TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS

VS

CALVIN F. WALLACE, D.V.M.

TEXAS VETERINARY MEDICAL
LICENSE NUMBER 1415

TEXAS VETERINARY MEDICAL
RENEWAL CERTIFICATE (1973)
NUMBER 662

FINDINGS, CONCLUSIONS 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, said 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. CALVIN F. WALLACE, having waived service of citation and accepted service in said cause by sworn instrument dated the 21st day of May, 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. CALVIN F. WALLACE was present in person and he was represented by Counsel, The Honorable GEORGE W. SHAFFER, the Board then proceeded to hear the evidence presented by the State and by the said DR. CALVIN F. WALLACE in his own behalf. 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 of fact and conclusions of law which are reasonably supported by substantial evidence produced as said hearing,
FINDINGS OF FACT

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

2. That CALVIN F. WALLACE, D.V.M., had actual notice prior to the 19th of November 1971 that BARRY E. POWELL, D.V.M. was not continuing his association or employment at South Staples Animal Hospital.

3. That, despite said knowledge, CALVIN F. WALLACE, D.V.M. caused to be published in the Corpus Christi Caller Newspaper an announcement of the association of BARRY E. POWELL, D.V.M. with the South Staples Animal Hospital.

4. That, despite said knowledge, CALVIN F. WALLACE, D.V.M. caused to be mailed, addressed to "occupant" at various street addresses in Corpus Christi, Texas, announcements of the association of BARRY E. POWELL, D.V.M. for practice of Veterinary Medicine with the South Staples Animal Hospital.

CONCLUSIONS OF LAW

1. That the above found announcements published in the newspapers and mailed to "occupant" constituted advertising.

2. That said advertising and the publishing and mailing thereof addressed to "occupant" is a violation of Rule 23 (A) and (D) of the Rules of Professional Conduct adopted by the State Board of Veterinary Medical Examiners.

ORDER OF BOARD

That CALVIN F. WALLACE, D.V.M. is guilty of a willful violation of the Rules of Professional Conduct for Licensed Doctors of Veterinary Medicine in Texas and the Board accordingly ORDERS that he be reprimanded by the Board for said willful violation and he is hereby so reprimanded; that the said DR. CALVIN F. WALLACE be specifically reminded to familiarize himself with the Rules of Professional Conduct adopted by this Board in accordance with law and that henceforth he is cautioned to conduct his professional activities and practice as a Doctor of Veterinary Medicine in strict conformance to said rules; and the Board further ORDERS that this official order be placed in the file of the said CALVIN F. WALLACE, D.V.M. kept by the Executive Secretary of the State Board of Veterinary Medical Examiners at its office in Austin.
Texas to become a permanent record in the licensee’s file.

MADE the 12th day of June, 1973 and entered the _____ day of July, 1973.

[Signatures]

[Signatures]

[Signatures]
THE STATE OF TEXAS
COUNTY OF TRAVIS

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

The said BUDY 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 CALVIN F. WALLACE, D.V.M., Texas Veterinary Medical License Number 1415, 1973-1974 Renewal Certificate Number 662, 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 BUDY L. TODD, that on or about the dates hereinafter specified that the said CALVIN F. WALLACE, D.V.M., 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:

That on or about the 19th day of November 1971 the said DR. CALVIN F. WALLACE caused to be published in the Corpus Christi Caller, a newspaper in Corpus Christi, Texas, an announcement of the association of DR. BARRY E. POWELL in his veterinary practice at the SOUTH STAPLES ANIMAL HOSPITAL in violation of the Practice Act of this State and the Rules of Professional Conduct duly promulgated by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

That on or about the 19th day of November 1971 the said DR. CALVIN F. WALLACE caused to be placed in the United States mail announcements of the association of DR. BARRY E. POWELL in his veterinary practice at the SOUTH STAPLES ANIMAL HOSPITAL, Corpus Christi, Texas, in violation of the Practice Act of this State and the Rules of Professional Conduct duly promulgated by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS.

The above complaint consisting of two (2) counts, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners this the 17th day of May, 1973.

[Signature]

BUDY L. TODD
THE STATE OF TEXAS
COUNTY OF TRAVIS

SWORN AND SUBSCRIBED TO BEFORE ME by BUDDY L. TODD, this the 17th day of May, A.D. 1973, to certify which witness my hand and seal of office.

[Signature]
Margaret Amy Lyprieske
Notary Public in and for Travis County, Texas