

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0017**

**IN THE MATTER OF THE INDIANA
PHARMACIST LICENSE OF:**

**JESSICA M. CURTIS, R.PH.,
LICENSE NUMBER: 26020384A.**

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ORDER DISMISSING COMPLAINT

The Indiana Board of Pharmacy (“Board”), held an administrative hearing on April 8, 2013 in Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning a Motion to Dismiss filed by the State of Indiana (“Petitioner”) to dismiss the Administrative Complaint (“Complaint”) filed against the Indiana pharmacist license of Jessica M. Curtis, R.Ph. (“Respondent”).

The Petitioner was represented by Darren R. Covington, Deputy Attorney General. Respondent did not appear in person or by counsel.


At the administrative hearing, the Petitioner moved the Board to dismiss the Complaint in this matter due to the fact that no information was received during a settlement conference which absolved Responent, as described in the Motion to Dismiss, a copy of which is attached hereto as Exhibit A.

The Board, by a vote of 5-0-1, dismissed the Complaint.

IT IS THEREFORE ORDERED that the Complaint in this matter is hereby **DISMISSED**.

ORDERED, this 18 day of April, 2013.

INDIANA BOARD OF PHARMACY

By: 

Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Order Dismissing Complaint" has been duly served upon:

Jessica Curtis
4004 W. 186th St.
Westfield, IN 46074
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by E-Mail

4/18/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods

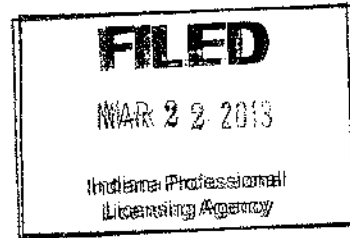
Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0017

IN THE MATTER OF THE LICENSE OF)
JESSICA M. CURTIS, R.PH.)
LICENSE NO. 26020384A (ACTIVE))



PETITIONER'S MOTION TO DISMISS COMPLAINT

Comes now the State of Indiana (Petitioner), by counsel, Office of the Attorney General, by Darren R. Covington, Deputy Attorney General, and respectfully moves the Indiana Board of Pharmacy (Board) to dismiss the Complaint filed against Jessica M. Curtis, R.Ph. (Respondent) by the Petitioner on February 8, 2013, and in support thereof, states the following:

1. The Petitioner filed a Complaint against Jessica M. Curtis, R.Ph. on February 8, 2013. In this Complaint, the Petitioner alleged that Respondent rung up three fragrance gift sets at CVS Pharmacy, where she was employed. These gift sets rung up as \$0. The Petitioner alleged that Respondent knew that was not the correct price, did nothing to correct the error, and took the merchandise, knowing that it was wrong to do so.

2. On March 11, 2013, a settlement conference was held with Respondent and Board designee, William Cover. During this conference, the Petitioner was made aware that Respondent did try to correct this error and has paid CVS Pharmacy in full for the three gift sets.

3. The designee recommended that this matter be dismissed.

WHEREFORE, the Petitioner respectfully moves the Board to dismiss this

EXHIBIT A

Complaint against Respondent and for all other relief just and proper in the premises.

Respectfully submitted,

Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

By:

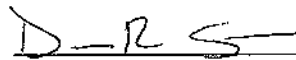
D-R-S-
Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

CERTIFICATE OF SERVICE

I certify that a copy of the "Motion to Dismiss" has been duly served upon the Respondent counsel, by United States mail, first-class, postage prepaid, on this 22nd day of March, 2013.

Jessica Curtis
4004 W. 186th St.
Westfield, IN 46074

By:



Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

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