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

11 In the Matter of the Accusation Against:

Case No. DBC 2008-82

12 **JATTIE EARLIE ENDFINGER, a.k.a.**  
13 **JATTIE EARLIE SMEATON**

4033 Dale Road, #F  
Modesto, CA 95356

**DEFAULT DECISION**  
**AND ORDER**

14 and

[Gov. Code, §11520]

15 5616 Ninth Street  
16 Keyes, CA 95328

17 Registered Dental Assistant  
18 Certificate No. 56018

19 Respondent.

20 **FINDINGS OF FACT**

21 1. On or about March 19, 2009, Complainant Cathleen J. Poncabare, in her  
22 official capacity as the Executive Officer of the Dental Board of California, Department of  
23 Consumer Affairs, filed Accusation No. DBC 2008-82 against Jattie Earlie Endfinger, a.k.a.  
24 Jattie Earlie Smeaton, ("Respondent") before the Dental Board of California.

25 2. On or about October 2, 2000, the Dental Board of California (Board)  
26 issued Registered Dental Assistant Certificate No. 56018 to Respondent. The Registered Dental  
27 Assistant Certificate expired on December 31, 2005, and has not been renewed.

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1           3. . On or about March 25, 2009, Scotty Jorgenson, an employee of the  
2 Department of Justice, served by Certified and First Class mail a copy of Accusation No. DBC  
3 2008-82 and copies of Statement to Respondent, Notice of Defense, Request for Discovery, and  
4 Government Code sections 11507.5, 11507.6, and 11507.7 ("Related Documents") to  
5 Respondent's addresses of record with the Board, which were and are: 4033 Dale Road, #F,  
6 Modesto, CA, 95356, and 5616 Ninth Street, Keyes, CA, 95328. True and correct copies of  
7 Accusation No. DBC 2008-82. and Related Documents are attached hereto, collectively marked  
8 as Exhibit A, and are incorporated herein by this reference.

9           4. Service of the Accusation was effective as a matter of law under the  
10 provisions of Government Code section 11505, subdivision (c).

11           5. On or about April 3, 2009, the aforementioned documents mailed by  
12 Certified and First Class mail to Respondent and addressed to 5616 Ninth Street, Keyes, CA,  
13 95328, were returned by the U.S. Postal Service and marked "no receptacle." The afore-  
14 mentioned documents mailed by Certified and First Class mail to Respondent at 4033 Dale Road,  
15 #F, Modesto, CA, 95356, were not returned.

16           6. Business and Professions Code ("Code") section 118 states, in pertinent  
17 part:

18           (b) The suspension, expiration, or forfeiture by operation of law of a  
19 license issued by a board in the department, or its suspension, forfeiture, or  
20 cancellation by order of the board or by order of a court of law, or its  
21 surrender without the written consent of the board, shall not, during any  
22 period in which it may be renewed, restored, reissued, or reinstated, deprive  
the board of its authority to institute or continue a disciplinary proceeding  
against the licensee upon any ground provided by law or to enter an order  
suspending or revoking the license or otherwise taking disciplinary action  
against the license on any such ground.

23           7. Government Code section 11506 states, in pertinent part:

24           (c) The respondent shall be entitled to a hearing on the merits if the  
25 respondent files a notice of defense, and the notice shall be deemed a specific  
26 denial of all parts of the accusation not expressly admitted. Failure to file a  
notice of defense shall constitute a waiver of respondent's right to a hearing,  
but the agency in its discretion may nevertheless grant a hearing.

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b. Violation of Code section 1681, subdivision (a), in that on or about March 7, 2005, and July 20, 2005, Respondent possessed Methamphetamine and on or about March 7, 2005, Respondent self-administered Methamphetamine in violation of Code section 4060 and Health and Safety Code section 11377.

c. Violation of Code section 1681, subdivision (b), in that on or about March 7, 2005, Respondent used Methamphetamine and alcohol to an extent or in a manner dangerous or injurious to herself or others, to the extent that such use impaired her ability to conduct with safety the practice authorized by her license.

**ORDER**

**IT IS SO ORDERED** that Registered Dental Assistant Certificate No. 56018, heretofore issued to Respondent Jattie Earlie Endfinger, a.k.a. Jattie Earlie Smeaton, is **REVOKED**.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on July 3, 2009

It is so ORDERED June 3, 2009

FOR THE DENTAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS

**Attachment:**

Exhibit A: Accusation No.DBC 2008-82