

BEFORE THE
BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues
Against:

Case No. 2002014001246

VIOLETA STEPHANIE ARRAZOLA
350 Pioneer Drive
Glendale, CA 91203
Marriage and Family Therapist Intern
Registration

Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 15, 2015.

It is so ORDERED June 15, 2015.



FOR THE BOARD OF BEHAVIORAL SCIENCES
DEPARTMENT OF CONSUMER AFFAIRS

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8 **BEFORE THE**
9 **BOARD OF BEHAVIORAL SCIENCES**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
12 Against:

Case No. 2002014001246

13 **VIOLETA STEPHANIE ARRAZOLA**
14 **350 Pioneer Drive**
15 **Glendale, CA 91203**
16 **Marriage and Family Therapist Intern**
17 **Registration**

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

Respondent.

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 PARTIES

20 1. Kim Madsen ("Complainant") is the Executive Officer of the Board of Behavioral
21 Sciences. She brought this action solely in her official capacity and is represented in this matter
22 by Kamala D. Harris, Attorney General of the State of California, by Shawn P. Cook, Deputy
23 Attorney General.

24 2. Respondent Violeta Stephanie Arrazola ("Respondent") is representing herself in this
25 proceeding and has chosen not to exercise her right to be represented by counsel.

26 3. On or about May 12, 2014, Respondent filed an application dated May 9, 2014, with
27 the Board of Behavioral Sciences to obtain a Marriage and Family Therapist Intern Registration.

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1 JURISDICTION

2 4. Statement of Issues No. 2002014001246 was filed before the Board of Behavioral
3 Sciences (Board) , Department of Consumer Affairs, and is currently pending against
4 Respondent. The Statement of Issues and all other statutorily required documents were properly
5 served on Respondent on April 21, 2015.

6 5. A copy of Statement of Issues No. 2002014001246 is attached as exhibit A and
7 incorporated herein by reference.

8 ADVISEMENT AND WAIVERS

9 6. Respondent has carefully read, and understands the charges and allegations in
10 Statement of Issues No. 2002014001246. Respondent has also carefully read, and understands
11 the effects of this Stipulated Settlement and Disciplinary Order.

12 7. Respondent is fully aware of her legal rights in this matter, including the right to a
13 hearing on the charges and allegations in the Statement of Issues; the right to be represented by
14 counsel at her own expense; the right to confront and cross-examine the witnesses against her; the
15 right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas
16 to compel the attendance of witnesses and the production of documents; the right to
17 reconsideration and court review of an adverse decision; and all other rights accorded by the
18 California Administrative Procedure Act and other applicable laws.

19 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
20 every right set forth above.

21 CULPABILITY

22 9. Respondent admits the truth of each and every charge and allegation in Statement of
23 Issues No. 2002014001246.

24 10. Respondent agrees that her application for a Marriage and Family Therapist Intern
25 Registration is subject to denial and she agrees to be bound by the Board's probationary terms as
26 set forth in the Disciplinary Order below.

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1 DISCIPLINARY ORDER

2 IT IS HEREBY ORDERED that Respondent Violeta Stephanie Arrazola be issued a
3 Marriage and Family Therapist Intern Registration and said registration shall be immediately
4 revoked. The revocation will be stayed and the Respondent placed on three (3) years probation
5 on the following terms and conditions. Probation shall continue on the same terms and conditions
6 if Respondent is granted a subsequent registration, becomes licensed, or is granted another license
7 or registration regulated by the Board during the probationary period.

8 **1. Psychotherapy**

9 Respondent shall participate in ongoing psychotherapy with a California licensed mental
10 health professional who has been approved by the Board. Within 15 days of the effective date of
11 this decision, respondent shall submit to the Board or its designee for its prior approval the name
12 and qualifications of one or more therapists of respondent's choice. Such therapist shall possess a
13 valid California license to practice and shall have had no prior business, professional, or personal
14 relationship with respondent, and shall not be the respondent's supervisor. Counseling shall be at
15 least once a week unless otherwise determined by the Board. Respondent shall continue in such
16 therapy at the Board's discretion. Cost of such therapy is to be borne by respondent.

17 Respondent may, after receiving the Board's written permission, receive therapy via
18 videoconferencing if respondent's good faith attempts to secure face-to-face counseling are
19 unsuccessful due to the unavailability of qualified mental health care professionals in the area.
20 The Board may require that respondent provide written documentation of her good faith attempts
21 to secure counseling via videoconferencing.

22 Respondent shall provide the therapist with a copy of the Board's decision no later than the
23 first counseling session. Upon approval by the Board, respondent shall undergo and continue
24 treatment until the Board or its designee determines that no further psychotherapy is necessary.

25 Respondent shall take all necessary steps to ensure that the treating psychotherapist submits
26 quarterly written reports to the Board concerning respondent's fitness to practice, progress in
27 treatment, and to provide such other information as may be required by the Board. Respondent

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1 shall execute a Release of Information authorizing the therapist to divulge information to the
2 Board.

3 If the treating psychotherapist finds that respondent cannot practice safely or independently,
4 the psychotherapist shall notify the Board within three (3) working days. Upon notification by
5 the Board, respondent shall immediately cease practice and shall not resume practice until
6 notified by the Board or its designee that respondent may do so. Respondent shall not thereafter
7 engage in any practice for which a registration issued by the Board is required until the Board or
8 its designee has notified respondent that he/she may resume practice. Respondent shall document
9 compliance with this condition in the manner required by the Board.

10 **2. Dependency Support Program**

11 Respondent shall attend a dependency support program approved by the Board no
12 less than two (2) times per week. Respondent shall provide proof of attendance at said program
13 with each quarterly report that Respondent submits during the period of probation. Failure to
14 attend, or to show proof of such attendance, shall constitute a violation of probation.

15 **3. Abstain from Controlled Substances / Submit to Biological Fluid Testing and**
16 **Samples**

17 Respondent shall completely abstain from the use or possession of controlled or illegal
18 substances unless lawfully prescribed by a medical practitioner for a bona fide illness.

19 Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon
20 request by the Board or its designee. The length of time and frequency will be determined by the
21 Board. There will be no confidentiality in test results. Any confirmed positive finding will be
22 immediately reported to respondent's current employer and shall be a violation of probation.

23 **4. Abstain from Use of Alcohol / Submit to Biological Fluid Testing and Samples**

24 Respondent shall completely abstain from the use of alcoholic beverages during the period
25 of probation.

26 Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon
27 request by the Board or its designee. The length of time and frequency will be determined by the
28 Board. There will be no confidentiality in test results. Any confirmed positive finding will be

1 immediately reported to the respondent 's current employer and shall be a violation of probation.

2 **5. Obey All Laws**

3 Respondent shall obey all federal, state and local laws, all statutes and regulations
4 governing the registration, and remain in full compliance with any court ordered criminal
5 probation, payments and other orders. A full and detailed account of any and all violations of law
6 shall be reported by the respondent to the Board or its designee in writing within seventy-two (72)
7 hours of occurrence. To permit monitoring of compliance with this term, respondent shall submit
8 fingerprints through the Department of Justice and Federal Bureau of Investigation within 30 days
9 of the effective date of the decision, unless previously submitted as part of the licensure
10 application process. Respondent shall pay the cost associated with the fingerprint process.

11 **6. File Quarterly Reports**

12 Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the
13 "Quarterly Report Form" (rev. 01/12/01). Respondent shall state under penalty of perjury
14 whether she has been in compliance with all the conditions of probation. Notwithstanding any
15 provision for tolling of requirements of probation, during the cessation of practice respondent
16 shall continue to submit quarterly reports under penalty of perjury.

17 **7. Comply with Probation Program**

18 Respondent shall comply with the probation program established by the Board and
19 cooperate with representatives of the Board in its monitoring and investigation of the respondent's
20 compliance with the program.

21 **8. Interviews with the Board**

22 Respondent shall appear in person for interviews with the Board or its designee upon
23 request at various intervals and with reasonable notice.

24 **9. Failure to Practice**

25 In the event respondent stops practicing in California, respondent shall notify the Board or
26 its designee in writing within 30 calendar days prior to the dates of non-practice and return to
27 practice. Non-practice is defined as any period of time exceeding thirty calendar days in which
28 respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or

1 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this
2 condition, will not apply to the reduction of the probationary term and will relieve respondent of
3 the responsibility to comply with the probationary terms and conditions with the exception of this
4 condition and the following terms and conditions of probation: Obey All Laws; File Quarterly
5 Reports; Comply With Probation Program; Maintain Valid Registration/Registration; and Cost
6 Recovery. Respondent's license/registration shall be automatically cancelled if respondent's
7 period of non-practice total two years.

8 **10. Change of Place of Employment or Place of Residence**

9 Respondent shall notify the Board or its designee in writing within 30 days of any change
10 of place of employment or place of residence. The written notice shall include the address, the
11 telephone number and the date of the change.

12 **11. Supervision of Unlicensed Persons**

13 While on probation, respondent shall not act as a supervisor for any hours of supervised
14 practice required for any registration issued by the Board. Respondent shall terminate any such
15 supervisory relationship in existence on the effective date of this Decision.

16 **12. Notification to Clients**

17 Respondent shall notify all clients when any term or condition of probation will affect their
18 therapy or the confidentiality of their records, including but not limited to supervised practice,
19 suspension, or client population restriction. Such notification shall be signed by each client prior
20 to continuing or commencing treatment. Respondent shall submit, upon request by the Board or
21 its designee, satisfactory evidence of compliance with this term of probation.

22 **13. Notification to Employer**

23 Respondent shall provide each of her current or future employers, when performing
24 services that fall within the scope of practice of her registration, a copy of this Decision and the
25 Statement of Issues or Accusation before commencing employment. Notification to the
26 respondent's current employer shall occur no later than the effective date of the Decision or
27 immediately upon commencing employment. Respondent shall submit, upon request by the
28 Board or its designee, satisfactory evidence of compliance with this term of probation.

1 **14. Violation of Probation**

2 If respondent violates the conditions of her probation, the Board, after giving respondent
3 notice and the opportunity to be heard, may set aside the stay order and impose the discipline
4 (revocation/suspension) of respondent's registration provided in the decision.

5 If during the period of probation, an accusation, petition to revoke probation, or statement
6 of issues has been filed against respondent's registration or application for licensure, or the
7 Attorney General's office has been requested to prepare such an accusation, petition to revoke
8 probation, or statement of issues, the probation period set forth in this decision shall be
9 automatically extended and shall not expire until the accusation, petition to revoke probation, or
10 statement of issues has been acted upon by the board. Upon successful completion of probation,
11 respondent's registration shall be fully restored.

12 **15. Maintain Valid Registration/License**

13 Respondent shall, at all times while on probation, maintain a current and active
14 registration/license with the Board, including any period during which suspension or probation is
15 tolled. Should respondent's registration/license, by operation of law or otherwise, expire, upon
16 renewal respondent's registration/license shall be subject to any and all terms of this probation
17 not previously satisfied.

18 **16. Registration/ License Surrender**

19 Following the effective date of this decision, if respondent ceases practicing due to
20 retirement or health reasons, or is otherwise unable to satisfy the terms and conditions of
21 probation, respondent may voluntarily request the surrender of her registration/license to the
22 Board. The Board reserves the right to evaluate the respondent's request and to exercise its
23 discretion whether to grant the request or to take any other action deemed appropriate and
24 reasonable under the circumstances. Upon formal acceptance of the surrender, respondent shall
25 within 30 calendar days deliver respondent's registration/license and certificate and if applicable
26 wall certificate to the Board or its designee and respondent shall no longer engage in any practice
27 for which a registration/license is required. Upon formal acceptance of the tendered registration/
28 license, respondent will no longer be subject to the terms and conditions of probation.

1 Voluntary surrender of respondent's registration/license shall be considered to be a
2 disciplinary action and shall become a part of respondent's registration/license history with the
3 Board. Respondent may not petition the Board for reinstatement of the surrendered registration/
4 license. Should respondent at any time after voluntary surrender ever reapply to the Board for
5 licensure respondent must meet all current requirements for licensure including, but not limited
6 to, filing a current application, meeting all current educational and experience requirements, and
7 taking and passing any and all examinations required of new applicants.

8 **17. Instruction of Coursework Qualifying for Continuing Education**

9 Respondent shall not be an instructor of any coursework for continuing education credit
10 required by any registration issued by the Board.

11 **18. Notification to Referral Services**

12 Respondent shall immediately send a copy of this decision to all referral services registered
13 with the Board in which respondent is a participant. While on probation, respondent shall send a
14 copy of this decision to all referral services registered with the Board that respondent seeks to
15 join.

16 **19. Reimbursement of Probation Program**

17 Respondent shall reimburse the Board for the costs it incurs in monitoring the probation to
18 ensure compliance for the duration of the probation period. Reimbursement costs shall be \$1,200.
19 per year.

20 ACCEPTANCE

21 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
22 stipulation and the effect it will have on my Marriage and Family Therapist Intern Registration.
23 I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and
24 intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral
25 Sciences.

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27 DATED: 5/19/15

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VIOLETA STEPHANIE ARRAZOLA
Respondent

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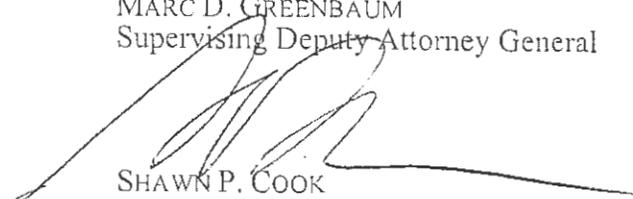
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Behavioral Sciences.

Dated: 21 May 2015

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
MARC D. GREENBAUM
Supervising Deputy Attorney General



SHAWN P. COOK
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Statement of Issues No. 2002014001246

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10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
Against:

Case No. 2002014001246

12 **VIOLETA STEPHANIE ARRAZOLA**

STATEMENT OF ISSUES

13 Marriage and Family Therapist Intern
14 Registration Applicant

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Kim Madsen (Complainant) brings this Statement of Issues solely in her official
20 capacity as the Executive Officer of the Board of Behavioral Sciences, Department of Consumer
21 Affairs (Board).

22 2. On or about May 12, 2014, the Board received an application for a Marriage and
23 Family Therapist Intern Registration from Violeta Stephanie Arrazola (Respondent). On or about
24 May 9, 2014, Violeta Stephanie Arrazola certified under penalty of perjury to the truthfulness of
25 all statements, answers, and representations in the application. The Board denied the application
26 on August 13, 2014.

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1 JURISDICTION

2 3. This Statement of Issues is brought before the Board under the authority of the
3 following laws. All section references are to the Business and Professions Code (Code) unless
4 otherwise indicated.

5 4. Section 480¹ of the Code states, in pertinent part:

6 "(a) A board may deny a license regulated by this code on the grounds that the applicant
7 has one of the following:

8 "(1) Been convicted of a crime. A conviction within the meaning of this section means a
9 plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a
10 board is permitted to take following the establishment of a conviction may be taken when the
11 time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when
12 an order granting probation is made suspending the imposition of sentence, irrespective of a
13 subsequent order under the provisions of Section 1203.4 of the Penal Code.

14

15 "(3) (A) Done any act that if done by a licentiate of the business or profession in question,
16 would be grounds for suspension or revocation of license.

17 (B) The board may deny a license pursuant to this subdivision only if the crime or act
18 is substantially related to the qualifications, functions, or duties of the business or profession for
19 which application is made.

20 "(b) Notwithstanding any other provision of this code, no person shall be denied a license
21 solely on the basis that he or she has been convicted of a felony if he or she has obtained a
22 certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of
23 Part 3 of the Penal Code or that he or she has been convicted of a misdemeanor if he or she has
24 met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate

25 _____
26 1 This Statement of Issues is based on Code section 480 as it was in effect at the time of the denial. Section
27 480 was amended effective January 1, 2015, with the addition of the following language: "(c) Notwithstanding any
28 other provisions of this code, a person shall not be denied a license solely on the basis of a conviction that has been
dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code. An applicant who has a conviction
that has been dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code shall provide proof of the
dismissal."

1 the rehabilitation of a person when considering the denial of a license under subdivision (a) of
2 Section 482. . . .”

3 5. Section 490 of the Code provides that a board may suspend or revoke a license on the
4 ground that the licensee has been convicted of a crime substantially related to the qualifications,
5 functions, or duties of the business or profession for which the license was issued.

6 6. Section 493 of the Code states, in pertinent part:

7 "Notwithstanding any other provision of law, in a proceeding conducted by a board within
8 the department pursuant to law to deny an application for a license or to suspend or revoke a
9 license or otherwise take disciplinary action against a person who holds a license, upon the
10 ground that the applicant or the licensee has been convicted of a crime substantially related to the
11 qualifications, functions, and duties of the licensee in question, the record of conviction of the
12 crime shall be conclusive evidence of the fact that the conviction occurred, but only of that fact,
13 and the board may inquire into the circumstances surrounding the commission of the crime in
14 order to fix the degree of discipline or to determine if the conviction is substantially related to the
15 qualifications, functions, and duties of the licensee in question.

16 "As used in this section, 'license' includes 'certificate,' 'permit,' 'authority,' and
17 'registration.'"

18 7. Section 4982 of the Code states, in pertinent part:

19 "The board may deny a license or registration or may suspend or revoke the license or
20 registration of a licensee or registrant if he or she has been guilty of unprofessional conduct.

21 Unprofessional conduct includes, but is not limited to, the following:

22 "(a) The conviction of a crime substantially related to the qualifications, functions, or
23 duties of a licensee or registrant under this chapter. The record of conviction shall be conclusive
24 evidence only of the fact that the conviction occurred. The board may inquire into the
25 circumstances surrounding the commission of the crime in order to fix the degree of discipline or
26 to determine if the conviction is substantially related to the qualifications, functions, or duties of a
27 licensee or registrant under this chapter. A plea or verdict of guilty or a conviction following a
28 plea of nolo contendere made to a charge substantially related to the qualifications, functions, or

1 duties of a licensee or registrant under this chapter shall be deemed to be a conviction within the
2 meaning of this section. The board may order any license or registration suspended or revoked, or
3 may decline to issue a license or registration when the time for appeal has elapsed, or the
4 judgment of conviction has been affirmed on appeal, or, when an order granting probation is
5 made suspending the imposition of sentence, irrespective of a subsequent order under Section
6 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and enter a plea of not
7 guilty, or setting aside the verdict of guilty, or dismissing the accusation, information, or
8 indictment.

9

10 "(c) Administering to himself or herself any controlled substance or using of any of the
11 dangerous drugs specified in Section 4022, or of any alcoholic beverage to the extent, or in a
12 manner, as to be dangerous or injurious to the person applying for a registration or license or
13 holding a registration or license under this chapter, or to any other person, or to the public, or, to
14 the extent that the use impairs the ability of the person applying for or holding a registration or
15 license to conduct with safety to the public the practice authorized by the registration or license.
16 The board shall deny an application for a registration or license or revoke the license or
17 registration of any person, other than one who is licensed as a physician and surgeon, who uses or
18 offers to use drugs in the course of performing marriage and family therapy services. . . ."

19 **FIRST CAUSE FOR DENIAL OF APPLICATION**

20 **(Conviction of a Substantially Related Crime)**

21 8. Respondent's application is subject to denial under sections 4982, subdivision (a), and
22 480, subdivision (a)(1), in that Respondent is convicted of a crime substantially related to the
23 qualifications, functions, or duties of a marriage and family therapist intern, as follows:

24 a. On or about August 30, 2013, after pleading guilty, Respondent was convicted of one
25 misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [driving while
26 having 0.08% or more, by weight, of alcohol blood content (BAC), wit 0.19% BAC], and one
27 misdemeanor count of violating Vehicle Code section 23578 [excessive blood alcohol] in the
28 criminal proceeding entitled *The People of the State of California v. Violeta S. Arrazola* (Super.

1 Ct. San Diego County, 2013, No. S264644). The Court placed Respondent on five years
2 probation, ordered her to attend 3-Month Licensed First Offender Alcohol and Other Drug
3 Education and Counseling Program, and ordered her to attend Mother's Against Drinking and
4 Driving.

5 b. The circumstances surrounding the conviction are that on or about April 6, 2013, the
6 Coronado Police Department officers responded to a traffic collision report. Upon arriving at the
7 scene and interviewing witnesses, the officers learned that a vehicle hit a curb, drove on the grass
8 in the park, and fled. Later, the officers located the vehicle and got in contact with the owner of
9 the vehicle, Respondent. After administering Standardized Field Sobriety Testing, the officers
10 arrested Respondent for violating Vehicle Code section 23152, subdivision (a) [driving under
11 influence of alcohol/drug].

12 **SECOND CAUSE FOR DENIAL OF APPLICATION**

13 **(Dangerous Use of Alcohol)**

14 9. Respondent's application is subject to denial under section 4982, subdivision (c), in
15 that, on or about April 6, 2013, Respondent used alcohol to an extent or in a manner dangerous or
16 injurious to herself or others. Complainant refers to, and by this reference incorporates, the
17 allegations set forth above in paragraph 8, as though set forth fully.

18 **THIRD CAUSE FOR DENIAL OF APPLICATION**

19 **(Acts Warranting Denial of Licensure)**

20 10. Respondent's application is subject to denial under section 480, subdivisions
21 (a)(3)(A) and (a)(3)(B), in that Respondent committed acts which if done by a licensee of the
22 business and profession, would be grounds for suspension or revocation of her license, as follows:

23 a. Respondent was convicted of crimes substantially related to the qualifications,
24 functions, or duties of a marriage and family therapist intern which to a substantial degree
25 evidence her present or potential unfitness to perform the functions authorized by her registration
26 in a manner consistent with the public health, safety, or welfare, in violation of sections 4982,
27 subdivision (a) and 490. Complainant refers to, and by this reference incorporates, the allegations
28 set forth above in paragraph 8, subparagraph a, as though set forth fully.

