

1978-2

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DOCKETED COMPLAINT NO. 1978-2

TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

TEXAS VETERINARY MEDICAL
LICENSE NUMBER 2204

VS.

TEXAS VETERINARY MEDICAL
RENEWAL CERTIFICATE (1978)
NUMBER 365

CHARLES BENJAMIN LEGGETT, D.V.M.

FINDINGS, CONCLUSIONS AND ORDERS OF THE BOARD

On the 6th day of May, A.D., 1978, the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS, being in regular meeting at the Holiday Inn, Northeast in Hurst, Tarrant 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 for hearing and Defendant, the said DR. CHARLES BENJAMIN LEGGETT, having waived Service of Citation and accepted service in said cause by sworn instrument dated the 13th day of April, 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 Marfa, 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

whereupon the President of the Board, DR. WALLACE H. CARDWELL, ordered the case to proceed at which time it was ascertained that DR. CHARLES BENJAMIN LEGGETT was present in person; whereupon he entered his plea of "Not Guilty" to said docketed complaint, and all counts therein; whereupon the Board then proceeded to hear the evidence presented by the State, and by DR. CHARLES BENJAMIN LEGGETT, in his behalf, and on the same day, Saturday, May 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. On or about August 8, 1977, BOB ROGERS was employed by DR. CHARLES BENJAMIN LEGGETT in his veterinary clinic.
3. That the said BOB ROGERS is not licensed by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS to practice veterinary medicine.
4. That on or about August 8, 1977, DR. CHARLES BENJAMIN LEGGETT left BOB ROGERS in his clinic without proper supervision for the purpose of practicing veterinary medicine.

5. That on or about August 8, 1977, the said BOB ROGERS, during the absence of DR. CHARLES BENJAMIN LEGGETT from his veterinary clinic did make a diagnosis and administer an injection to a pet presented to him by MRS. ALBERT C. JERMAN, and charged and collected a fee for said services.

CONCLUSIONS OF LAW

1. That leaving an unlicensed individual in charge of his veterinary clinic during his absence for the purpose of diagnosing and administering injections is a violation of Rule 15 of the Rules of Professional Conduct duly promulgated by the Board and Subsections (e) and (f) of Section 14 of Article 7465a, Vernon's Annotated Texas Statutes.

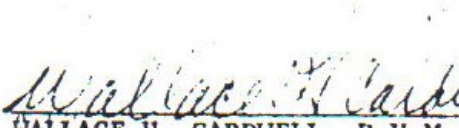
2. That authorizing an unlicensed individual to diagnose and administer injections during his absence is a violation of Rule 14 of the Rules of Professional Conduct, duly promulgated by the TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS in accordance with law.

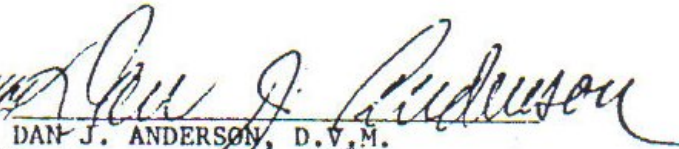
The Board finds that the facts and conclusions brought out at such hearing justify and require the following orders:

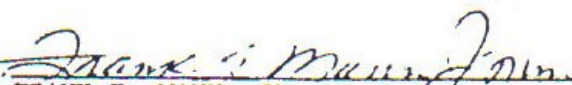
ORDERS OF THE BOARD

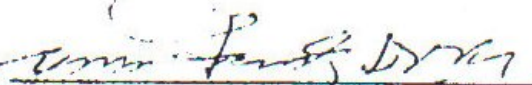
The TEXAS STATE BOARD OF VETERINARY MEDICAL EXAMINERS finds that DR. CHARLES BENJAMIN LEGGETT should be reprimanded and he is HEREBY REPRIMANDED and he is further instructed to take the necessary steps to ensure that lay employees do not practice veterinary medicine in his clinic during his absence therefrom.

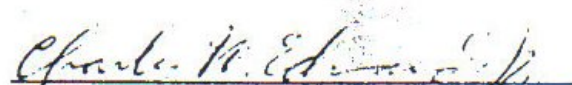
MADE the 6th day of May, 1978 and ENTERED the day of May, 1978.

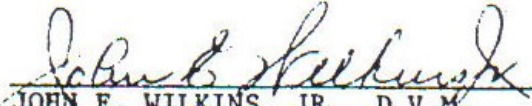

WALLACE H. CARDWELL, D.V.M.
President


DAN J. ANDERSON, D.V.M.
Member


FRANK E. MANN, JR., D.V.M.
Vice President


JAMES GANDY, D.V.M.
Member


CHARLES W. EDWARDS, JR., D.V.M.
Secretary


JOHN E. WILKINS, JR., D.V.M.
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TEXAS STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

TEXAS VETERINARY MEDICAL
LICENSE NUMBER 2204

VS

C. BEN LEGGETT, D.V.M.

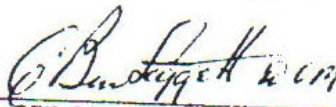
TEXAS VETERINARY MEDICAL
RENEWAL CERTIFICATE (1978)
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WAIVER OF CITATION AND ACCEPTANCE OF SERVICE

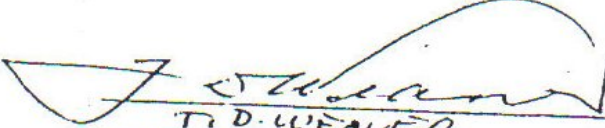
Now comes, C. BEN LEGGETT, D.V.M., hereinafter called Defendant, Defendant in the above numbered and entitled cause and hereby acknowledges receipt of Plaintiff's petition in the form of a sworn complaint which is filed in the above numbered and entitled cause and a copy of which is attached hereto.

That said C. BEN LEGGETT, D.V.M., further acknowledges that he has read said sworn complaint and understands the allegations contained therein, and hereby ACCEPTS SERVICE of process in said above numbered and entitled cause and WAIVES the issuance, service and return of citation on said Defendant in said cause. The said C. BEN LEGGETT, D.V.M., further agrees that this waiver and acceptance shall have the same force and effect as if citation had been duly issued, served and returned as provided by law on said Defendant in said cause, and hereby agrees that the said above numbered and entitled cause may be heard at 10:00 A.M. on Saturday, the 6th of May, A.D., 1978, the hearing to be held at the Holiday Inn North-East, at the Intersection of Highway 820 and Highway 183, in Fort Worth, Tarrant County, Texas, without further notice to the said C. BEN LEGGETT, D.V.M., and that this waiver of citation shall constitute the general appearance of the said C. BEN LEGGETT, D.V.M., in said above numbered and entitled cause.

WITNESS MY HAND THIS the 13th day of April, A.D., 1978.


C. BEN LEGGETT, D.V.M.

SWORN TO AND SUBSCRIBED BEFORE ME, by the said C. BEN LEGGETT, D.V.M., on this the 13th day of April, A.D., 1978.


T. D. WEAVER
Notary Public in and for
Wichita County, Texas