STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS DIVISION OF WORKERS' COMPENSATION BEFORE THE ADMINISTRATIVE DIRECTOR

In Re: PROVIDER SUSPENSION

JULIAN GARCIA,

ORDER OF SUSPENSION

Respondent.

WHEREAS, Labor Code section 139.21(a)(1)(A) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the workers' compensation system as a physician, practitioner, or provider if the individual has been convicted of any felony or misdemeanor described in Labor Code section 139.21(a)(1)(A); and

WHEREAS, on or about October 11, 2016, Julian Garcia pled guilty to or was found guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the United States District Court, Southern District of California; and

WHEREAS, on or about October 19, 2016, Julian Garcia pled guilty to or was found guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the Superior Court of California, County of San Diego; and

WHEREAS, on or about March 15, 2017, the Administrative Director mailed to Julian Garcia a written notice of the right to a hearing regarding the suspension and the procedure to follow to request a hearing, as provided in Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1; and

WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1(d) the written notice advised Julian Garcia that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Julian Garcia submitted a written request for a hearing, within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, Julian Garcia did not submit a written request for hearing within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or provider pursuant to Labor Code section 139.21 and Title 8, California Code of Regulations section 9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or provider submits a written request for a hearing, within ten (10) calendar days of the date of mailing of the notice;

IT IS HEREBY ORDERED that Julian Garcia is hereby suspended from participating in the workers' compensation system as a physician, practitioner, provider.

Date: April 14 , 2017

GEORGE PARISOTTO Acting Administrative Director Division of Workers' Compensation

CERTIFICATE OF SERVICE BY MAIL

(C.C.P. section 1013(a), 2015.5)

I am over the age of 18 years and not a party to the entitled action. My business address is 1515 Clay Street, 18th Floor, Oakland, California 94612.

I served the following document:

ORDER OF SUSPENSION

on the following person(s) at the following address(es):

By Certified Mail:

Julian Garcia 3251 Alta Drive National City, CA 91950

By Hand Delivery:

Paige Levy, Chief Judge Division of Workers' Compensation 1515 Clay Street, 17th Floor Oakland, CA 94612

The document was served by the following means:

[X] (BY U.S. CERTIFIED MAIL) I enclosed the document in a sealed envelope or package addressed to the person(s) at the address(es) listed above and:

[X] Placed the envelope or package for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope or package with the postage fully prepaid.

[X] Personally caused to be served by hand delivery to the indicated party above and/or leaving the envelope or package with an agent at the party's address listed above.

I declare under penalty of perjury under the laws of State of California that the above is true and correct.

Executed on April 14, 2017, at Oakland, California.

САТНҮ ГИЈИТА-LAM