

NORTH CAROLINA BOARD OF PHARMACY

In Re:)
)
Daniel Joseph Kelley) ORDER SUMMARILY
(Registration No. 15058)) SUSPENDING REGISTRATION

Pursuant to G.S. § 150B-3(c) and 21 N.C.A.C. 46.2006(b), the North Carolina Board of Pharmacy ("Board"), vis Members Rebecca W. Chater, L. Stan Haywood, J. Parker Chesson, Jr., Betty H. Dennis and Wallace E. Nelson find that the protection of the public health, safety and welfare requires emergency action. Accordingly, the Board hereby Summarily Suspends Registration No. 15058 issued to Daniel Joseph Kelley ("Respondent Kelley"), effective upon service of this Order. Respondent Kelley shall immediately cease any practice of pharmacy in North Carolina pending issuance by the Board of a Final Agency Decision.

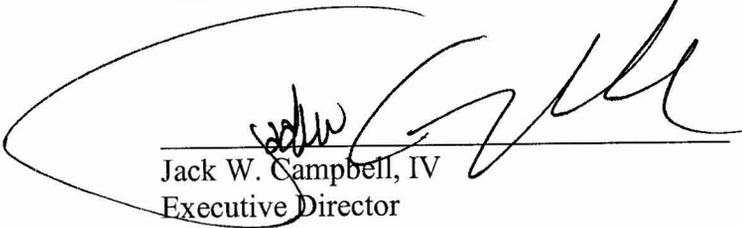
You may request a hearing on the charges against you by submitting a written request within sixty (60) days of service of this order, pursuant to 21 N.C.A.C. 46. 2004. Within sixty (60) days of receipt of your written request, the Board will issue a notice of hearing with respect to whether the summary suspension should be continued. That notice will advise you of the date and time of the hearing, which will be set within the discretion of the Board. In the event that you request a hearing, this summary suspension remains in effect until the issuance of a further decision by the Board.

If you do not request a hearing as set forth above, you waive the right to contest the Board's decision and the suspension imposed upon you by this order. However, you retain the right to file a written petition for reinstatement of your technician registration at any time following this order. The Board will set a hearing at a time and place within its discretion and

will rule on the petition for reinstatement in its discretion under its duty to consider the public health, safety and welfare.

By Order of the Board, this 16th day of September, 2008.

NORTH CAROLINA BOARD OF PHARMACY



Jack W. Campbell, IV
Executive Director

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the North Carolina Board of Pharmacy and that on the 18, day of September 2008; I served the foregoing Order on Registration Number 15058 by mailing a true copy by U.S. Postal Service CERTIFIED MAIL/ RETURN RECEIPT to:

DANIEL JOSEPH KELLEY
125 Mozart Avenue
Winston-Salem, NC 27104



Karen S. Matthew Director Investigations and Inspections
North Carolina Board of Pharmacy

STATE OF NORTH CAROLINA
NORTH CAROLINA BOARD OF PHARMACY
COMPLAINT NO. 2008-00160

IN THE MATTER OF)
) AFFIDAVIT OF SERVICE
DANIEL JOSEPH KELLEY)

Karen S. Matthew, Director of Investigations and Inspections for the North Carolina Board of Pharmacy, being duly sworn, deposes and says:

Defendant Daniel Joseph Kelley was served an Order Summarily Suspending Registration informing him of a suspension executed on September 16, 2008, by Jack W. Campbell, IV, Executive Director of the North Carolina Board of Pharmacy in this matter by Certified Mail, Return Receipt Requested, delivered on September 25, 2008, as evidenced by the domestic return receipt attached as Exhibit A.

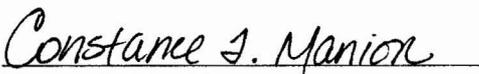
FURTHER AFFIANT SAYETH NOTHING.

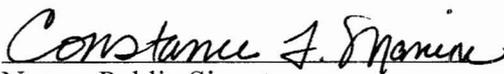
This the 2 day of October, 2008.


Karen S. Matthew
Director of Investigations and Inspections
North Carolina Board of Pharmacy

Sworn to and subscribed before me
This the 2 day of October, 2008.

North Carolina Board of Pharmacy
Post Office Box 4560
Chapel Hill, NC 27515-4560


Notary Public Name


Notary Public Signature

Commission Expires: 9-3-2012

