

**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0042**

**IN THE MATTER OF THE INDIANA
PHARMACY TECHNICIAN
CERTIFICATION OF:**

**LATOYA MONTGOMERY, C. PH. T.,
CERTIFICATION NUMBER: 67013862A.**



NOTICE OF PROPOSED DEFAULT ORDER

An administrative hearing was scheduled to be held on June 10, 2013, before the Indiana Board of Pharmacy ("Board") in Conference Room C of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, to consider the Complaint filed against LaToya Annette Montgomery, C. Ph. T. ("Respondent"), by the State of Indiana ("Petitioner") on May 7, 2013.

The Petitioner was represented by Tim Weber, Graduate Legal Intern, and 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 6-0 to issue a Notice of Proposed Default on the following grounds:

1. Respondent's address on file with the Indiana Professional Licensing Agency is 1105 Providence Street, Michigan City, Indiana 46360.
2. Respondent is a certified pharmacy technician in the State of Indiana having been issued certification number 67013862A on June 23, 2008.
2. A Complaint was filed by the Petitioner against Respondent on May 7, 2013.

3. On May 14, 2013, the Indiana Professional Licensing Agency sent a hearing notice to Respondent at her last address of record informing her of the date, time, and place of the administrative hearing on the Complaint scheduled for June 10, 2013 at 2:00 p.m.

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 June 10, 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.

ORDERED, this 28th day of June, 2013.

INDIANA BOARD OF PHARMACY

By:

Herbert W Rhoad

for

Nicholas W. Rhoad

Executive Director

Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Notice of Proposed Default Order" has been duly served upon:

LaToya Annette Montgomery
1105 Providence Street
Michigan City, IN 46360
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

6/28/13
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.