Docketed Complaint No. 1978-7

Texas State Board of Veterinary Medical Examiners vs Robert P. Harle, D.V.M.

Texas Veterinary Medical License No. 3262

Texas Veterinary Medical Revalidation Certificate (1978) Number 171

Findings, Conclusions, and Orders of the Board

On the 6th day of December, A.D. 1978, the Texas State Board of Veterinary Medical Examiners, being in regular meeting at the Sheraton-Marina Inn, 300 North Shoreline Blvd., Corpus Christi, Nueces 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 Board business, and the above entitled and numbered complaint having been previously scheduled for hearing and Defendant, the said Robert P. Harle, D.V.M., having waived service of citation and accepted service in said cause by sworn instrument dated the 17th day of November A.D. 1978, and the entire membership of the Texas State Board of Veterinary Medical Examiners being present, to-wit:

Dr. Wallace H. Cardwell, President of Elgin, Texas

Dr. Frank E. Mann, Jr., Vice President of Wharton, Texas

Dr. Charles W. Edwards, Jr., Secretary of Marble, Texas

Dr. Dan J. Anderson, Member of Fort Worth, Texas

Dr. James Gandy, Member of Brownwood, Texas

Dr. John E. Wilkins, Jr., Member of Greenville, Texas

The President of the Board, Dr. Wallace H. Cardwell, ordered the case to proceed at which time it was ascertained that Dr. Robert P. Harle was present in person; whereupon he entered his plea of Guilty to said Docketed Complaint. The Board then proceeded to hear the evidence presented by the State, and by Dr. Robert P. Harle, in his behalf, and on the same day, Wednesday, December 6, 1978, all of the above members of said Board being present and participating, makes the following findings, to-wit:
FINDINGS OF FACT

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

2. That on or about the 30th day of May, 1978 the said DR. ROBERT P. HARLE plead GUILTY and was convicted of two counts of illegally transporting in interstate commerce, brucellosis exposed cattle, a violation of Title 21, U.S.C., Section 122, and Title 18, U.S.C., Section 2, in the United States District Court for the Northern District of Texas, Abilene Division, in Cause Docket No. CR-1-78-10.

CONCLUSIONS OF LAW

1. That the plea of GUILTY and conviction of two counts of illegally transporting brucellosis exposed cattle in interstate commerce is a violation of Article 7465a, Section 14, Subsection c and e, Vernon's Annotated Texas Statutes; Rules 5 and 26 of the Rules of Professional Conduct heretofore promulgated by the Texas State Board of Veterinary Medical Examiners.

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

ORDERS OF THE BOARD

The TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS finds that DR. ROBERT P. HARLE should be REPRIMANDED and he is HEREBY REPRIMANDED and he is further instructed that he should read, study and review all state and federal laws and regulations with regards to issuing Health Certificates for cattle for intrastate and interstate shipment of cattle, and particularly the Veterinary Practice Act, Article 7465a, Vernon's Annotated Texas Statutes and the Rules of Professional Conduct promulgated thereunder and furnish to the Board office within thirty (30) days of this Order, proof of his having complied with this Order by filing his sworn affidavit thereof in said Board office.

WALLACE H. CARDWELL, D.V.M.  DAN J. ANDERSON, D.V.M.
President  Member

FRANK E. MANN, JR., D.V.M.  JAMES CANDY, D.V.M.
Vice President  Member

CHARLES W. EDWARDS, JR., D.V.M.  JOHN E. WILKINS, JR., D.V.M.
Secretary  Member
THE STATE OF TEXAS
COUNTY OF TRAVIS

FIRST AMENDED ORIGINAL COMPLAINT

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

The said ERNIE M. CARROLL, 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 one DR. ROBERT P.
HALE, Texas Veterinary Medical License No. 3262, 1978-1979 Renewal
Certificate No. 171, 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 ERNIE M. CARROLL that on or about the dates hereinafter speci-
fied that the said DR. ROBERT P. HALE 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 7455a, Vernon's Annotated Texas
Statutes, and within the contemplation of Section 14, Subsection (c) and (e)
and Section 14 of said statute, as fellows, to wit:

That on or about the 30th day of May, 1978 the said DR. ROBERT P. HALE
plead guilty to and was convicted of two counts of illegally transporting in
interstate commerce, brucellosis exposed cattle, in violation of Title 21,
U.S.C., Section 122, and Title 18, U.S.C., Section 2, in the United States
District Court for the Northern District of Texas, Abilene Division, in Cause
Docket No. CR-1-78-10.

The above complaint is submitted to the Executive Secretary of the Texas
State Board of Veterinary Medical Examiners this the 27th day of November,
A.D., 1978

ERNIE M. CARROLL

THE STATE OF TEXAS
COUNTY OF TRAVIS

SWORN AND SUBSCRIBED TO BEFORE ME BY ERNIE M. CARROLL, this the 27th day
of November, A.D., 1978, to certify which witness my hand and seal of office.

Notary Public in and for
Travis County, Texas
THE STATE OF TEXAS
COUNTY OF TRAVIS

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

The said ERNIE M. CARROLL, 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 one DR. ROBERT P. HARLE, Texas Veterinary Medical License No. 3262, 1978-1979 Renewal Certificate No. 171, 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 ERNIE M. CARROLL that on or about the dates hereinafter specified that the said DR. ROBERT P. HARLE did commit one or more of the following acts, and/or omissions, or a combination thereof or all of name said acts and/or omissions being in violation of Section 14 (d), Article 7465a, Vernon's Annotated Texas Statutes, as follows, to wit:

That on or about the 30th day of May, 1978 the said DR. ROBERT P. HARLE was convicted of the offense of illegally transporting in interstate commerce, brucellosis exposed cattle, in violation of Title 21, U.S.C., Section 1122, and Title 18, U.S.C., Section 2, in the United States District Court for the Northern District of Texas, Abilene Division, in Cause Docket No. CR-1-78-10.

The above complaint is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 10th day of November, A.D., 1978.

ERVIE M. CARROLL

THE STATE OF TEXAS
COUNTY OF TRAVIS

SWEARING AND SIGNED TO BEFORE ME BY ERNIE M. CARROLL, this the 10th day of November A.D., 1978, to certify which witness my hand and seal of office.

DERE LEE LINDHELM
Notary Public in and for Travis County, Texas