

EX A

United States of America vs.

United States District Court for NORTHERN DISTRICT OF IOWA

CEDAR RAPIDS DIVISION

DEFENDANT

JO ANN CARLTON

DOCKET NO. CR79-12

JUDGMENT AND PROBATION/COMMITMENT ORDER (5/75)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH	DAY	YEAR
11	21	79

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Robert E. Sosalla, p/c
(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

There being a finding of ~~guilt~~ NOT GUILTY. Defendant is discharged
 GUILTY.

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of wilfully & knowingly use a false writing and document containing a materially false, fictitious and fraudulent statement, knowing the same to contain such a statement, in a matter within the jurisdiction of the Dept. of Health, Education, and Welfare of the United States, in violation of 18 USC 1001 as charged in count 2 of the indictment

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: ~~XXXXXX~~

IT IS ADJUDGED that the defendant pay a fine to the United States in the sum of One Thousand Dollars (\$1,000.00) and the imposition of sentence as to imprisonment only is suspended and defendant is placed on probation for a period of six (6) months; on the usual terms and conditions in this district.

On the further condition of probation that defendant pay the fine in installments arranged through the Probation Office, but in no event shall the fine be paid later than one (1) year from this date.

SPECIAL CONDITIONS OF PROBATION

Upon motion of U.S. Attorney remaining counts are dismissed; the undersigned Clerk of the United States District Court for the Northern District of Iowa, do certify that the foregoing is a true copy of an original document remaining on file and record in my office.

JAMES D. HODGES, JR., Clerk/Magistrate
WITNESS my hand and seal of said

Court this 28th day of January, 1980

FILED
CEDAR RAPIDS HQTRS. OFFICE
NORTHERN DISTRICT OF IOWA

NOV 21 1979
2:00 pm

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

The court orders commitment to the custody of the Attorney General and recommends, Approved:

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

COMMITMENT RECOMMENDATION

John A. [Signature]
Assistant U.S. Attorney

SIGNED BY U.S. District Judge

Edward J. McManus

Date 11-21-79

U.S. Magistrate

March 28, 1980

Norman C. Johnson, Executive Secretary, Board of Pharmacy
Examiners

Dennis D. Killion, Hearing Officer, Board of Pharmacy
Examiners

Iowa Board of Pharmacy Examiners vs. JoAnn Carlton,
Pharmacist

STATEMENT OF THE CASE:

Pursuant to Chapter 17A, Iowa Administrative Procedures Act, a hearing was held on March 11, 1980, before the Iowa Board of Pharmacy Examiners and Hearing Officer Dennis D. Killion for the purpose of determining whether or not disciplinary action against the license of JoAnn Carlton, License #12644, is warranted. Due notice advising of time, date, and place of hearing had been issued. Board members present: Mr. Max Eggleston, Mrs. Vennetta Fiedler, Mr. Bob Bellinger, Mr. Angelo Palmer, Mrs. Susan Lutz, and Mrs. Margo Underwood. Mr. Thomas D. McGrane, Assistant Attorney General appeared on behalf of the State of Iowa. JoAnn Carlton was not present nor represented by attorney.

FINDINGS OF FACT:

The hearing officer, having heard testimony entered into evidence, finds that JoAnn Carlton pleaded guilty in Federal Court to violations of 18 USC 1001, as charged in Count 2 of the indictment.

REASONINGS AND CONCLUSION OF LAW:

Chapter 147.55, Code of Iowa, provides that a license to practice a profession shall be revoked or suspended when a licensee is guilty of any of the following acts or offenses: (5) Conviction of a felony. A copy of record of conviction or plea shall be conclusive evidence.

DECISION:

It is the decision of the hearing officer, upon recommendation of the Board of Pharmacy Examiners, that the license of JoAnn Carlton be suspended until January 1, 1981.



Dennis D. Killion
Hearing Officer