JAMES A. RHODES
Governor

FRANKLIN Z. WICKHAM
Executive Director

STATE BOARD OF PHARMACY

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JAMES L. HUTSON
Compliance & Enforcement Administrator

President: J. Richard Wuest, Cincinnati

Vice President: Betty J. Nichol, Columbus

THE STATE BOARD OF PHARMACY

vs

CLAYTON UMBLES, UMBLES DREW-HALE PHARMACY

The matter of the State Board of Pharmacy versus Clayton Umbles, Umbles Drew-Hale Pharmacy, Docket 6-22-1, was heard pursuant to Chapters 4729. and 119., Revised Code. After consideration of the evidence adduced, motion was made and recorded the following Order be adopted:

ORDER

1. The State Board of Pharmacy finds Clayton Umbles did violate Section 4729.27, Ohio Revised Code in that on June 12, 1975, his pharmacy was not in full and actual charge of a pharmacist registered under the laws of this state.

2. The State Board of Pharmacy finds Clayton Umbles did violate Section 4729.16(A), Ohio Revised Code, in that on June 5, 1976 he was found guilty of a felony by a jury of his peers of the Lucas County Common Pleas Court to wit: carrying a concealed weapon (Section 2923.12 of the Ohio Revised Code).

3. The State Board of Pharmacy finds Clayton Umbles did violate Section 4729.16(A), Ohio Revised Code, in that, stemming out of the same incident in which he was found guilty June 5, 1976 for carrying a concealed weapon, he had illegal possession of narcotics, in violation of section 3719.09 Ohio Revised Code.

4. The State Board of Pharmacy finds under Section 4729.16, Revised Code:

"The State Board of Pharmacy, after notice and hearing in accordance with Sections 119.01 to 119.13 of the Revised Code, may revoke, suspend, or refuse to grant an identification card under this Chapter, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Revised Code for a similar offense, if a majority of the members of the Board find a pharmacist:

(a) Guilty of a Felony.

(c) Guilty of willfully violating more than one time any of the provisions of . . . . Chapter 3719. . . . . , or 4729. of the Revised Code."

Members:

Ed Briner, Massillon
William J. Marks, Columbus
Charles R. Brading, Wapakoneta

Phyllis Wilson, Columbus
Gilbert Siegel, Toledo
Bernard J. Kurlander, Beachwood

5. The State Board of Pharmacy revokes the identification card of Clayton Umbles.

This Order was approved by a roll call vote of the State Board of Pharmacy.

Motion Carried.

So Ordered.

It is hereby certified by this Board that the above language is a copy of the Order entered upon it's Journal in this case.

Section 119.12 Ohio Revised Code, authorizes an appeal from this Order. Such an appeal may be taken to the Court of Common Pleas in the county in which your place of business is located or to said court of the county in which you reside. Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

The State Board of Pharmacy

by _____
Franklin Z. Wickham
Executive Director

REGISTERED MAIL
RETURN RECEIPT REQUESTED

cc: Robert W. Penn, Atty.