TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS
333 Guadalupe, Suite 2-330
Austin, Texas 78701-3998

DOCKET NUMBER 1996-03
JOE W. LINDLEY, DVM
LICENSE NUMBER 2134

NEGOTIATED SETTLEMENT

This negotiated settlement has been entered by agreement between Dr. Joe W. Lindley, and the Executive Director of the Texas State Board of Veterinary Medical Examiners, in concurrence with the Board Secretary. It is presented to the Board as a recommendation only. If the Board elects to reject or amend this negotiated settlement, the defendant, Dr. Lindley, will be granted a continuance at his option.

Dr. Lindley does not contest the allegations set forth in the Complaint, attached as Exhibit "A" and incorporated herein for all purposes, and agrees that: (1) the Board may treat the allegations of fact and law as true; and (2) the findings shall have the same force and effect as if evidence and argument were presented in support of the allegations. Respondent understands and intends that by so stating, he is not admitting the truth of the allegations, but is merely agreeing that the Board may enter an Order treating the allegations as true without the necessity of receiving evidence in support thereof.

SUMMARY OF CHARGES:

By providing Valium, a schedule IV controlled substance, for his own use as described in paragraphs I and II, Dr. Joe Lindley violated Rules 573.41 Use of Prescription Drugs and 573.60 Practice Prohibition, of the Rules of Professional Conduct and Section 14 (a) (5) of the Veterinary Licensing Act, article 8890.

RECOMMENDED DISCIPLINARY ACTION:

Official Reprimand.

CONDITIONS:

Must take and pass Jurisprudence Exam.

J.W. Lindley DVM 11/20/95

JOE W. LINDLEY, DVM Date

RON ALLEN, Executive Director Date 11/10/95

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
DOCKETED COMPLAINT NO. 1996-03
TEXAS STATE BOARD OF VETERINARY § TEXAS VETERINARY MEDICAL
MEDICAL EXAMINERS § LICENSE NO. 2134
vs. § 1995 RENEWAL CERTIFICATE
JOE W. LINDLEY, DVM § NUMBER 4383

COMPLAINT AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for The State of Texas, on this day personally appeared Mike Carroll, who after being duly sworn, did depose and say:

On or about May 2, 1995, I, Mike Carroll, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of such employment, make certain investigations into the professional conduct of one Joe W. Lindley, D.V.M., 340 Highlands Plaza, Dallas, Texas 75238, Veterinary License Number 2134, 1995 Renewal Certificate Number 4383, a practitioner of veterinary medicine in the State of Texas. As an employee of the Texas State Board of Veterinary Medical Examiners, I, Mike Carroll, do hereby present the following complaint against Joe W. Lindley, D.V.M.

I.

On or about the following dates Joe W. Lindley, D.V.M., dispensed to himself, from his clinic inventory, 5mg Valium tablets, a schedule IV controlled substance, for his own use.
Joe W. Lindley, DVM
Docketed Case No: 1996-03
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Date
October 23, 1992
March 8, 1993
September 12, 1995

Drug          Amount
Valium tablets 5mg.  10
Valium tablets 5mg.  10
Valium tablets 5mg.  10

II.

On or about May 2, 1995, Mike Carroll, an investigator for the Board, made a personal
inspection of Dr. Lindley's controlled substance log. The log indicated that Dr. Lindley dispensed
to himself the above noted Valium for his own personal use.

III.

By providing Valium, a schedule IV controlled substance, for his own use as described in
paragraphs I and II, Dr. Joe Lindley violated Rules 573.41 Use of Prescription Drugs and 573.60
Practice Prohibition, of the Rules of Professional Conduct and Section 14 (a) (5) of the
Veterinary Licensing Act, article 8890.

ARTICLE 8890, SECTION 14

(a) ... the Board may revoke or suspend a license, impose a civil penalty, place
a person whose license has been suspended on probation, or reprimand a licensee ... if it finds
that a licensee:

(5) has engaged in practices or conduct in connection with the practice of
veterinary medicine which are violative of the standards of professional conduct as duly
promulgated by the Board in accordance with the law;
ARTICLE 8890, SECTION 14B

(a) If a person violates this act in a manner that constitutes grounds for disciplinary action by the Board, the Board may assess an administrative penalty against that person in addition to taking action under Section 14 or 14A of this Act.

The foregoing complaint is submitted to the Secretary of the Texas Board of Veterinary Medical Examiners on this the 27TH day of OCTOBER 1995.

Further, Affiant sayeth not.

Mike Carroll, Affiant

SUBSCRIBED and SWORN TO before me by the said Mike Carroll this the 27TH day of OCTOBER 1995.

Chuck Adkins, Notary Public in and for Texas

The foregoing Complaint is hereby filed and docketed with the Texas State Board of Veterinary Medical Examiners and styled Texas State Board of Veterinary Medical Examiners vs. Joe Lindley, D.V.M. under Docketed Number 1996-03 this the 30TH day of OCTOBER 1995.

James N. Gomez, DVM, Board Secretary
Texas State Board of Veterinary Medical Examiners
The foregoing Agreed Settlement, entered into between Dr. Joe Lindley, the Board Secretary, and the Board's Executive Staff, and having been presented to the Texas State Board of Veterinary Medical Examiners as a No Contest Plea, was accepted by the Board, and the Board, on the 7th day of February, 1996, ordered that all penalties and conditions as stated therein be complied with the same as if evidence had been heard and Findings and Orders issued.

Executed this the 7th day of February, 1996.

John A. Wood, D.V.M., President

James A. Gomez, D.V.M., Vice-President

Michael J. McCulloch, D.V.M., Secretary

Alton F. Hopkins, Jr., D.V.M., Member

Robert I. Hughes, Jr., D.V.M., Member

Sharon O. Matthews, Member

Joyce G. Schiffl, Member

Howard M. Heald, D.V.M.

Guy A. Sheppard, D.V.M., Member

Gene W. Willingham, Member

Date

2-7-96

2/17/96

2/6/96

2-7-96

2-7-96

2-7-96

2-7-96

Date

Feb 7, 1996

Date