1)(A) through (E), as applicable.

6 (6) Evidence, if any, of rehabilitation submitted by the licensee, including as
7 provided in the board's Disciplinary Guidelines, identified in section 1760.

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

9 (a) For the purpose of denial, suspension, or revocation of a personal or facility
10 license pursuant to Section 141 or Division 1.5 (commencing with Section 475) of the
Business and Professions Code, a crime, professional misconduct, or act shall be
11 considered substantially related to the qualifications, functions or duties of the practice,
profession, or occupation that may be performed under the license type sought or held
12 if to a substantial degree it evidences present or potential unfitness of an applicant or
licensee to perform the functions authorized by the license in a manner consistent with
13 the public health, safety, or welfare.

14 (b) In making the substantial relationship determination required under
subdivision (a) for a crime, the board will consider the following criteria:

15 (1) The nature and gravity of the offense;

16 (2) The number of years elapsed since the date of the offense; and

17 (3) The nature and duties of the practice, profession, or occupation that may
18 be performed under the license type sought or held.

19 (c) For purposes of subdivision (a), substantially related crimes, professional
misconduct, or acts shall include, but are not limited to, those which:

20 (1) Violate or attempt to violate, directly or indirectly, or to aid, abet or
21 conspire to violate, any provision of law of this state, or any other jurisdiction,
governing the practice of pharmacy.

22 (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or
23 conspire to violate, any provision of Chapter 13 (commencing with Section 801) of
Title 21 of the United States Code regulating controlled substances or any law of this
24 state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

25 (3) Violate or attempt to violate, directly or indirectly, or to aid, abet or
26 conspire to violate, any provision of law of this state, or any other jurisdiction, relating
to government provided or government supported healthcare.

27 (4) Involve dishonesty, fraud, deceit, or corruption related to money, items,
documents, or personal information.

28 (5) Involve a conviction for driving under the influence of drugs or alcohol.

1 **COST RECOVERY**

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

6 **FACTUAL ALLEGATIONS**

7 **Arrest #1**

8 *California Department of Parks and Recreation, Event Number 181120-0035*

9 14. On November 20, 2018, at approximately 1:30 p.m., an on-duty uniformed State Park
10 Peace Officer was patrolling the Lake Perris State Recreation Area in Riverside County and
11 conducted an enforcement stop on a vehicle that had an expired registration. The officer made
12 contact with the driver, later identified as Respondent, and observed what appeared to be the
13 remaining portions of burnt marijuana cigarettes in the ashtray located on the dashboard. During
14 the stop, Respondent stated that there was nothing illegal in his vehicle. However, while
15 conducting an inventory of the vehicle, the officer located two large clear bags of marijuana
16 inside of a backpack weighing approximately 269.1 grams, a small pocket scale, and four
17 imitation firearms, two of which appeared to be altered. Respondent was arrested for driving on a
18 suspended license (Veh. Code, § 14601.1(a)), transporting cannabis (Health & Saf. Code, §
19 11360(a)), and possession of an altered imitation firearm (Pen. Code, § 20150(a)).

20 *Riverside County Superior Court, Case Number RIM1901039*

21 15. On January 29, 2019, in a criminal proceeding entitled *The People of the State of*
22 *California v. Elijah Anthony Williams*, Riverside County Superior Court, Case Number
23 RIM1901039, Respondent was charged with a misdemeanor violations of driving with a
24 suspended license (Veh. Code, § 14601.1(a)) and possession of cannabis [more than 28.5 grams]
25 and concentrated cannabis [more than 8 grams] (Health & Saf. Code, § 11357(b)(2)).
26 Subsequently, on March 4, 2019, Respondent pled guilty and was convicted of driving with a
27 suspended license (Veh. Code, § 14601.1(a)). Respondent was granted summary probation for 36
28 months and ordered to serve 10 days in sheriff's custody, with a credit of one day for time served

1 and the remaining nine days to be completed in the Work Release Program. The court also
2 ordered Respondent to pay various fines and fees, and that the imitation firearms that were seized
3 be destroyed, among other things.

4 **Arrest #2**

5 *Hemet Police Department, Report Number 2021-03763*

6 16. On November 24, 2021, at approximately 12:17 a.m., officers with the Hemet Police
7 Department were working uniformed police patrol in the City of Hemet, California, when an
8 officer observed a vehicle driving with its front driver's side headlight out. The officer also
9 observed the vehicle turn without activating the turn signal in violation of the law. Officers
10 conducted an enforcement stop and made contact with the driver, later identified as Respondent.
11 During the stop, an officer approached the vehicle from the passenger's side and saw a firearm
12 sitting in plain view inside the vehicle, on the front console. This prompted officers to draw their
13 weapons and hold both Respondent and his passenger at gun point. Officers subsequently
14 searched Respondent's vehicle and recovered the firearm that was on the console and located
15 another firearm that was under the passenger seat. Both firearms were loaded. Respondent
16 declined to speak with officers. Respondent was arrested for carrying a loaded unregistered
17 firearm (Pen. Code, § 25850(c)(6)).

18 *Riverside County Superior Court, Case Number BAF2101608*

19 17. On December 20, 2021, in a criminal proceeding entitled *The People of the State of*
20 *California v. Elijah Anthony Williams, et al.*, Riverside County Superior Court, Case Number
21 BAF2101608, Respondent was charged with a felony violation of carrying a loaded unregistered
22 firearm (Pen. Code, § 25850(c)(6)). Subsequently, on August 12, 2022, Respondent pled guilty
23 and was convicted of carrying a loaded unregistered firearm (Pen. Code, § 25850(c)(6)), as a
24 misdemeanor, reduced at the time of sentencing pursuant to Penal Code section 17, subdivision
25 (b). Respondent was granted summary probation for 12 months and ordered to serve 90 days in
26 sheriff's custody, with a credit of 12 days for time served and the remaining 78 days to be
27 completed in the Work Release Program. The court also ordered Respondent to pay various fines
28 and fees, among other things.

1 **Arrest #3**

2 *Hemet Police Department, Report Number 2023-06228*

3 18. On October 7, 2023, at approximately 7:59 p.m., officers with the Hemet Police
4 Department were working uniformed police patrol in the City of Hemet, California, when an
5 officer observed a vehicle driving with an expired registration. Officers conducted an
6 enforcement stop. Respondent was riding in the passenger’s seat and was asked for identification
7 by an officer but Respondent stated he didn’t have any and looked away. Respondent then told
8 officers his name was “Eli Williams.” Officers were required to use investigative tools to
9 properly identify Respondent. Respondent was placed under arrest for providing false
10 identification to officers (Pen. Code, § 148.9(a)). Officers searched a black backpack which was
11 initially located between Respondent’s legs on the front passenger floorboard. A fully loaded
12 semi-automatic 9mm pistol was found inside the backpack along with a wallet containing
13 Respondent’s driver’s license. A records check revealed that the firearm was not registered.
14 During the investigation, an officer also discovered that Respondent had a prior conviction for
15 carrying a loaded unregistered firearm. Additional violations were added to the arrest, charging
16 Respondent with possession of a firearm by felon (Pen. Code, § 29800(a)(1)), and possession of a
17 firearm by prohibited person (Pen. Code, § 30305(a)(1)).

18 *Riverside County Superior Court, Case Number BAF2301175*

19 19. On November 7, 2023, in a criminal proceeding entitled *The People of the State of*
20 *California v. Elijah Anthony Williams*, Riverside County Superior Court, Case Number
21 BAF2301175, Respondent was charged with a felony violation of carrying a loaded unregistered
22 firearm (Pen. Code, § 25850(c)(6)). The case is currently active with an upcoming hearing date
23 scheduled for June 11, 2024.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Commission of Acts Involving Moral Turpitude, Dishonesty, Fraud, Deceit, or Corruption)**

3 20. Respondent has subjected his license to disciplinary action under Code section 4301,
4 subdivision (f), because on November 20, 2018; November 24, 2021; and October 7, 2023, as
5 more fully set forth in paragraphs 13 through 18, incorporated herein by this reference,
6 Respondent committed acts involving moral turpitude, dishonesty, fraud, deceit or corruption
7 leading to his arrest.

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(August 12, 2022 Criminal Conviction for Carrying Loaded Firearm on November 24, 2021)**

10 21. Respondent has subjected his license to disciplinary action under Code sections 490
11 and 4301, subdivision (l), because on August 12, 2022, as more fully set forth in paragraphs 15
12 and 16, above, incorporated herein by this reference, Respondent was convicted of a crime that is
13 substantially related to the qualifications, functions, and duties of a licensed pharmacy technician.

14 **OTHER MATTERS**

15 22. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Technician
16 Registration Number TCH 178301 issued to Elijah Anthony Williams, then he shall be prohibited
17 from serving as a manager, administrator, owner, member, officer, director, associate, partner, or
18 in any position with management or control of a license for five years if Pharmacy Technician
19 Registration Number TCH 178301 is placed on probation, or until Pharmacy Technician
20 Registration Number TCH 178301 is reinstated if it is revoked without being placed on probation.

21 **PRAYER**

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

24 1. Revoking Pharmacy Technician License Number TCH 178301, issued to Respondent
25 Elijah Anthony Williams;

26 2. Prohibiting Elijah Anthony Williams from serving as a manager, administrator,
27 owner, member, officer, director, associate, partner, or in any position with management or
28 control of a license for five years if Pharmacy Technician Registration Number TCH 178301 is

1 placed on probation, or until Pharmacy Technician Registration Number TCH 178301 is
2 reinstated if it is revoked.

3 3. Ordering Respondent Elijah Anthony Williams to pay the Board of Pharmacy the
4 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
5 Professions Code section 125.3; and, if placed on probation, the costs of probation monitoring;
6 and,

7 4. Taking such other and further action as deemed necessary and proper.

8
9
10 DATED: 6/10/2024

Sodergren, Digitally signed by
Sodergren, Anne@DCA
Anne@DCA Date: 2024.06.10
19:40:32 -07'00'

ANNE SODERGREN
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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