

THE STATE BOARD OF PHARMACY

VS

VINCENT DeVITO JR.

THE MATTER OF THE STATE BOARD OF PHARMACY VERSUS VINCENT DeVITO JR., DOCKET 6-32-2, 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 VINCENT DeVITO DID VIOLATE SECTION 4729.16(A) OHIO REVISED CODE, IN THAT HE WAS FOUND GUILTY OF A FELONY BY THE ROSS COUNTY COURT OF COMMON PLEAS TO WIT; AGGRAVATED TRAFFICKING IN DRUGS, A VIOLATION OF SECTION 2925.03(A)(5) OHIO REVISED CODE.
- 2) FURTHER THAT VINCENT DeVITO JR. DID VIOLATE SECTION 4729.16(A) OHIO REVISED CODE, IN THAT HE WAS FOUND GUILTY OF A FELONY BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO TO WIT; DID DISTRIBUTE A SCHEDULE I CONTROLLED SUBSTANCE, IN VIOLATION OF TITLE 21, UNITED STATES CODE, SECTION 841 (a)(1).
- 3) 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 FINDS A PHARMACIST:

(A) GUILTY OF A FELONY."

4) THE STATE BOARD OF PHARMACY FINDS THAT MR. DeVITO WAS CONVICTED OF A FELONY TO WIT; AGGRAVATED TRAFFICKING IN DRUGS BY THE COURT OF COMMON PLEAS OF ROSS COUNTY AND DISTRIBUTING A SCHEDULE I CONTROLLED SUBSTANCE BY THE UNITED STATES DISTRICT COURT AND THE STATE BOARD OF PHARMACY FINDS THAT MR. DeVITO IS GUILTY OF THOSE OFFENSES.
- 5) THE STATE BOARD OF PHARMACY HEREBY REVOKES THE IDENTIFICATION CARD OF VINCENT DeVITO JR., EFFECTIVE IMMEDIATELY.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY.

MOTION CARRIED.

SO ORDERED.

(7/3/79)