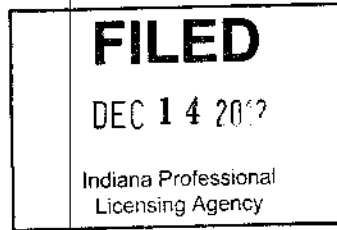


BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2012 IBP 0083

IN THE MATTER OF THE)
INDIANA PHARMACY)
TECHNICIAN CERTIFICATION OF:)
DANYEL MAREE FRANKLIN, C.PH.T.)
CERTIFICATION NUMBER: 67016073A.)



SUMMARY SUSPENSION EXTENSION ORDER

An administrative hearing was held on December 10, 2012, before the Indiana Board of Pharmacy ("Board") in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, to consider whether to extend the summary suspension of the certification of Danyel Maree Franklin, C.Ph.T. ("Respondent").

The State of Indiana was represented by Darren R. Covington, Deputy Attorney General. Respondent failed to appear in person or by counsel.

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 6-0-0, **EXTENDS THE SUMMARY SUSPENSION** on the certification held by Respondent for an additional ninety (90) days from the expiration date of the Board's previous Summary Suspension Order, as the Board finds that an emergency continues to exist and that Respondent represents a clear and immediate danger to the public health and safety if allowed to practice pharmacy in the State of Indiana.

This **NON-FINAL** emergency order is based on evidence supporting the following findings:

1. This Board has jurisdiction to suspend Respondent's certification in accordance with the provisions of Ind. Code ch. 4-21.5-4 and Ind. Code § 25-1-9-10.

2. Respondent's address on file with the Indiana Professional Licensing Agency is 1359 Kappes St., Indianapolis, Indiana 46221.

3. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67016073A on July 20, 2009.

4. On or around May 1, 2012, Respondent was charged in Marion County, Indiana Superior Court with Conspiracy to Commit Dealing in Cocaine, a Class B Felony; Dealing in Cocaine, a Class B Felony; and, Possession of Cocaine, a Class D Felony; under Cause Number 49G20-1204-FB-025407.

5. According to the Probable Cause Affidavit, on or around September 28, 2011, an Undercover Detective and a Confidential Informant purchased crack cocaine from a black male known as "G," later identified as Sidney Galloway.

6. According to the Probable Cause Affidavit, Respondent drove "G" to the location of the buy. Respondent remained in the car while the buy took place. Respondent witnessed the buy take place. Respondent told the Undercover Detective that she could call "G" anytime and asked where the Undercover Detective would like to meet "G" the next time. Respondent drove "G" away after the buy was completed.

7. On October 1, 2012, the Board summarily suspended Respondent's certification for ninety (90) days.

8. The Summary Suspension on Respondent's certification is set to expire to before the Board has its next regularly scheduled meeting on January 14, 2013.

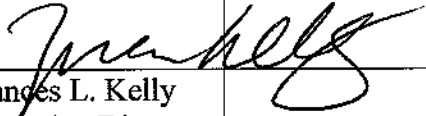
9. There is no evidence that Respondent is no longer a clear and immediate danger.

10. In the interest of protecting public safety, the Board issues this Summary Suspension Extension Order.

WHEREFORE, RESPONDENT IS ORDERED to immediately cease all acts constituting the practice of pharmacy for an additional period of ninety (90) days, up to and including March 30, 2013.

ORDERED, this 14 day of December, 2012.

INDIANA BOARD OF PHARMACY

By: 

Frances L. Kelly
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Summary Suspension Extension Order" has been duly served upon:

Danyel Franklin
1359 Kappes St.
Indianapolis, Indiana 46221
Service by Mail

Danyel Franklin
4510 Candletree Cir., Apt. 14
Indianapolis, IN 46254
Service by 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

12/14/12
Date


Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
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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.