DOCKETED COMPLAINT NO. 1966-1

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS

VS

DOCTOR SEYMOUR JOSEPH SMITH, JR.

TEXAS VETERINARY MEDICAL LICENSE NUMBER 1644

TEXAS VETERINARY MEDICAL RENEWAL CERTIFICATE (1966) NUMBER 1395

FINDINGS AND ORDERS OF THE BOARD

On the 9th day of August, A.D., 1966, the Texas State Board of Veterinary Medical Examiners, being in regular meeting at the Sands Hotel in College Station, 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 and notice of said hearing having been served upon the said DR. SEYMOUR JOSEPH SMITH, JR., as required by law, and the entire membership of the Texas State Board of Veterinary Medical Examiners being present, to-wit:

DR. BILLIE C. ROBERSON, President of Abilene, Texas

DR. JAMES A. BARRINGTON, Vice-President of Wichita Falls, Texas

DR. HORACE T. BARRON, Secretary of Taylor, Texas

DR. RICHARD M. BOTARD, Member of Kingsville, Texas

DR. KENTON R. FICKES, Member of Houston, Texas

DR. CLAUS R. WILLEY, Member of El Paso, Texas

whereupon the President of the Board, DR. BILLIE C. ROBERSON, ordered the case to proceed at which time it was ascertained that DR. SEYMOUR JOSEPH SMITH, JR. was present in person and represented by his attorney; of record, the Hon. Jack Miles, of Houston, Harris County, Texas; whereupon the Board then proceeded to hear the evidence presented by the State, and by DR. SEYMOUR JOSEPH SMITH, JR.; 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, August 9, 1966, 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 Texas State Board of Veterinary Medical Examiners finds that on the 25th day of October, 1965, in the City of Brownsville, Cameron County, Texas, DR. SEYMOUR JOSEPH SMITH, JR. was convicted of a felony involving moral turpitude in the United States District Court for the Southern District of Texas, Brownsville Division, in Cause No. CR 65-B-84, styled UNITED STATES OF AMERICA v SEYMOUR JOSEPH SMITH, JR., and that such conviction is in violation of Subsection (d) of Section 14 of Article 7465a of Vernon's Texas Civil Statutes, as amended, and all as charged in Complaint No. 1966-1.

THE TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS finds that the facts brought out at such hearing justify and require the following orders:

ORDERS

It is hereby ORDERED that Texas Veterinary Medical License No. 1644 and 1966 License Renewal Certificate Number 1395 hereof issued to DR. SEYMOUR JOSEPH SMITH, JR., by the Texas State Board of Veterinary Medical Examiners be and the same is HEREBY REVOKED on this the 9th day of August, 1966, and the said DR. SEYMOUR JOSEPH SMITH, JR. shall not hereafter practice veterinary medicine in the State of Texas.

It is further ORDERED that said DR. SEYMOUR JOSEPH SMITH, JR. shall forthwith return the aforesaid license to practice veterinary medicine and the 1966 renewal certificate to the offices of said Board at 207 Capital National Bank Building, Austin, Texas, by Certified Mail, Return Receipt Requested.

The above findings and orders of the Texas State Board of Veterinary Medical Examiners are entered as the order of the Board by a unanimous vote of the members of the Board all of whom were present and participating in such hearing, deliberation and decision, and such findings and orders are hereby made on this the 9th day of August, 1966, at College Station, Brazos County, Texas.
The Executive Secretary of the Board is ORDERED to prepare the Board's findings and orders in appropriate form and submit the same to the members of the Board for their signature and to transmit a copy to the said DR. SEYMOUR JOSEPH SMITH, JR., and to his attorney of record at their respective addresses, to-wit:

DR. SEYMOUR JOSEPH SMITH, JR.
2118 Bancroft, Apt. 4
Houston, Texas 77027

HON. JACK MILES
Attorney at Law
1100 Leeland at Fannin
Houston, Texas 77002

Entered this the 9th day of August, 1966, at College Station, Brazos County, Texas, at a meeting of the Texas State Board of Veterinary Medical Examiners.

Billie C. Roberson, D.V.M.  Dr. Richard M. Botard, D.V.M.
DR. BILLIE C. ROBERSON, President  DR. RICHARD M. BOTARD, Member

James A. Barrington, D.V.M.  Kenton R. Fisher, D.V.M.
DR. JAMES A. BARRINGTON, Vice-President  DR. KENTON R. FISHER, Member

HORACE T. Barron, D.V.M.
DR. HORACE T. BARRON, Secretary

CLAUDE R. WILLEY, D.V.M.
DR. CLAUDE R. WILLEY, Member
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 JOE L. PERRY, who after being by me duly sworn upon oath deposes and says that:

The said JOE L. PERRY, 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. SEYMOUR JOSEPH SMITH, JR., Texas Veterinary Medical License No. 1644, 1965-1966 Renewal Certificate No. 857, 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 JOE L. PERRY that on or about the dates hereinafter specified that the said DR. SEYMOUR JOSEPH SMITH, JR. did commit one or more of the following acts, and/or omissions, or a combination thereof or all of some 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:

1. That on the 22nd day of October, 1965, in Cause No. CR. No. 65-B-84, in the United States District Court for the Southern District of Texas, Brownsville, Texas, the said DR. SEYMOUR JOSEPH SMITH, JR. was convicted of a felony involving moral turpitude. A certified copy of the Judgment in said cause is attached hereto and made a part hereof for all purposes.

The above complaint, containing one (1) count, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 3rd day of January A.D., 1966.

Joe L. Perry

[Signature]
THE STATE OF TEXAS
COUNTY OF TRAVIS

Sworn and subscribed to before me by JOE L. PERRY, this the 3rd
day of January, A.D., 1966, to certify which witness
my hand and seal of office.

/s/ Frances Burroughs
Notary Public in and for
Travis County, Texas