

humiliating circumstances brought together by a malicious third party.”

Discussion

Section 303(f) of the Controlled Substances Act provides that “[t]he Attorney General shall register practitioners * * * to dispense * * * controlled substances in schedule II, III, IV, or V, if the applicant is authorized to dispense * * * controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(f). Section 303(f) further provides that “[t]he Attorney General may deny an application for such registration if he determines that the issuance of such registration would be inconsistent with the public interest.” *Id.* In making the public interest determination, the Act requires the consideration of the following factors:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant’s experience in dispensing * * * controlled substances.

(3) The applicant’s conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety.

Id.

[T]hese factors are * * * considered in the disjunctive.” *Robert A. Leslie, M.D.*, 68 FR 15227, 15230 (2003). I “may rely on any one or a combination of factors, and may give each factor the weight [I] deem[] appropriate in determining whether a registration should be revoked.” *Id.* Moreover, I am “not required to make findings as to all of the factors.” *Hoxie v. DEA*, 419 F.3d 477, 482 (6th Cir. 2005); *see also Morall v. DEA*, 412 F.3d 165, 173–74 (D.C. Cir. 2005). In this case, I conclude that factors two and four are dispositive.⁴

As the record demonstrates, Respondent acquired large quantities of controlled substances including 22,500 tablets of combination hydrocodone/acetaminophen (a schedule III controlled substance, 21 CFR 1308.13(e)), 1400 dosage units of clonazepam (a schedule IV controlled substance, 21 CFR 1308.14(c)), as well as drugs combining codeine with acetaminophen or aspirin. Respondent admitted that he personally used the drugs.

The record also shows that on September 24, 2005, Respondent represented to an employee of Henry

Schein, Inc., that he was “practic[ing] general medicine,” with a “concentration in chronic pain secondary to terminal illness, i.e., cancer.” During the August 31, 2006 interview, however, Respondent admitted that he had not practiced medicine since 1997 and that he had no patients. The record further shows that after he faxed the letter to Schein, Respondent continued to order and received large quantities of controlled substances from it. Based on this evidence, I conclude that on numerous occasions, Respondent violated federal law by “knowingly or intentionally * * * acquir[ing] or obtain[ing] possession of a controlled substance by misrepresentation, fraud, [or] deception.” 21 U.S.C. 843(a)(3).

Respondent further admitted that he did not maintain the purchasing and dispensing records as required by federal law. *See id.* § 827(a)(3). Based on the above, I conclude that Respondent’s record of non-compliance with federal laws related to controlled substances and his experience of self-dispensing controlled substances, establishes that granting him a registration would be “inconsistent with the public interest.” *Id.* § 823(f).

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(f), as well as 28 CFR 0.100(b) & 0.104, I order that the application of Patrick K. Riggs, M.D., for a DEA Certificate of Registration as a practitioner be, and it hereby is, denied. This order is effective January 18, 2008.

Dated: December 7, 2007.

Michele M. Leonhart,
Deputy Administrator.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,418]

Computer Sciences Corporation, Dallas, Texas; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 6, 2007 in response to a petition filed by a company official on behalf of workers of Computer Sciences Corporation, Dallas, Texas.

The company official has requested that the petition be withdrawn.

Consequently, the investigation has been terminated.

Signed at Washington, DC, this 12th day of December, 2007.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E7–24544 Filed 12–18–07; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,510 and TA–W–62,510A]

Cuno, Inc., Meriden, CT and Enfield, CT; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 29, 2007 in response to a petition filed by a State agency representative on behalf of workers of two locations of Cuno, Inc., namely Meriden, Connecticut (TA–W–62,510) and Enfield, Connecticut (TA–W–62,510A).

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed in Washington, DC, this 13th day of December 2007.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–62,426]

Flextronics Enclosures, Including On-Site Leased Workers of Manpower and Coast Personnel, Youngsville, NC; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on November 7, 2007, in response to a worker petition filed on behalf of workers at Flextronics Enclosures, Youngsville, North Carolina.

The petitioning group of workers is covered by an active certification, (TA–W–62,486) which expires on November 7, 2009. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

⁴ Having considered all of the factors, I conclude that factors one, three and five are not relevant.