



Attorney General of New Mexico

GARY K. KING
Attorney General

ALBERT J. LAMA
Chief Deputy Attorney General

July 9, 2012

Dr. Gilbert Aragon
411 South 3rd Street
Raton, NM 87740

Re: Notice of Summary Suspension of License to Practice Osteopathic Medicine

Dear Dr. Aragon:

The undersigned is counsel to The New Mexico Board of Osteopathic Medical Examiners ("Board") and this letter is written on the Board's behalf.

The Board has reviewed the plea agreement, filed May 11, 2012, that you entered into with the United States Attorney's Office. In the plea agreement, you agreed to plead guilty to five felony counts for events occurring in 2009 and the first part of 2010. The Board understands that you have been convicted of the felony charges and that you are currently scheduled to be sentenced for your crimes on August 9, 2012.

Effective July 23, 2005, you entered into a settlement agreement (attached hereto) with the Board to resolve a Notice of Contemplated Action the Board issued against you in 2003. In the settlement agreement, you agreed, among other things, to "not prescribe any medication for non-therapeutic purposes, nor knowingly prescribe, dispense or sell to addicts." (Paragraph 4.b). The admission of facts in your plea agreement makes it clear that you breached this and other terms of the settlement agreement.

Paragraph 10 of the settlement agreement states: "In the event Dr. Aragon breaches any terms of this Agreement, the Board may immediately and summarily revoke his license and reinstate all charges filed against Dr. Aragon in the NCA...." The Board is exercising its right under this provision of settlement agreement and hereby immediately suspends your license. Even though the settlement agreement ended in July, 2010, it is clear that your actions breaching the agreement occurred during life of the agreement, thereby implicating the Board's right to summarily suspend your license pursuant to paragraph 10. Because the Board has only recently learned, through your May 11, 2012 plea agreement, that you did, in fact, breach the settlement agreement, this action is timely.

Gilbert Aragon

7/9/2012

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It is therefore the Board's position that your license is suspended and you must immediately refrain from the practice of osteopathic medicine in the State of New Mexico pending the outcome of a Notice of Contemplated Action on your license.

Accordingly, you are also hereby notified that the Board is proceeding with the issuance of a Notice of Contemplated Action to revoke your license due to your felony convictions and the facts pertaining thereto and the charges listed in the 2003 Notice of Contemplated Action. You will receive the Notice of Contemplated Action in the near future and will be given an opportunity for a hearing before the Board pursuant to NMSA 1978, Section 61-10-15.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Reynolds". The signature is stylized and cursive.

Mark Reynolds

Assistant Attorney General

Counsel to the Board

cc: Dr. James Shiveley, Board Chair

Enclosure