

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

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

**Plaintiff**

**FILED**

FEB - 1 2002

OKLAHOMA STATE BOARD OF  
MEDICAL LICENSURE & SUPERVISION

v.

DAVID DOW MILLER, M.D. )  
LICENSE NO. 12785 )  
)  
)  
)  
)  
)

**Case No. 01-07-2353**

**ORDER OF DISMISSAL**

This matter came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision on January 18, 2002, at the Board office, 5104 North Francis, Suite C, Oklahoma City, Oklahoma 73118, pursuant to notice given as required by law and rules of the Board.

David Dow Miller, M.D., Defendant, appeared in person and through counsel, Linda Scoggins.

Elizabeth A. Scott, Assistant Attorney General, appeared on behalf of the State of Oklahoma, ex rel. the Oklahoma State Board of Medical Licensure and Supervision.

The Board *en banc* heard testimony, reviewed the exhibits presented, and being fully apprised of the premises, entered the following Findings of Fact, Conclusions of Law, and Orders:

***FINDINGS OF FACT***

1. Applicant holds Oklahoma Medical License No. 12785.
2. On October 4, 2001, an Amended Complaint was filed against Defendant.
3. The Board *en banc* has jurisdiction over the subject matter herein, and notice has been given in all respects as required by law and the rules of the Board.

**CONCLUSIONS OF LAW**

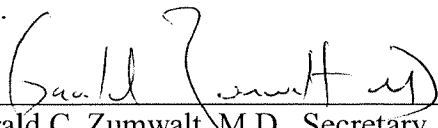
1. The Board has jurisdiction over the subject matter herein pursuant to 59 O.S. §480 et seq.
2. The State has failed to sustain its burden of proof by clear and convincing evidence that Defendant is guilty of unprofessional conduct.

**ORDER**

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


1. The Amended Complaint filed against Defendant on October 4, 2001 is hereby Dismissed.

Dated this 1 day of February, 2002.

  
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Gerald C. Zumwalt, M.D., Secretary  
Oklahoma State Board of Medical  
Licensure and Supervision

**Certificate of Service**

On the 1 day of February, 2002, a true and correct copy of this order was mailed, postage prepaid, to Linda Scoggins, 201 Robert S. Kerr Ave., 1600 Bank of Oklahoma Plaza, Oklahoma City, OK 73102.

  
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Janet Owens