

DEPARTMENT OF  
ATTORNEY GENERAL

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MEMORANDUM

OCT 18 1991

TO

Mary G. MacDowell, Director  
Health Enforcement Division  
Bur. of Occ. & Professional Regulation

FROM

Elizabeth R. Schwartz *ES*  
Assistant Attorney General  
Health Professionals Division

LETTER FROM THE  
HEALTH ENFORCEMENT  
DIVISION  
October 15, 1991

Re: Robert E. Alexander, M.D., v Board of Medicine  
Ingham County Circuit Court #90-67898-AA

Attached is a copy of the September 30, 1991 order of the Ingham County Circuit Court vacating both the August 3, 1990 order of the Board of Medicine revoking Dr. Alexander's license and the November 2, 1990 order denying motion for reconsideration, and remanding the matter back to the Board for further proceedings concerning the sanction imposed on Dr. Alexander.

Judge Giddings stated on the record that Dr. Alexander should be afforded the opportunity to present mitigating evidence prior to the Board's imposition of a sanction. Judge Giddings did not upset the status quo, that being that Petitioner's license to practice is surrendered (you will recall it was surrendered while Dr. Alexander was incarcerated) and that he is not currently practicing medicine, and will not practice medicine until further order of the Board.

Please see that this matter is presented to the Board at its next meeting. The case should be scheduled for hearing as soon as possible. If you have any questions, please feel free to contact me.

mip

Att

cc: Board of Medicine

86/1

STATE OF MICHIGAN  
INGHAM COUNTY CIRCUIT COURT

ROBERT L. ALEXANDER, M.D.

Petitioner,

v

MICHIGAN DEPARTMENT OF LICENSING  
& REGULATION, BOARD OF MEDICINE,

Respondent.

ORDER

File No. 90-67898-AA

Hon. James R. Giddings

Max R. Hoffman Jr. (P23199)  
Timothy M. Perrone (P37940)  
Attorneys for Petitioner  
Suite 3, 4572 South Hagadorn Road  
East Lansing, MI 48823  
517/ 351-3700

Elizabeth R. Schwartz (P23056)  
Assistant Attorney General  
Attorney for Respondent

At a session of the court held in  
Lansing, Ingham County, Michigan, on  
Sept. 20, 1991.

PRESENT: HONORABLE JAMES R. GIDDINGS, Circuit Judge

Petitioner having filed this appeal from an Order of  
Revocation by the Department of Licensing and Regulation Board of  
Medicine and both parties having filed briefs, and the court  
having reviewed the record of the proceedings below and being  
fully apprised in the premises;

NOW THEREFORE IT IS HEREBY ORDERED, for the reasons set  
forth on the record:

1. The Order of Revocation dated August 3, 1990, and the Order Denying Motion for Reconsideration of Final Order dated November 2, 1990 shall be and hereby are vacated.

2. This matter is remanded to the Department of Licensing and Regulation Michigan Board of Medicine for further proceedings concerning the sanction imposed on petitioner.

JAMES R. GIDDINGS

JAMES R. GIDDINGS, Circuit Judge

COUNTERSIGNED:  
BRENDA SCHNEEBERGER

Deputy Clerk

APPROVED FOR ENTRY:

FARHAT, STORY & KRAUS, P.C.  
Attorneys for Petitioner

FRANK J. KELLEY  
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By: Max R. Hoffman Jr.

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A TRUE COPY  
CLERK OF THE COURT  
30th JUDICIAL CIRCUIT COURT

LAW OFFICES

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