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BEFORE THE  
BOARD OF CHIROPRACTIC EXAMINERS  
STATE OF OREGON

6 In the Matter of )  
7 ) Case # 2010-5003  
8 Saul Alejo Garanzuay )  
9 )  
10 )  
11 CA Applicant. ) Withdrawal of CA Application and  
12 ) Dismissal of Notice of Proposed  
13 ) Conditions on License, Civil Penalty

14 The Oregon Board of Chiropractic Examiners (hereafter "Board" or "OBCE") is the state  
15 agency responsible for licensing, regulating and disciplining chiropractic physicians and certified  
16 chiropractic assistants in the State of Oregon. Saul Alejo Garanzuay (hereafter "Applicant"), is  
17 an applicant to the Board to practice as a chiropractic assistant in Oregon.

18 1.

19 CA applicant applied for a chiropractic assistant certificate on February 24, 2010. He  
20 was originally licensed Aug 2005 to July 2008 when he did not renew. On his CA application,  
21 CA applicant answered "No." to Question # 5, "have you ever been arrested for, or charged with,  
22 a violation, misdemeanor or felony – in Oregon or elsewhere?" An OJIN check disclosed a  
23 charge dated August 1, 2006 as "Possession of Meth" a C Felony. CA applicant answered "No."  
24 to Question # 7, "Have you...plead guilty...to any offense, misdemeanor or felony, which could  
25 have resulted in your imprisonment...?"

26 2.

27 On March 11, 2010, the OBCE received CA applicant's explanation of the incident, a  
28 Milton-Freewater Police "receipt for property" [entry 1] "1 clear plastic 'zip-loc' style bag with  
29 a white crystalline residue (?)" and [entry 2] "1 clear plastic bag with a large amount of white  
30 crystalline substance"; a letter dated June 8, 2008 from Umatilla County "[80 hours] community  
31 service work has been satisfactorily completed." A copy of a letter (dated Dec 2006) from  
32 Steven Fogelson, attorney at law, stating "The guilty plea was entered to the lesser A  
33 Misdemeanor..." The C Felony charge was reduced to an "A Misdemeanor" (confirmed on the  
34 OJIN report) and the sentence imposed on a conditional discharge pending his full compliance  
35 with all conditions, which included 18 month probation, payment of \$1,000 fines (\$1,500  
36 suspended), 80 hours community service, 90 days jail, and no possession of illegal drugs. The  
37 attorney advised, "...If you are asked the question whether you have been convicted of a crime,  
38 you can truthfully answer no, only if you violate the Court's order will that change."  
39

40 3.

41 On June 7, 2010, the OBCE issued a Notice of Proposed Conditions and Civil Penalty.  
42 On June 9, 2010, Applicant called the OBCE office and said he was withdrawing his application  
43 as he no longer worked at the chiropractic clinic, and was pursuing another line of work.  
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4.

On July 15, 2010, the Board voted to accept the Applicant's withdrawal of the CA application, and to Dismiss without prejudice the Notice of Proposed Denial of Licensure. Should Applicant reapply for a CA certificate, the Board could issue a new Notice for Proposed Conditions and Civil Penalty.

IT IS HEREBY ORDERED: The Notice of License Denial is dismissed without prejudice.

DATED this 21<sup>st</sup> day of July, 2010.

**BOARD OF CHIROPRACTIC EXAMINERS**  
State of Oregon

By:  Original signature on file at OBCE  
Dave McTeague, Executive Director  
Oregon Board of Chiropractic Examiners

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### Certificate of Service

I, Dave McTeague, certify that on July 21, 2010, I served the foregoing Withdrawal of CA Application Order upon the party hereto by mailing, regular mail, postage prepaid, a true, exact and full copy thereof to:

Saul Alejo Garanzuay  
723 S. 2<sup>nd</sup>  
Walla Walla, Washington 99362

*Original signature on file at OBCE*

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Dave McTeague  
Executive Director  
Oregon Board of Chiropractic Examiners