

TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS

VS

DOCTOR JOHN E. HOWARD

Texas Veterinary Medical License No. 1501

FINDINGS AND ORDERS OF THE BOARD

On the 12th day of April, A.D. 1958, the Texas State Board of Veterinary Medical Examiners, being in regular meeting at the Driskill Hotel in Austin, Travis 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 Defendant, Dr. John E. Howard, as required by law, and the entire membership of the Texas State Board of Veterinary Medical Examiners being present, to wit:

1. Dr. Charles A. Thompson, President - Dalhart
2. Dr. G. D. Stallworth, Vice-President - Austin
3. Dr. Raymond Hander, Secretary - Wichita Falls
4. Dr. E. D. Dwelle, Member - Alice
5. Dr. J. W. McCoy, Member - Paris
6. Dr. B. C. Roberson, Member - Abilene

whereupon the President of the Board, Dr. Charles A. Thompson, ordered the case to proceed at which time it was ascertained that Dr. John E. Howard was not present in person nor represented by attorney but had mailed a letter to the Executive Secretary to be read in his defense to the Board. Whereupon the Board then proceeded to hear the evidence presented by the State, and the State's attorney read Dr. Howard's letter in evidence; 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, Saturday, April 12, 1958, all of the

above members of said board being present and participating, makes the following findings, to wit:

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 22nd day of January, 1958, in the City of El Paso, El Paso County, Texas, Dr. John E. Howard was convicted of three (3) felonies involving moral turpitude under the laws of the State of Texas, to wit:

(a) In Cause No. 17587, styled THE STATE OF TEXAS vs. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas, the said John E. Howard was convicted of the crime of Attempting to Pass a Forged Instrument.

(b) In Cause No. 17588, styled THE STATE OF TEXAS vs. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas, the said John E. Howard was convicted of the crime of Passing a Forged Instrument.

(c) In Cause No. 17589, styled THE STATE OF TEXAS vs. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas, the said John E. Howard was convicted of the crime of Obtaining Money and Property of the Value of Fifty Dollars and Over by Giving Check Without Sufficient Funds.

that such acts and such convictions being in violation of Subsection (d) of Section 14 of Article 7465(a) of Vernon's Texas Civil Statutes as amended and all as charged in Complaint No. 1958-1.

3. That said Defendant, John E. Howard, is presently serving his sentence in the State Penitentiary of the State of Texas.

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

It is hereby ORDERED that Texas Veterinary Medical License No. 1501 heretofore issued to DR. JOHN E. HOWARD by the Texas State Board of Veterinary Medical Examiners be and the same is HEREBY REVOKED on this the 12th day of April, 1958, and the said DR. JOHN E. HOWARD shall not hereafter practice veterinary medicine in the State of Texas.

PROVIDED, HOWEVER, should this order of revocation be suspended by appeal as provided by law or modified by an order of a District or Appellate Court of this State, the said revocation herein ordered shall become effective upon the date said order of the Texas State Board of Veterinary Medical Examiners is finally adjudicated.

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 12th day of April, 1958, at Austin, Travis County, Texas.

The Executive Secretary of the Board is hereby 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 Defendant, DR. JOHN E. HOWARD, at his present address, to wit:

MR. JOHN E. HOWARD
Central #2
Richmond, Texas

Entered this the 12th day of April, 1958, at Austin, Travis County, Texas, at a meeting of the Texas State Board of Veterinary Medical Examiners.

Charles A. Thompson, DVM
DR. CHARLES A. THOMPSON, President

E. D. Dwelle, DVM
DR. E. D. DWELLE, Member

G. D. Stallworth, DVM
DR. G. D. STALLWORTH, Vice-President

J. W. McCoy, D.V.M.
DR. J. W. MCCOY, Member

Raymond Hander, DVM
DR. RAYMOND HANDER, Secretary

B. C. Roberson, DVM
DR. B. C. ROBERSON, Member

THE STATE OF TEXAS

COUNTY OF TRAVIS

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

The said IVAN C. SMITH, being an employee of the Texas State Board of Veterinary Medical Examiners, did in the course of his employment make certain investigations into the conduct of one Dr. JOHN E. HOWARD, holder of Texas Veterinary Medical License No. 1501, a practitioner of veterinary medicine in the State of Texas, and in the course of said investigations it has come to the attention of the said IVAN C. SMITH, that on or about the dates hereinafter specified the said Dr. JOHN E. HOWARD was convicted of a felony or felonies involving moral turpitude within the contemplation of Sections 14 and 15 of Article 7465a of the Civil Statutes of Texas (Vernon's Texas Civil Statutes), as follows, to-wit:

(1) That on or about the 22nd day of January, 1958, in the city of El Paso, El Paso County, Texas, JOHN E. HOWARD was convicted of a felony of Attempting to pass a Forged Instrument in Cause No. 17587, entitled THE STATE OF TEXAS VS. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas. A copy of said judgment in Cause No. 17587 is attached hereto, marked Exhibit "A" and made a part hereof for all purposes.

(2) That on or about the 22nd day of January, 1958, in the city of El Paso, El Paso County, Texas, JOHN E. HOWARD was convicted of a felony of Passing a Forged Instrument in Cause No. 17588, entitled THE STATE OF TEXAS VS. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas. A copy of said judgment in Cause No. 17588 is attached hereto, marked Exhibit "B" and made a part hereof for all purposes.

(3) That on or about the 22nd day of January, 1958, in the city of El Paso, El Paso County, Texas, JOHN E. HOWARD was convicted of a felony of Obtaining Money and Property of the Value of Fifty Dollars and over by Giving Check Without Sufficient Funds, in Cause No. 17589, entitled THE STATE OF TEXAS VS. JOHN E. HOWARD, in the 34th Judicial District Court of El Paso County, Texas. A copy of said judgment in Cause No. 17589 is attached hereto, marked Exhibit "C" and made a part hereof for all purposes.

It is the opinion of the affiant, based upon his examination, investigation, information and belief, that the said Dr. JOHN E. HOWARD, holder of Texas Veterinary License No. 1501, because of the said conviction and/or convictions aforesaid is guilty of having been convicted of a felony or felonies involving moral turpitude under the laws of the State of Texas and that any one or all or any combination of said convictions is grounds for the suspension or revocation of said Dr. JOHN E. HOWARD's Veterinary License No. 1501, as provided and set out in Section 14, Subsection (d), of Article 7465a of Vernon's Texas Civil Statutes, which sections read as follows:

"Section 14. The Board may revoke or suspend any license, may refuse to examine an applicant, to issue a license or to issue a renewal of a license, after notice and hearing as provided in Section 15 of this Act, or as provided by the rules of the Board, if it finds that an applicant:

* * * * *

(d) has been convicted of a felony involving moral turpitude under the laws of this or any other state or of the United States."

The above complaint, containing three (3) counts, is submitted to the Executive Secretary of the Texas State Board of Veterinary Medical Examiners, at the Board offices in Austin, Travis County, Texas, this the 24th day of March, A. D. 1958.


IVAN C. SMITH

THE STATE OF TEXAS I
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COUNTY OF TRAVIS I

SWORN AND SUBSCRIBED TO before me by IVAN C. SMITH, this the
24th day of March, A. D. 1958, to certify which witness my
hand and seal of office.

Catherine L. Geyer
Notary Public in and for
Travis County, Texas