

This prerequisite has been consistently upheld. See *Dominick A. Ricci, M.D.*, 58 Fed. Reg. 51,104 (1993); *James H. Nickens, M.D.*, 57 Fed. Reg. 59,847 (1992); *Roy E. Hardman, M.D.*, 57 Fed. Reg. 49,195 (1992). Here, it is clear that Dr. Green is neither currently authorized to practice medicine nor to dispense controlled substances in the State of Texas. Therefore, Dr. Green currently is not entitled to a DEA registration. Because Dr. Green is not entitled to a DEA registration due to his lack of state authorization to handle controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to address whether Dr. Green's continued registration would be inconsistent with the public interest.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 C.F.R. 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BG3952339, previously issued to Demetris A. Green, M.D., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for registration be, and they hereby are, denied. This order is effective December 30, 1996.

Dated: November 19, 1996.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 96-30379 Filed 11-27-96; 8:45 am]

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Irene C. Kelly, a/k/a Ayter Yalincak, a/k/a Imrag Yalincak; Revocation of Registration

On April 1, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Irene C. Kelly, a/k/a Ayter Yalincak, a/k/a Imrag Yalincak, of Indiana, notifying her of an opportunity to show cause as to why DEA should not revoke her DEA Certificate of Registration, BK3903829, under 21 U.S.C. 824(a)(1), 824(a)(3), and 824(a)(4), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f). The order alleged in essence that Ms. Kelly fraudulently misrepresented her medical credentials, thereby falsifying her application for registration, and as a result, her state medical license was voided and she was convicted of practicing medicine without a license. The order also notified Ms. Kelly that should no request for a hearing be filed within 30 days, her hearing right would be deemed waived.

The order was sent by certified mail, and a signed return receipt dated April 6, 1996, was received by the DEA. However, no request for a hearing or any other reply was received by the DEA from Ms. Kelly or anyone purporting to represent her in this matter.

Therefore, the Acting Deputy Administrator, finding that (1) more than thirty days have passed since the receipt of the Order to Show Cause, and (2) no requests for a hearing having been received, concludes that Ms. Kelly is deemed to have waived her hearing right. After considering relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.54(e) and 1301.57.

The Acting Deputy Administrator finds that on May 26, 1994, the Medical Licensing Board of Indiana (Board) summarily suspended the medical license held by Irene Catherine Mary Kelly, M.D. for 90 days. The Board's order stated that on January 27, 1994, Ms. Kelly, fraudulently obtained a license to practice medicine in the State of Indiana by impersonating a Canadian-educated physician. On her application for state registration, she used the fictitious name of "Irene Catherine Mary Kelly, M.D." and submitted phony documentation that indicated her purported credentials. Subsequently, by an Order dated February 16, 1995, the Board voided ab initio the medical license which was issued to Irene Catherine Mary Kelly, M.D. Subsequently, Ms. Kelly was convicted in state court of practicing medicine without a license, and is currently incarcerated, serving a four year sentence. Ms. Kelly has refused to surrender her DEA Certificate of Registration. The Acting Deputy Administrator concludes that Ms. Kelly is not currently authorized to handle controlled substances in the State of Indiana.

The DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which she conducts business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993); *James H. Nickens, M.D.*, 57 FR 59,847 (1992); *Roy E. Hardman, M.D.*, 57 FR 49,195 (1992). Here, it is clear that Ms. Kelly is neither authorized to practice medicine nor to dispense controlled substances in the State of Indiana. Therefore, Ms. Kelly is not entitled to a DEA registration.

Because Ms. Kelly is not entitled to a DEA registration due to her lack of state authorization to handle controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to specifically address the other issues raised by the Order to Show Cause.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BK3903829, previously issued to Irene Kelly, M.D., be, and it hereby is, revoked, and any pending applications for registration, be, and they hereby are, denied. This order is effective December 30, 1996.

Dated: November 19, 1996.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 96-30380 Filed 11-27-96; 8:45 am]

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Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on August 6, 1996, Cambridge Isotope Lab, 50 Frontage Road, Andover, Massachusetts 01810, made application to the Drug enforcement Administration for renewal of registration as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Methaqualone (2565)	I
Dimethyltryptamine (7435)	I
Amphetamine (1100)	II
Methamphetamine (1105)	II
Pentobarbital (2270)	II
Secobarbital (2315)	II
Phencyclidine (7471)	II
Cocaine (9041)	II
Codeine (9050)	II
Benzoylcegonine (9180)	II
Methadone (9250)	II
Morphine (9300)	II
Fentanyl (9801)	II