

TEXAS STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

VS

DUANE L. CADY, D.V.M.

TEXAS VETERINARY MEDICAL  
LICENSE NUMBER 1042

TEXAS VETERINARY MEDICAL  
RENEWAL CERTIFICATE (1973)  
NUMBER 443

FINDINGS AND ORDERS OF THE BOARD

On the 12th day of June, A.D., 1973, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Holiday Inn, in Bryan, Brazos County, Texas, such meeting being called for the purpose of hearing and considering the above numbered and entitled complaint, as well as for the consideration of other business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said DR. DUANE L. CADY, having waived service of citation and accepted service in said cause by sworn instrument dated the 26th day of April, 1973, and the following listed members of the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS being present to-wit:

DR. GORDON S. YEARGAN, JR., President of Gainesville, Texas

DR. JOHN E. WILKINS, JR., Vice President of Greenville, Texas

DR. DAN J. ANDERSON, Secretary of Fort Worth, Texas

DR. GERALD W. PARKER, Member of San Antonio, Texas

DR. EARL D. WADDELL, Member of Houston, Texas

whereupon the President of the Board, DR. GORDON S. YEARGAN, JR., ordered the case to proceed at which time it was ascertained that DR. DUANE L. CADY was not present in person nor was he represented by Counsel. The Board then proceeded to hear the evidence presented by the State. After such hearing the Board went into Executive Session to consider the evidence and after consideration and deliberation of all the evidence that had been presented, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, on the same day, Tuesday, June 12, 1973, all of the above members of said Board being present and participating, makes the following findings, to-wit:

FINDINGS

1. The Board finds that all statutory requisites to its jurisdiction have been met.

2. The Board is of the opinion that the charge contained in said complaint is true and finds that the said DR. DUANE L. CADY, Texas Veterinary Medical License Number 1042, 1973-74 Renewal Certificate Number 443 has been found to be chronically or habitually intoxicated in that on or about the 28th day of March 1972 the said DR. DUANE L. CADY was found to be mentally ill by reason of chronic alcohol addiction in Cause No. 7999 in the County Court of El Paso, Texas.

The Board finds that the facts brought out at such hearing justify and require the following orders:

ORDERS

It is ACCORDINGLY, ORDERED, ADJUDGED and DECREED that Texas Veterinary Medical License Number 1042 and 1973-74 Renewal Certificate Number 443 heretofore issued by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS to DR. DUANE L. CADY be and the same are HEREBY SUSPENDED FOR A PERIOD OF FIVE (5) YEARS FROM THE DATE OF THIS ORDER, PROVIDED HOWEVER, that the execution of this order of SUSPENSION be and it is HEREBY STAYED, and the said DR. DUANE L. CADY is placed upon PROBATION for a period of FIVE (5) YEARS upon the following terms and conditions:

1. That the said DR. DUANE L. CADY will not use or be under the influence of any alcoholic beverage at any time he performs any function of a professional nature nor violate any of the provisions of Article 7465a, Revised Civil Statutes of Texas, or any of the Statutes of Texas or any additions or amendments thereto pertaining to veterinary medicine during the period of Suspension and Probation.

2. The said DR. DUANE L. CADY will observe and abide by each of the Rules of Professional Conduct promulgated by the State Board of Veterinary Medical Examiners of the State of Texas for licensed veterinarians now in effect or placed in effect during said period of suspension or any part of said period.

3. The said DR. DUANE L. CADY shall file with the Executive Secretary of the STATE BOARD OF VETERINARY MEDICAL EXAMINERS an affidavit to the effect that he has fully and faithfully complied with the terms and conditions of probation herein imposed. Said affidavit shall be transmitted to the Board office by Certified United States mail, return receipt requested. Said affidavits shall be executed by DR. DUANE L. CADY so that the first one shall be received in the Board office on or before the 1st day of January 1974 and on or before the 1st


day of June and January each year during the term of said suspension.

It is further ORDERED, ADJUDGED and DECREED that upon full compliance with the terms and conditions herein set forth, and upon expiration of the term of probation, the license of the said DR. DUANE L. CADY and the annual renewal certificate then in effect shall be restored to its full privileges, free and clear of the terms of probation herein imposed; PROVIDED HOWEVER, that in the event the said DR. DUANE L. CADY violates or fails to comply with any of the terms or conditions of this order during said period of probation, the Board, upon receipt by it of satisfactory evidence thereof, may forthwith terminate said probation, cancel and revoke said stay of execution and direct that the order of suspension herein made become effective immediately.

MADE the 12th day of June, 1973, and entered the 14<sup>th</sup> day of ~~July~~<sup>August</sup>, 1973.

  
DR. GORDON S. YEARGAN, JR., President

  
DR. GERALD W. PARKER, Member

  
DR. JOHN E. WILKINS, JR.,  
Vice President

  
DR. EARLE D. WADDELL, Member

  
DR. DAN J. ANDERSON, Secretary

THE STATE OF TEXAS

COUNTY OF TRAVIS X

BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared BUDDY L. TODD, who after being by me duly sworn upon oath deposes and says that:

The said BUDDY L. TODD, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of his employment make certain investigations into the professional conduct of the one DUANE L. CADY, D.V.M., Texas Veterinary Medical License Number 1042, 1973-74 Renewal Certificate Number 443, a practitioner of veterinary medicine in the State of Texas, and in the course of said investigation it has come to the attention of the said BUDDY L. TODD, that on or about the dates hereinafter specified that the said DUANE L. CADY, D.V.M. did commit one or more of the following acts, and/or omissions, or a combination thereof or all of same said acts and/or omissions being in violation of Article 7465a of the Civil Statutes of Texas (V.A.T.S.) and within the contemplation of Section 14 and 15 of said statute, as follows, to-wit:

That on or about the 28th day of March, 1972, in Cause Number 7999, in the County Court of El Paso, El Paso County, Texas the said Duane Cady was adjudged to be mentally ill by reason of chronic addiction to alcohol and was ordered committed to a mental hospital for observation and/or treatment.


The above complaint consisting of one (1) count, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 2nd day of April, 1973.

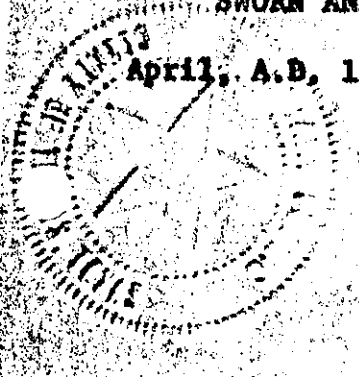
  
BUDDY L. TODD

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

SWORN AND SUBSCRIBED TO BEFORE ME BY BUDDY L. TODD, this the 2nd day of April, A.D. 1973, to certify which witness my hand and seal of office.

  
Notary Public in and for  
Travis County, Texas



THE STATE OF TEXAS I  
COUNTY OF TRAVIS I

BEFORE ME, a Notary Public in and for Travis County, Texas, on this day personally appeared BUDDY L. TODD, who after being by me duly sworn upon oath depose and says that:

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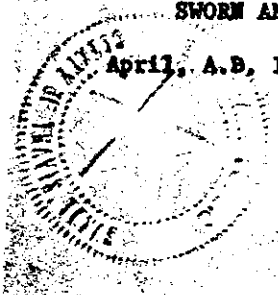
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The above complaint consisting of one (1) count, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 2nd day of April, 1973.

  
BUDDY L. TODD

THE STATE OF TEXAS I  
COUNTY OF TRAVIS I

SWORN AND SUBSCRIBED TO BEFORE ME BY BUDDY L. TODD, this the 2nd day of April, A.D. 1973, to certify which witness my hand and seal of office.



  
Margaret Ann Linder  
Notary Public in and for  
Travis County, Texas