

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

In the Matter of the Statement of Issues Against:

ANWER ABDULLA MUSED, Respondent

Agency Case No. 7924

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary 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 January 8, 2025.

It is so ORDERED on December 9, 2024.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

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

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8
9 **BEFORE THE
BOARD OF PHARMACY**

10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues
13 Against:

Case No. 7924

14 **ANWER ABDULLA MUSED**
15 **Pharmacy Technician License Applicant**
16 Respondent.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

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

26 2. Respondent Anwer Abdulla Mused (Respondent) is representing himself in this
27 proceeding and has chosen not to exercise his right to be represented by counsel.

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CONTINGENCY

1
2 11. This stipulation shall be subject to approval by the Board of Pharmacy. Respondent
3 understands and agrees that counsel for Complainant and the staff of the Board of Pharmacy may
4 communicate directly with the Board regarding this stipulation and settlement, without notice to
5 or participation by Respondent. By signing the stipulation, Respondent understands and agrees
6 that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the
7 Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and
8 Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for
9 this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall
10 not be disqualified from further action by having considered this matter.

11 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
12 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
13 signatures thereto, shall have the same force and effect as the originals.

14 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an
15 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
16 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
17 negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary
18 Order may not be altered, amended, modified, supplemented, or otherwise changed except by a
19 writing executed by an authorized representative of each of the parties.

20 14. In consideration of the foregoing admissions and stipulations, the parties agree that
21 the Board may, without further notice or formal proceeding, issue and enter the following
22 Disciplinary Order:

DISCIPLINARY ORDER

23
24 IT IS HEREBY ORDERED that upon satisfaction of all statutory and regulatory
25 requirements for issuance of a Pharmacy Technician Registration, a Pharmacy Technician
26 Registration shall be issued to Respondent Anwer Abdulla Mused and immediately revoked; the
27 order of revocation stayed and Respondent is placed on probation three (3) years upon the
28 following terms and conditions:

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1. Obey All Laws

Respondent shall obey all state and federal laws and regulations.

Respondent shall report any of the following occurrences to the board, in writing, within seventy- two (72) hours of such occurrence:

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty, or nolo contendere, no contest, or similar, in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another administrative action filed by any state or federal agency which involves respondent’s license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

Failure to timely report such occurrence shall be considered a violation of probation.

2. Report to the Board

Respondent shall report to the board quarterly, on a schedule as directed by the board or its designee. The report shall be made either in person or in writing, as directed. Among other requirements, respondent shall state in each report under penalty of perjury whether there has been compliance with all the terms and conditions of probation.

Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed, probation shall be automatically extended until such time as the final report is made and accepted by the board.

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1 **3. Interview with the Board**

2 Upon receipt of reasonable prior notice, respondent shall appear in person for interviews
3 with the board or its designee, at such intervals and locations as are determined by the board or its
4 designee. Failure to appear for any scheduled interview without prior notification to board staff,
5 or failure to appear for two (2) or more scheduled interviews with the board or its designee during
6 the period of probation, shall be considered a violation of probation.

7 **4. Cooperate with Board Staff**

8 Respondent shall timely cooperate with the board's inspection program and with the board's
9 monitoring and investigation of respondent's compliance with the terms and conditions of his
10 probation, including but not limited to: timely responses to requests for information by board
11 staff; timely compliance with directives from board staff regarding requirements of any term or
12 condition of probation; and timely completion of documentation pertaining to a term or condition
13 of probation. Failure to timely cooperate shall be considered a violation of probation.

14 **5. Reporting of Employment and Notice to Employers**

15 During the period of probation, respondent shall notify all present and prospective
16 employers of the decision in case number 7924 and the terms, conditions and restrictions imposed
17 on respondent by the decision, as follows:

18 Within thirty (30) days of the effective date of this decision, and within ten (10) days of
19 undertaking any new employment, respondent shall report to the board in writing the name,
20 physical address, and mailing address of each of his employer(s), and the name(s) and telephone
21 number(s) of all of his direct supervisor(s), as well as any pharmacist(s)-in-charge, designated
22 representative(s)-in-charge, responsible manager, or other compliance supervisor(s) and the work
23 schedule, if known. Respondent shall also include the reason(s) for leaving the prior
24 employment. Respondent shall sign and return to the board a written consent authorizing the
25 board or its designee to communicate with all of respondent's employer(s) and supervisor(s), and
26 authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,
27 concerning respondent's work status, performance, and monitoring. Failure to comply with the
28 requirements or deadlines of this condition shall be considered a violation of probation.

1 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of
2 respondent undertaking any new employment, respondent shall cause (a) his direct supervisor, (b)
3 his pharmacist-in-charge, designated representative-in-charge, responsible manager, or other
4 compliance supervisor, and (c) the owner or owner representative of his employer, to report to the
5 board in writing acknowledging that the listed individual(s) has/have read the decision in case
6 number 7924, and terms and conditions imposed thereby. If one person serves in more than one
7 role described in (a), (b), or (c), the acknowledgment shall so state. It shall be the respondent's
8 responsibility to ensure that these acknowledgment(s) are timely submitted to the board. In the
9 event of a change in the person(s) serving the role(s) described in (a), (b), or (c) during the term
10 of probation, respondent shall cause the person(s) taking over the role(s) to report to the board in
11 writing within fifteen (15) days of the change acknowledging that he or she has read the decision
12 in case number 7924, and the terms and conditions imposed thereby.

13 If respondent works for or is employed by or through an employment service, respondent
14 must notify the person(s) described in (a), (b), and (c) above at every entity licensed by the board
15 of the decision in case number 7924, and the terms and conditions imposed thereby in advance of
16 respondent commencing work at such licensed entity. A record of this notification must be
17 provided to the board upon request.

18 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen
19 (15) days of respondent undertaking any new employment by or through an employment service,
20 respondent shall cause the person(s) described in (a), (b), and (c) above at the employment service
21 to report to the board in writing acknowledging that he or she has read the decision in case
22 number, and the terms and conditions imposed thereby. It shall be respondent's responsibility to
23 ensure that these acknowledgment(s) are timely submitted to the board.

24 Failure to timely notify present or prospective employer(s) or failure to cause the identified
25 person(s) with that/those employer(s) to submit timely written acknowledgments to the board
26 shall be considered a violation of probation.

27 "Employment" within the meaning of this provision includes any full-time, part-time,
28 temporary, relief, or employment/management service position as a Pharmacy Technician, or any

1 position for which a Pharmacy Technician is a requirement or criterion for employment, whether
2 the respondent is an employee, independent contractor or volunteer.

3 **6. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

4 Respondent shall further notify the board in writing within ten (10) days of any change in
5 name, residence address, mailing address, e-mail address or phone number.

6 Failure to timely notify the board of any change in employer, name, address, or phone
7 number shall be considered a violation of probation.

8 **7. Probation Monitoring Costs**

9 Respondent shall pay any costs associated with probation monitoring as determined by the
10 board each and every year of probation. Such costs shall be payable to the board on a schedule as
11 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall
12 be considered a violation of probation.

13 **8. Status of License**

14 Respondent shall, at all times while on probation, maintain an active, current Pharmacy
15 Technician Registration with the board, including any period during which suspension or
16 probation is tolled. Failure to maintain an active, current Pharmacy Technician Registration shall
17 be considered a violation of probation.

18 If respondent's Pharmacy Technician Registration expires or is cancelled by operation of
19 law or otherwise at any time during the period of probation, including any extensions thereof due
20 to tolling or otherwise, upon renewal or reapplication respondent's license shall be subject to all
21 terms and conditions of this probation not previously satisfied.

22 **9. License Surrender While on Probation/Suspension**

23 Following the effective date of this decision, should respondent cease practice due to
24 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,
25 respondent may relinquish his license, including any indicia of licensure issued by the board,
26 along with a request to surrender the license. The board or its designee shall have the discretion
27 whether to accept the surrender or take any other action it deems appropriate and reasonable.
28 Upon formal acceptance of the surrender of the license, respondent will no longer be subject to

1 the terms and conditions of probation. This surrender constitutes a record of discipline and shall
2 become a part of the respondent's license history with the board.

3 Upon acceptance of the surrender, respondent shall relinquish his pocket and/or wall
4 license, including any indicia of licensure not previously provided to the board within ten (10)
5 days of notification by the board that the surrender is accepted if not already provided.
6 Respondent may not reapply for any license from the board for three (3) years from the effective
7 date of the surrender. Respondent shall meet all requirements applicable to the license sought as
8 of the date the application for that license is submitted to the board, including any outstanding
9 costs.

10 **10. Practice Requirement – Extension of Probation**

11 Except during periods of suspension, respondent shall, at all times while on probation, be
12 employed as a Pharmacy Technician in California for a minimum of 80 hours per calendar month.
13 Any month during which this minimum is not met shall extend the period of probation by one
14 month. During any such period of insufficient employment, respondent must nonetheless comply
15 with all terms and conditions of probation, unless respondent receives a waiver in writing from
16 the board or its designee.

17 If respondent does not practice as a Pharmacy Technician in California for the minimum
18 number of hours in any calendar month, for any reason (including vacation), respondent shall
19 notify the board in writing within ten (10) days of the conclusion of that calendar month. This
20 notification shall include at least: the date(s), location(s), and hours of last practice; the reason(s)
21 for the interruption or reduction in practice; and the anticipated date(s) on which respondent will
22 resume practice at the required level. Respondent shall further notify the board in writing within
23 ten (10) days following the next calendar month during which respondent practices as a Pharmacy
24 Technician in California for the minimum of hours. Any failure to timely provide such
25 notification(s) shall be considered a violation of probation.

26 It is a violation of probation for respondent's probation to be extended pursuant to the
27 provisions of this condition for a total period, counting consecutive and non-consecutive months,
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1 exceeding thirty-six (36) months. The board or its designee may post a notice of the extended
2 probation period on its website.

3 **11. Violation of Probation**

4 If respondent has not complied with any term or condition of probation, the board shall
5 have continuing jurisdiction over respondent, and the board shall provide notice to respondent
6 that probation shall automatically be extended, until all terms and conditions have been satisfied
7 or the board has taken other action as deemed appropriate to treat the failure to comply as a
8 violation of probation, to terminate probation, and to impose the penalty that was stayed. The
9 board or its designee may post a notice of the extended probation period on its website.

10 If respondent violates probation in any respect, the board, after giving respondent notice
11 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that
12 was stayed. If a petition to revoke probation or an accusation is filed against respondent during
13 probation, or the preparation of an accusation or petition to revoke probation is requested from
14 the Office of the Attorney General, the board shall have continuing jurisdiction and the period of
15 probation shall be automatically extended until the petition to revoke probation or accusation is
16 heard and decided.

17 **12. Completion of Probation**

18 Upon written notice by the board or its designee indicating successful completion of
19 probation, respondent's license will be fully restored.

20 **13. Certification Prior to Returning to Work**

21 Respondent shall be suspended, and shall not work as a pharmacy technician, until [he/she]
22 has been certified as defined by Business and Professions Code section 4202, subdivision (a)(4),
23 has submitted proof of certification to the board, and has been notified by the board or its
24 designee that [he/she] may begin work. Failure to achieve certification within six (6) months of
25 the effective date shall be considered a violation of probation.

26 During suspension, respondent shall not enter any pharmacy area or any portion of any
27 other board licensed premises of a wholesaler, third-party logistics provider, veterinary
28 food-animal drug retailer or any other distributor of drugs which is licensed by the board, or any

1 manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled
2 substances are maintained.

3 Respondent shall not do any act involving drug selection, selection of stock, manufacturing,
4 compounding or dispensing; nor shall respondent manage, administer, or assist any licensee of
5 the board. Respondent shall not have access to or control the ordering, distributing,
6 manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled
7 substances.

8 During this suspension, respondent shall not engage in any activity that requires licensure
9 as a pharmacy technician. Respondent shall not direct or control any aspect of the practice of
10 pharmacy or of the manufacture, distribution, wholesaling, or retailing of dangerous drugs
11 and/or dangerous devices, or controlled substances.

12 Failure to comply with any such suspension shall be considered a violation of probation.

13 **14. No Ownership or Management of Licensed Premises**

14 Respondent shall not own, have any legal or beneficial interest in, nor serve as a manager,
15 administrator, member, officer, director, trustee, associate, or partner of any business, firm,
16 partnership, or corporation currently or hereinafter licensed by the board. Respondent shall sell
17 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
18 days following the effective date of this decision and shall immediately thereafter provide written
19 proof thereof to the board. Failure to timely divest any legal or beneficial interest(s) or provide
20 documentation thereof shall be considered a violation of probation.

21 **ACCEPTANCE**

22 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
23 stipulation and the effect it will have on my Pharmacy Technician Registration. I enter into this
24 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
25 to be bound by the Decision and Order of the Board of Pharmacy.

26
27 DATED: _____

28 ANWER ABDULLA MUSED
Respondent

1 manufacturer, or any area where dangerous drugs and/or dangerous devices or controlled
2 substances are maintained.

3 Respondent shall not do any act involving drug selection, selection of stock, manufacturing,
4 compounding or dispensing; nor shall respondent manage, administer, or assist any licensee of
5 the board. Respondent shall not have access to or control the ordering, distributing,
6 manufacturing or dispensing of dangerous drugs and/or dangerous devices or controlled
7 substances.

8 During this suspension, respondent shall not engage in any activity that requires licensure
9 as a pharmacy technician. Respondent shall not direct or control any aspect of the practice of
10 pharmacy or of the manufacture, distribution, wholesaling, or retailing of dangerous drugs
11 and/or dangerous devices, or controlled substances.

12 Failure to comply with any such suspension shall be considered a violation of probation.

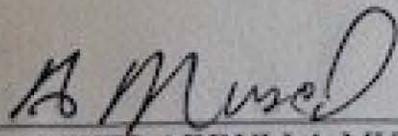
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17 or transfer any legal or beneficial interest in any entity licensed by the board within ninety (90)
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24 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
25 to be bound by the Decision and Order of the Board of Pharmacy.

26
27 DATED: 10/25/24


ANWER ABDULLA MUSED
Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: _____

Respectfully submitted,
ROB BONTA
Attorney General of California
DAVID E. BRICE
Supervising Deputy Attorney General

KAREN R. DENVIR
Supervising Deputy Attorney General
Attorneys for Complainant

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DATED: 10/25/24

Respectfully submitted,
ROB BONTA
Attorney General of California
DAVID E. BRICE
Supervising Deputy Attorney General

Karen Denvir
KAREN K. DENVIR
Supervising Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 7924

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10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues
12 Against:

Case No. 7924

13 **ANWER ABDULLA MUSED**

STATEMENT OF ISSUES

14 **Pharmacy Technician License Applicant**

15 Respondent.

16 **PARTIES**

- 17 1. Anne Sodergren (Complainant) brings this Statement of Issues solely in her official
18 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
19 2. On or about May 2, 2024, the Board of Pharmacy (Board), Department of Consumer
20 Affairs received an application for a Pharmacy Technician License from Anwer Abdulla Mused
21 (Respondent). On or about April 16, 2024, Respondent certified under penalty of perjury to the
22 truthfulness of all statements, answers, and representations in the application. The Board denied
23 the application on September 19, 2024.

24 **JURISDICTION**

- 25 3. This Statement of Issues is brought before the Board of Pharmacy (Board) for the ,
26 Department of Consumer Affairs, under the authority of the following laws. All section
27 references are to the Business and Professions Code (Code) unless otherwise indicated.
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1 (2) A board shall not categorically bar an applicant based solely on the type of
conviction without considering evidence of rehabilitation.

2 (c) As used in this section, “license” includes “certificate,” “permit,” “authority,” and
3 “registration.” . . .

4 7. Section 4301 of the Code states, in pertinent part:

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

7 . . .

8 (1) The conviction of a crime substantially related to the qualifications,
9 functions, and duties of a licensee under this chapter. The record of conviction of a
10 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
11 state regulating controlled substances or dangerous drugs shall be conclusive
evidence of unprofessional conduct. In all other cases, the record of conviction shall
12 be conclusive evidence only of the fact that the conviction occurred. The board may
inquire into the circumstances surrounding the commission of the crime, in order to
13 fix the degree of discipline or, in the case of a conviction not involving controlled
substances or dangerous drugs, to determine if the conviction is of an offense
14 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
15 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
16 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
17 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
18 dismissing the accusation, information, or indictment. . . .

19 **REGULATORY PROVISIONS**

20 8. California Code of Regulations (CCR), title 16, section 1769, subdivision (c),
21 states, in pertinent part:

22 . . .

23 (b) Denial of a license.

24 (1) When considering the denial of a facility or personal license under Section
480 of the Business and Professions Code on the grounds that the applicant has been
25 convicted of a crime, the board will consider whether the applicant made a showing
of rehabilitation if the applicant completed the criminal sentence at issue without a
26 violation of parole or probation. In making this determination, the board will consider
the following criteria:

27 (A) The nature and gravity of the crime(s).
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(B) The length(s) of the applicable parole or probation period(s).

(C) The extent to which the applicable parole or probation period was shortened or lengthened, and the reason(s) the period was modified.

(D) The terms or conditions of parole or probation and the extent to which they bear on the applicant's rehabilitation.

(E) The extent to which the terms or conditions of parole or probation were modified, and the reason(s) for modification.

(2) If the applicant has not completed the criminal sentence at issue without a violation of parole or probation, or the board determines that the applicant did not make the showing of rehabilitation based on the criteria in paragraph (1) or the denial is based on professional misconduct, the board will apply the following criteria in evaluating an applicant's rehabilitation:

(A) The nature and gravity of the act(s), professional misconduct, or crime(s) under consideration as grounds for denial.

(B) Evidence of any act(s), professional misconduct, or crime(s) committed subsequent to the act(s), professional misconduct, or crime(s) under consideration as grounds for denial under Section 480 of the Business and Professions Code.

(C) The time that has elapsed since commission of the act(s), professional misconduct, or crime(s) referred to in subparagraph (A) or (B).

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

(E) The criteria in paragraphs (1)(A) through (E), as applicable.

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

...

9. CCR, title 16, section 1770, states:

(a) For the purpose of denial, suspension, or revocation of a personal or facility 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 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 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 the public health, safety, or welfare.

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

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

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

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

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

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

9 (2) Violate or attempt to violate, directly or indirectly, or to aid, abet or
10 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
11 state, or any other jurisdiction, relating to controlled substances or dangerous drugs.

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

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

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

16 **CAUSE FOR DENIAL OF APPLICATION**

17 **(Criminal Conviction)**

18 10. Respondent's application is subject to denial under Code sections 480, subdivision
19 (a), 4300, subdivision (c), and 4301, subdivision (l), in conjunction with CCR, title 16, section
20 1770, in that Respondent has been convicted of a crime that is substantially related to the
21 qualifications, functions and duties of a pharmacy technician.

22 11. On or about November 14, 2022, in a criminal proceeding entitled *People v. Anwer*
23 *Abdulla Mused*, in Stanislaus County Superior Court, Case Number CR-22-006817, Respondent
24 was convicted by plea of no contest of violating Penal Code section 337a, subdivision (a)(1)
25 (engaging in pool selling or bookmaking with or without a writing), a misdemeanor. Respondent
26 was sentenced to one year of probation and one day in the county jail. The circumstances are as
27 follows:

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1 a. On or about January 27, 2022, an undercover agent with the California
2 Department of Alcoholic Beverage Control (ABC) entered Airport Market in Modesto,
3 California. The agent approached the clerk, later identified as Respondent, and asked to put
4 money into his “river” account. The “river” is a term referring to an online site in which account
5 holders can pay money into an account and then play various online gambling games of chance to
6 win money. Respondent replied “yes” and asked the agent for his first name and last initial.
7 Respondent then entered the information into a smart phone and asked the agent how much he
8 wanted to put on the account. The agent gave him a marked \$20 bill and left the premises. The
9 agent then signed into his account and confirmed that the \$20 had been transferred into 2000
10 credits to play. The agent played several games, wagering various amounts, and determined that
11 the game results were completely random and no amount of skill would alter the result. ABC
12 agents then entered the Airport Market and photographed the smart phone Respondent had used
13 and retrieved the marked \$20 bill the agent had given Respondent. ABC agents questioned
14 Respondent, who admitted to running online gambling games through the business for the past
15 few months, as well as in the past.

16 **PRAYER**

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

- 19 1. Denying the application of Anwer Abdulla Mused for a Pharmacy Technician
20 License;
21 2. Taking such other and further action as deemed necessary and proper.

22 DATED: 10/17/2024

23 Sodergren,
24 Anne@DCA

Digitally signed by
Sodergren, Anne@DCA
Date: 2024.10.17 05:44:55
-07'00'

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