

**IN AND BEFORE THE OKLAHOMA STATE BOARD  
OF MEDICAL LICENSURE AND SUPERVISION  
STATE OF OKLAHOMA**

STATE OF OKLAHOMA )  
EX REL. THE OKLAHOMA BOARD )  
OF MEDICAL LICENSURE )  
AND SUPERVISION, )

**Plaintiff,**

v. )

JOHN BAXTER HAMILTON, M.D., )  
LICENSE NO. 10235 )

**Defendant.** )

**FILED**

JUL 21 2005

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

**Case No. 02-01-2462**

**AGREED ORDER OF SUSPENSION**

This cause came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision (the "Board") on July 21, 2005, at the office of the Board, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Elizabeth A. Scott, Assistant Attorney General, appeared for the plaintiff and defendant appeared not.

The Board *en banc* after hearing arguments of counsel, reviewing the pleadings filed, and being fully advised in the premises, found that there is clear and convincing evidence to support the following Findings of Fact, Conclusions of Law and Orders:

***Findings of Fact***

1. The Board is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma pursuant to 59 Okla. Stat. §480 *et seq.*
2. The Board has jurisdiction over this matter, and notice has been given in all respects in accordance with law and the rules of the Board.
3. Defendant, John Baxter Hamilton, M.D., holds Oklahoma license no. 10235.
4. On or about December 19, 2001, Defendant was convicted of Murder in the First

Degree, a felony, in violation of 21 O.S. §701.7 in Case No. CF-01-1147, in the District Court of Oklahoma County, State of Oklahoma. As a result of this conviction, Defendant was sentenced on or about January 8, 2002 to Life Imprisonment Without the Possibility of Parole

5. On November 19, 2004, a Complaint was filed against Defendant alleging violations of the Oklahoma Medical Practice Act based upon the felony conviction.

### *Conclusions of Law*

1. The Board has jurisdiction and authority over the Defendant and subject matter herein pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act (the "Act") and its applicable regulations. The Board is authorized to enforce the Act as necessary to protect the public health, safety and welfare.

2. Title 59 O.S. §513(A) provides as follows:

The license of any physician or surgeon who has been convicted of any felony in or without the State of Oklahoma and whether in a state or federal court, may be suspended by the Board... Upon proof of a final felony conviction by the courts and after exhaustion of the appellate process, the Board shall revoke the physician's license. If the felony conviction is overturned on appeal and no other appeals are sought, the Board shall restore the license of the physician.

### *Order*

IT IS THEREFORE ORDERED by the Oklahoma State Board of Medical Licensure and Supervision as follows:

1. The license of Defendant, John Baxter Hamilton, M.D., Oklahoma license no. 10235, is hereby **SUSPENDED** by agreement of the parties beginning July 21, 2005 and continuing indefinitely. If Defendant's conviction is overturned, the Board shall restore his license. If Defendant exhausts the appellate process and his conviction is not overturned, the Board shall at that time revoke his license.

2. Promptly upon receipt of an invoice, Defendant shall pay all costs of this action authorized by law, including without limitation, legal fees and investigation costs.

3. Defendant's suspended license shall not be reinstated unless Defendant has reimbursed the Board for all taxed costs.

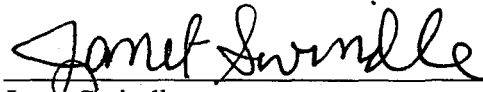
Dated this 21 day of July, 2005



John Leatherman, M.D., President  
Oklahoma State Board of Medical  
Licensure and Supervision

**CERTIFICATE OF SERVICE**

I certify that on the 22 day of July, 2005, I mailed, via first class mail, postage prepaid, a true and correct copy of this Agreed Order of Suspension to Mack K. Martin, Martin Law Office 119 N. Robinson Avenue, Suite 360, Oklahoma City, OK 73102.



Janet Swindle