

**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. )**

**FILED**  
MAR 22 2013  
Indiana Professional  
Licensing Agency

**NOTICE OF PROPOSED DEFAULT AND SUMMARY SUSPENSION ORDER**

An administrative hearing was scheduled to be held on March 11, 2013, 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 the Administrative Complaint ("Complaint") filed against Danyel Maree Franklin, C.Ph.T. ("Respondent") by the State of Indiana ("Petitioner") on February 8, 2013.

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 § 4-21.5-3-24, voted 5-0-0 to issue a Notice of Proposed Default and Summary Suspension Order on the following grounds:

1. Respondent's current address on file with the Indiana Professional Licensing Agency ("IPLA") is 4510 Candletree Circle, Apartment 14, Indianapolis, Indiana 46254.
2. A Complaint was filed by the Petitioner against Respondent on February 8, 2013.
3. On February 18, 2013, IPLA sent a hearing notice by to Respondent at her listed address informing her of the date, time, and place of the administrative hearing on

the Complaint scheduled for March 11, 2013 at 2:00 p.m. On this date, Respondent's address of record was 1359 Kappes Street, Indianapolis, Indiana 46221.

4. Pursuant to Ind. Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing and Respondent failed to appear for the scheduled hearing in person or by counsel on March 11, 2013.

#### **NOTICE OF PROPOSED DEFAULT ORDER**

For Respondent's failure to appear for the scheduled hearing, the Board issued the following Notice of Proposed Default:

In accordance with Ind. Code § 4-21.5-3-24, Respondent must file a written motion within seven (7) days of service of this Order requesting the Board not enter a default order in this case and stating the reasons relied upon for that request. Failure of Respondent to file such a written motion within seven (7) days shall result in the issuance of a default order. If Respondent timely files a motion, the Board shall consider said motion along with any relevant facts in determining whether a default order should be entered. Should a default order be entered against Respondent, the Board may hold further proceedings it deems appropriate to complete this case without the participation of Respondent.

#### **SUMMARY SUSPENSION ORDER**

The Board, pursuant to Ind. Code § 4-21.5-4-1 *et seq.* and Ind. Code § 25-1-9-10, by a vote of 5-0-0, **SUMMARILY SUSPENDS** the license held by Respondent for an additional ninety (90) days 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. 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.

2. 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.

3. 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.

**WHEREFORE, RESPONDENT IS ORDERED** to continue to cease all acts constituting the practice of pharmacy for a period of ninety (90) days, up to and including June 28, 2013.

**ORDERED**, this 22 day of March, 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 "Notice of Proposed Default Order and Summary Suspension Order" has been duly served upon:

Danyel Franklin  
4510 Candletree Cir., Apt. 14  
Indianapolis, IN 46254  
**Service by U.S. Mail**

Danyel Franklin  
1359 Kappes St.  
Indianapolis, IN 46221  
**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 Email**

3/22/13  
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.