

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

STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel,
OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE AND
SUPERVISION,

Plaintiff,)

)

v

)

CHARLES CALEB ELLIOTT, M.D.) CASE NO. 89-11-989
Medical License No. 7914,)

Defendant.

DISMISSAL WITHOUT PREJUDICE
UPON TENDER OF LICENSURE RESIGNATION

This cause came on for hearing before the Oklahoma Board of Medical Licensure and Supervision on June 9, 1990, at the office of the Oklahoma State Board of Medical Licensure and Supervision, 5104 N. Francis, Suite C, Oklahoma City, Oklahoma, pursuant to notice given as required by law and the rules of the Board.

Daniel J. Gamino, Attorney, appeared for the Plaintiff; and Charles Caleb Elliott, M.D., Defendant, appeared in person along with counsel, Gene Stipe, Attorney, McAlester, Oklahoma.

Before any testimony was taken, Defendant requested that the Complaint and Citation issued herein be dismissed without prejudice and advised that Defendant would tender resignation of his Oklahoma Medical License No. 7914 within six (6) months.

FINDINGS OF FACT

1. That Defendant, Charles Caleb Elliott, M.D., holds Oklahoma Medical License No. 7914.
2. That the Oklahoma Board of Medical Licensure and Supervision en banc has jurisdiction over the subject matter herein and that notice has been given in all respects as required by law and the rules of the Board.
3. That no testimony or evidence was taken or considered on the merits of the Complaint and Citation, and the Board made no ruling, judgment or decision thereon.
4. That dismissal without prejudice of the Complaint and Citation, along with the Defendant's resignation of Oklahoma license within six (6) months, would protect public health, welfare and safety.

CONCLUSIONS OF LAW

1. That the Board has judgment and discretion on dismissal without prejudice of any charges pending before it by virtue of the Oklahoma Medical Practice Act, 59 O.S. Supp. 1989, Sec. 481 et seq.

ORDER


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

1. That Complaint and Citation issued on or around April 13, 1990, and served on the Defendant on or around April 23, 1990, should be and the same are hereby DISMISSED WITHOUT PREJUDICE.

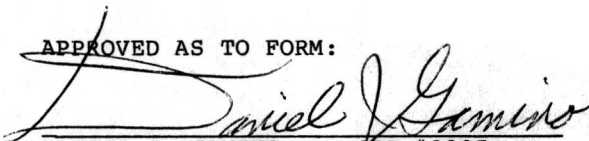
2. That the Board shall accept Defendant's offered resignation of Oklahoma Medical License No. 7914 when submitted in writing by the Defendant within six (6) months from the hearing date of June 9, 1990.

3. In the event any conditions change regarding this matter, Board staff may refile Complaint and Citation and obtain service of process on Defendant, by and through his counsel, for hearing on the merits thereof.

DATED this 21st day of June, 1990.


GERALD C. ZUMWALT, M.D., Secretary
State Board of Medical Licensure
and Supervision

APPROVED AS TO FORM:


DANIEL J. GAMINO OBA #3227
Daniel J. Gamino & Associates, P.C.
3315 NW 63
Oklahoma City, OK 73116
(405) 840-3741
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing instrument was mailed, postage prepaid thereon, this 22 day of June, 1990, to:

CHARLES CALEB ELLIOTT, M.D.
c/o Gene Stipe
Attorney at Law
323 E. Carl Albert Parkway
McAlester, OK 74501

