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8 **BEFORE THE**
CALIFORNIA STATE BOARD OF OPTOMETRY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
Against:

Case No. 420 2018 000177

12 **ANGELICA MARIA SANFORD**

STATEMENT OF ISSUES

13 **Spectacle Lens Dispenser Registration**
14 **Applicant**

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Jessica Sieferman (Complainant) brings this Statement of Issues solely in her official
20 capacity as the Executive Officer of the California State Board of Optometry (Board),
21 Department of Consumer Affairs.

22 2. On or about August 31, 2017, the California State Board received an application for a
23 Spectacle Lens Dispenser Registration from Angelica Maria Sanford (Respondent). On or about
24 February 6, 2017, Angelica Maria Sanford certified under penalty of perjury to the truthfulness of
25 all statements, answers, and representations in the application. The Board denied the application
26 on December 27, 2017.

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1 **JURISDICTION**

2 3. This Statement of Issues is brought before the Board under the authority of the
3 following laws. All section references are to the Business and Professions Code (Code) unless
4 otherwise indicated.

5 **STATUTORY PROVISIONS**

6 4. Section 480 of the Code states, in pertinent part:

7 “(a) A board may deny a license regulated by this code on the grounds that the applicant
8 has one of the following:

9 “(1) Been convicted of a crime. A conviction within the meaning of this section means a
10 plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a
11 board is permitted to take following the establishment of a conviction may be taken when the
12 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when
13 an order granting probation is made suspending the imposition of sentence, irrespective of a
14 subsequent order under the provisions of Section 1203.4, 1203.4a, or 1203.41 of the Penal Code.

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16 “(3) (A) Done any act that if done by a licentiate of the business or profession in question,
17 would be grounds for suspension or revocation of license.

18 “(B) The board may deny a license pursuant to this subdivision only if the crime or act is
19 substantially related to the qualifications, functions, or duties of the business or profession for
20 which application is made.”

21 5. Section 2559.3 of the Code states:

22 “A certificate issued to a registered spectacle lens dispenser may, in the discretion of the
23 board, be suspended or revoked for violating or attempting to violate any provision of this chapter
24 or any regulation adopted under this chapter, or for incompetence, gross negligence, or repeated
25 similar negligent acts performed by the certificate holder. A certificate may also be suspended or
26 revoked if the individual certificate holder has been convicted of a felony as provided in Section
27 2555.1.

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1 “Any proceedings under this section shall be conducted in accordance with Chapter 5
2 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and
3 the board shall have all the powers granted therein.”

4 **FIRST CAUSE FOR DENIAL OF APPLICATION**

5 **(Conviction of a Substantially Related Crime)**

6 6. Respondent's application is subject to denial under 480(a)(1), 480(a)(3)(A),
7 480(a)(3)(B) in conjunction with 2559.3, in that Respondent was convicted of a crime as follows:

8 a. On or about March 5, 2003, after pleading guilty, Respondent was convicted of
9 one felony count of violating Penal Code section 192(a) [voluntary manslaughter], in the criminal
10 proceeding entitled *The People of the State of California v. Angelica Maria Sanford* (Super. Ct.
11 Los Angeles County, 2003, No. NA052091). The Court sentenced Respondent to 14 years in
12 state prison and ordered her to pay fines and restitution.

13 b. The circumstances underlying the conviction are that on or about March 19,
14 2002, Respondent suffocated to death her one-year-old daughter with a towel. Respondent also
15 attempted to commit suicide overdosing on controlled substances and cutting her wrist.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
18 and that following the hearing, the California State Board of Optometry issue a decision:

19 1. Denying the application of Angelica Maria Sanford for a Spectacle Lens Dispenser
20 Registration; and

21 2. Taking such other and further action as deemed necessary and proper.

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23 DATED: April 16, 2018

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25 JESSICA SIEFERMAN
26 Executive Officer
27 California State Board of Optometry
28 Department of Consumer Affairs
State of California
Complainant

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