BEFORE THE INDIANA STATE BOARD OF PHARMACY
CAUSE NUMBER: 2001 IBP 008

STATE OF INDIANA,

Petitioner,

v.

FREEBORN M. ESIGBONE, R.Ph.,
a/k/a MAC FREEBORN ESIGBONE, R.Ph.,
License Number: 26016811,

Respondent.

FILED
NOV 09 2001
HEALTH PROFESSIONS BUREAU

NOTICE OF PROPOSED DEFAULT

An administrative hearing was scheduled to be held on November 5, 2001, before the Indiana Board of Pharmacy ("Board"), in Room 6 of the Training Center, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, 46204 to determine whether to impose discipline based on the State's Complaint filed against the pharmacy license of Freeborn Mac Esigbone, R.Ph.("Respondent").

The State of Indiana was represented Kimberly J. Brown, Deputy Attorney General. Respondent was not present and was not represented by counsel.

The Board, after taking official notice of its file in this matter and pursuant to Indiana Code § 4-21.5-3-24, by a vote of 7-0-0, issues a Notice of Proposed Default Order on the following grounds:

1. Respondent's address on file with the Board is 8666 Garonne Terrace #D, Indianapolis, Indiana 46250.

2. Respondent is a duly licensed pharmacist in the State of Indiana having been issued license number 26016811.

3. A Complaint was filed by the State in this matter on October 10, 2001.

4. On or about October 11, 2001, the Health Professions Bureau sent a notice to Respondent at his address on file with the Board, by certified mail, of the date and time of a final hearing scheduled for November 5, 2001. Said notice was returned by the Post Office marked "return to sender, not deliverable as addressed, unable to forward."

5. Pursuant to Indiana Code § 4-21.5-3-20, Respondent was provided adequate notice of the hearing date and failed to appear for the scheduled hearing on November 5, 2001.

ORDER

1. For Respondent's failure to appear for his scheduled hearing, the Board issues this Notice of Proposed Default.

2. In accordance with Indiana Code § 4-21.5-3-24, Respondent must file a written motion within seven days of service of this order requesting that the Board not enter a default order in this case and stating the reasons relied upon for his request. Failure of Respondent to file such a written motion within seven 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 other 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.

SO ORDERED, this 9th day of November, 2001.

INDIANA BOARD OF PHARMACY

By: Lisa Hayes
Lisa Hayes
Executive Director
Health Professions Bureau

copies to:

Freeborn Mac Esigbone, R.Ph.
Mac Freeborn Esigbone, R.Ph.
8666 Garonne Terrace, #D
Indianapolis, IN 46250
SENT CERTIFIED MAIL NO. 7000 1670 0003 0262 5320
RETURN RECEIPT REQUESTED

Kimberly J. Brown
Deputy Attorney General
Indiana Government Center South, 5th Floor
402 West Washington Street
Indianapolis, Indiana 46204-2770

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