



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS

In the Matter of

Carlos A Marcano, M.D.  
License Number: 43-01-057357

FILE NO.: 43-08-108367

PROOF OF SERVICE

State of Michigan )  
                                  )  
County of Ingham )

I, Marcie M. Anderson, of Lansing, County of Ingham, State of Michigan, do hereby state that on February 13, 2009, I sent the following documents to each of the parties listed below, enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:


FINAL ORDER dated February 12, 2009

BY: (X) First Class Mail  
( ) Certified Mail, Return receipt requested

TO: Carlos A Marcano, M.D.  
Pine Rest Christian  
Mental Health Services  
300 68<sup>th</sup> Street SE  
Grand Rapids, MI 49501

By Interdepartmental Mail to:

Bill Hurth, Manager  
Bureau of Health Professions  
Enforcement Section

  
Marcie M. Anderson  
Health Regulatory Division



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS

In the Matter of

Carlos A Marcano, M.D.  
License Number: 43-01-057357

FILE NO.: 43-08-108367

PROOF OF SERVICE

State of Michigan )  
                          )  
County of Ingham )

I, Marcie M. Anderson, of Lansing, County of Ingham, State of Michigan, do hereby state that on February 24, 2009, I resent the following documents to each of the parties listed below, enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:

FINAL ORDER dated February 12, 2009

BY: (X) First Class Mail  
( ) Certified Mail, Return receipt requested

TO: Carlos A Marcano MDOC #700283  
St. Louis Correctional Facility  
8585 N. Crosswell Rd.  
St. Louis, MI 48880

By Interdepartmental Mail to:

Bill Hurth, Manager  
Bureau of Health Professions  
Enforcement Section

Marcie M. Anderson  
Health Regulatory Division

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CARLOS A. MARCANO, M.D.  
License Number: 43-01-057357

File Number: 43-08-108367

FINAL ORDER

On November 21, 2008, the Department of Community Health, Bureau of Health Professions, hereafter Department, filed an Administrative Complaint, hereafter Complaint, with the Disciplinary Subcommittee of the Michigan Board of Medicine, hereafter Disciplinary Subcommittee, charging Carlos A. Marcano, M.D., hereafter Respondent, with having violated sections 16221(b)(v), 16221(b)(vi), 16221(b)(vii), 16221(b)(xi) and 16221(i) of the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq.

On November 21, 2008, based upon Respondent's convictions as set forth in the Complaint, the Department issued an Order of Summary Suspension, summarily suspending Respondent's license to practice medicine in the state of Michigan.

The Complaint notified Respondent that, pursuant to sections 16231(7) and 16231(8) of the Public Health Code, supra, Respondent's failure to respond to the Complaint within 30 days from the date of receipt would be treated as an admission of the allegations contained in the Complaint and would result in transmittal of the Complaint directly to the Disciplinary Subcommittee for imposition of an appropriate sanction.

Contrary to section 16231(7) of the Public Health Code, supra, Respondent failed to provide a written response to the allegations set forth in the Complaint within 30 days from the date of receipt.

The Disciplinary Subcommittee, having read the Order of Summary Suspension and Complaint, considered the within matter at a regularly scheduled meeting held in Lansing, Michigan, on January 28, 2009, and imposed a sanction pursuant to section 16231(8) of the Public Health Code, supra. Now, therefore,

IT IS HEREBY ORDERED that the Order of Summary Suspension dated November 21, 2008, is DISSOLVED, as of the effective date of this Order.

IT IS FURTHER ORDERED that for the violations of sections 16221(b)(v), 16221(b)(vi), 16221(b)(vii), 16221(b)(xi) and 16221(i) of the Public Health Code, supra, Respondent's license to practice medicine in the state of Michigan is REVOKED, commencing on the effective date of this order. Said periods of revocation shall run concurrently.

IT IS FURTHER ORDERED that reinstatement of a license which has been revoked is not automatic and, in the event Respondent applies for reinstatement of his license, application for reinstatement shall be in accordance with sections 16245 and 16247 of the Public Health Code, supra. Further, in support of the application for reinstatement, Respondent shall supply clear and convincing evidence to the Michigan Board of Medicine that Respondent is of good moral character, is able to practice the profession with reasonable skill and safety, that it is in the public interest for Respondent to

resume the practice, and that Respondent has met the guidelines on reinstatement adopted by the Department.

IT IS FURTHER ORDERED that in the event Respondent violates any provision of this Order, and if such violation is deemed to constitute an independent violation of the Public Health Code or the rules promulgated thereunder, the Disciplinary Subcommittee may proceed to take disciplinary action pursuant to 1996 AACRS, R 338.1632 and section 16221(h) of the Public Health Code, supra.

IT IS FURTHER ORDERED that this Order shall be effective on the date signed by the Disciplinary Subcommittee's Chairperson or authorized representative, as set forth below.

Dated: February 12, 2009

MICHIGAN BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

By Melanie B. Brim  
Melanie B. Brim, Director  
Bureau of Health Professions

This is the last and final page of a Final Order in the matter of Carlos A. Marcano, M.D., File Number 43-08-108367, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of three pages, this page included.

kp

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS

In the Matter of

CARLOS A MARCANO, M.D.  
License Number: 43-01-057357

---

STATE OF MICHIGAN )  
                                  )  
COUNTY OF INGHAM )

FILE NO.: 43-08-108367

PROOF OF SERVICE

I, Marcie M. Anderson, of Lansing, County of Ingham, State of Michigan, do hereby state that on November 21, 2008, I mailed the following documents to each of the parties listed below, enclosed in an envelope bearing postage fully prepaid, plainly addressed as follows:


ORDER OF SUMMARY SUSPENSION signed November 21, 2008; ADMINISTRATIVE COMPLAINT signed November 21, 2008, with attached Exhibit and AFFIDAVIT OF PAMELA DIXON notarized on November 19, 2008.

By:     Certified Mail, Return Receipt Requested  
        First Class Mail

To:    Carlos A Marcano MDOC #700283  
       St. Louis Correctional Facility  
       8585 N. Crosswell Rd.  
       St. Louis, MI 48880

By:     Interdepartmental Mail

To:    Bill Hurth, Manager  
       Enforcement Section  
       Bureau of Health Professions

  
Marcie M. Anderson  
Enforcement Section  
Health Regulatory Division

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CARLOS A. MARCANO, M.D.  
License Number: 43-01-057357

File Number: 43-08-108367

ORDER OF SUMMARY SUSPENSION

WHEREAS, an Administrative Complaint has been filed against the above-named Respondent as provided by the Public Health Code, 1978 PA 368, as amended; MCL 333.1101 et seq, the rules promulgated thereunder, and the Administrative Procedures Act of 1969, 1969 PA 306, as amended; MCL 24.201 et seq; and

WHEREAS, section 16233(5) of the Public Health Code, supra, mandates the Department of Community Health, hereafter Department, to find that the public health, safety and welfare requires emergency action if a licensee or registrant is convicted of a felony or a misdemeanor punishable by imprisonment for a maximum of two years or a misdemeanor involving the illegal delivery, possession or use of a controlled substance; and

WHEREAS, based on Respondent's convictions as set forth in the Administrative Complaint, and pursuant to section 16233(5) of the Public Health Code, supra, the Department finds that the public health, safety or welfare requires emergency action; Now therefore,

IT IS HEREBY ORDERED that Respondent's license to practice medicine in the state of Michigan shall be and hereby is SUMMARILY SUSPENDED, commencing the date this order is served.

Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

Under 1996 AACS, R 338.1610, Respondent has the right to petition for the dissolution of this order of summary suspension. This petition shall clearly state that it is a "Petition for Dissolution of Summary Suspension" and shall be filed with the Department of Community Health, Bureau of Health Professions, 611 West Ottawa Street, P.O. Box 30670, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF COMMUNITY HEALTH

By: Melanie B. Brim

Melanie B. Brim, Director  
Bureau of Health Professions

Dated: November 21, 2008

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CARLOS A. MARCANO, M.D.  
License Number: 43-01-057357

File Number: 43-08-108367

ADMINISTRATIVE COMPLAINT

NOW COMES the Michigan Department of Community Health, hereafter Complainant, by Melanie B. Brim, Director, Bureau of Health Professions, and files this complaint against Carlos A. Marcano, M.D., hereafter Respondent, alleging upon information and belief as follows:

1. The Michigan Board of Medicine, hereafter Board, is an administrative agency established by the Public Health Code, 1978 PA 368, as amended; MCL 33.1101 et seq. Pursuant to section 16226 of the Public Health Code, supra, the Board's Disciplinary Subcommittee is empowered to discipline licensees for violations of the Public Health Code.

2. Respondent is currently licensed to practice medicine in the state of Michigan and holds a current controlled substance license.

3. Section 16233(5) of the Public Health Code, supra, provides in pertinent part, as follows:



If a licensee or registrant is convicted of a felony or a misdemeanor punishable by imprisonment for a maximum term of two years or a misdemeanor involving the illegal delivery, possession or use of a controlled substance, the department shall find that the public health, safety, or welfare requires emergency action and, in accordance with section 92 of the administrative procedures act of 1969, shall summarily suspend the licensee's license or the registrant's registration.

4. Section 7311(6) of the Public Health Code, supra, provides that a controlled substance license is automatically void if a licensee's license to practice is suspended or revoked under Article 15 of the Public Health Code.

5. Good moral character is defined at Section 1 of 1974 PA 38, as amended; MCL 338.41 et seq., as "the propensity of the person to serve the public in the licensed area in a fair, honest and open manner."

6. On August 12, 2008, in the 17<sup>th</sup> Judicial Circuit Court, Kent County, Michigan, Respondent was convicted of one felony count of Criminal Sexual Conduct – First Degree and one misdemeanor count of Criminal Sexual Conduct – Fourth Degree in case number 08-03915-FC. Respondent was sentenced to incarceration for a minimum period of eight years and one year, respectively, to be served concurrently, with credit for 13 days. The conviction was based on Respondent's sexual penetration and fondling of a minor female family member. A copy of the conviction documents, marked Exhibit A, is attached and incorporated.

7. Respondent failed to notify Complainant of his convictions within 30 days of the date of the convictions.

COUNT I

Respondent's felony conviction, as set forth above, constitutes conviction of a felony, in violation of section 16221(b)(v) of the Public Health Code, supra.

COUNT II

Respondent's conduct, as set forth above, evidences a lack of good moral character, in violation of section 16221(b)(vi) of the Public Health Code, supra.

COUNT III

Respondent's convictions, as set forth above, constitute convictions of a criminal offense under sections 520b to 520g of the Michigan Penal Code, 1931 PA 328, MCL 750.520b to 750.520g, in violation of section 16221(b)(vii) of the Public Health Code, supra.

COUNT IV

Respondent's misdemeanor conviction, as set forth above, constitutes conviction of a misdemeanor that is reasonably related to or that adversely affects the licensee's ability to practice in a safe and competent manner, in violation of section 16221(b)(xi) of the Public Health Code, supra.

COUNT V

Respondent's conduct, as set forth above, evidences a failure to notify Complainant of Respondent's convictions within 30 days after the date of the convictions as required by section 16222(3) of the Public Health Code, supra, in violation of section 16221(i) of the Public Health Code, supra.

The within Complaint is based upon files and records maintained by Complainant and attached Affidavit of Pamela Dixon.

WHEREFORE, Complainant requests that a hearing be scheduled pursuant to the Administrative Procedures Act of 1969, MCL 24.201 et seq; the Public Health Code, and the rules promulgated thereunder, to determine whether disciplinary action should be taken against Respondent for the reasons set forth above.

FURTHER, pending a hearing and final determination of the within cause, and pursuant to section 16233(5) of the Public Health Code, supra, Complainant states that the public health, safety, and welfare requires emergency action and Respondent's license to practice medicine in the state of Michigan shall be accordingly summarily suspended.

RESPONDENT IS HEREBY NOTIFIED that, pursuant to section 16231(7) of the Public Health Code, supra, Respondent has 30 days from the date of receipt of this complaint to submit a written response to the allegations contained herein. The written response shall be submitted to Complainant, Melanie B. Brim, Director, Bureau of Health Professions, Department of Community Health, P.O. Box 30670, Lansing, Michigan 48909.

RESPONDENT IS FURTHER NOTIFIED that, pursuant to section 16231(8) of the Public Health Code, supra, Respondent's failure to submit a written response within 30 days, as noted above, shall be treated as an admission of the

allegations contained herein and shall result in transmittal of this complaint directly to the Board's Disciplinary Subcommittee for imposition of an appropriate sanction.

Melanie B. Brim

Melanie B. Brim, Director  
Bureau of Health Professions

Dated: November 21, 2008

Attachments

This is the last and final page of an Administrative Complaint in the matter of Carlos A. Marcano, M.D., File Number 43-08-108387, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of five pages, this page included.

KMC

PRKARA

STATE OF MICHIGAN  
63-2 DISTRICT COURT

INFORMATION  
FELONY

CASE NO.:  
DISTRICT:  
CIRCUIT: 08-03915-FC

Circuit Court ORI: MI-410025J

THE PEOPLE OF THE  
STATE OF MICHIGAN  
V  
Defendant's name and address:  
CARLOS ALBERTO MARCANO  
7845 BYRON DEPOT DR SW  
BYRON CENTER MI 49315

Victim or complainant

Complaining Witness  
DEPUTY ED KOLAKOWSKI

Co-defendant(s)

Date:  
ON OR ABOUT 01/01/2005

City/Twp/Village BYRON TWP	County In Michigan KENT	Defendant TCN	Defendant CTN 41-08-003796-99	Defendant SID	Defendant DOB 05/17/1949
Police agency report no. KC0818888	Charge See below	Defendant DLN M625108027374	Location 7845 BYRON DEPOT SW	Maximum Penalty See below	

Rec'd & Filed

APR 22 2008  
TERESA JOAN MARCANO

Kent County Clerk

STATE OF MICHIGAN, COUNTY OF KENT

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: The prosecuting attorney for this county appears before the court and informs the court that on the date and at the location described above, the defendant:

COUNT 1 CRIMINAL SEXUAL CONDUCT - FIRST DEGREE (Relationship)

did, engage in sexual penetration to-wit: DIGITAL/VAGINAL with [REDACTED] the victim being at least 13 but less than 16 years of age, to-wit: 14 YEARS OLD, and the defendant being a member of the same household as the victim; contrary to MCL 750.520b(1)(b). [750.520B1B]

HIV/STD TESTING NOTICE

Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested. FELONY: Life or any term of years; mandatory AIDS/STD testing

COUNT 2 CRIMINAL SEXUAL CONDUCT - SECOND DEGREE (RELATIONSHIP)

did, engage in sexual contact with another person, to-wit: [REDACTED], said victim being at least 13 but less than 16 years of age, to-wit: 14 YEARS OLD, and the defendant being a member of the same household as the victim; contrary to MCL 750.520c(1)(b). [750.520C1B]

HIV/STD TESTING NOTICE

Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested. FELONY: 15 Years; mandatory AIDS/STD testing

COUNT 3 CRIMINAL SEXUAL CONDUCT - SECOND DEGREE (RELATIONSHIP)

did, engage in sexual contact with another person, to-wit: [REDACTED], said victim being at least 13 but less than 16 years of age, to-wit: 15 YEARS OLD, and the defendant being a member of the same household as the victim; contrary to MCL 750.520c(1)(b). [750.520C1B]

HIV/STD TESTING NOTICE

Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested. FELONY: 15 Years; mandatory AIDS/STD testing

and against the peace and dignity of the State of Michigan.

*William A. [Signature]*  
Prosecuting Attorney  
By: \_\_\_\_\_

04/01/2008  
Date

ON INFORMATION, BELIEF AND OTHER EVIDENCE

RECEIVED

OCT 22 2008

BUREAU OF HEALTH PROFESSIONS  
HEALTH REGULATORY DIVISION  
ALLEGATION SECTION

EXHIBIT A page 1 of 4

RLISAF

STATE OF MICHIGAN 17TH CIRCUIT COURT	AMENDED INFORMATION FELONY	CASE NO.: DISTRICT: C080606FY CIRCUIT: 08-03915-FC
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Circuit Court ORI: MI-410025J

THE PEOPLE OF THE STATE OF MICHIGAN	Defendant's name and address CARLOS ALBERTO MARCANO 7845 BYRON DEPOT DR SW BYRON CENTER MI 49315	Victim or complainant [REDACTED]
--	---	-------------------------------------

Co-defendant(s)	Complaining Witness DEPUTY ED KOLAKOWSKI
	Date: On or about ON OR ABOUT 01/01/2005

City/Twp./Village BYRON TWP	County in Michigan KENT	Defendant TCN A208004193W	Defendant CTN 41-08-003796-99	Defendant SID	Defendant DOB 05/17/1949
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Police agency report no. KC0818888	Charge See below	Defendant DLN M625108027374	Location 7845 BYRON DEPOT SW	Maximum Penalty See below
---------------------------------------	---------------------	--------------------------------	---------------------------------	------------------------------

Witnesses  
DEPUTY ED KOLAKOWSKI  
LALEMMA MARIE ANTHONY

[REDACTED]

TERESA JOAN MARCANO

Rec'd & Filed  
AUG 14 2008  
Kent County Clerk

STATE OF MICHIGAN, COUNTY OF KENT  
IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: The prosecuting attorney for this county appears before the court and informs the court that on the date and at the location described above, the defendant

COUNT 1, 2, 3: SEE ORIGINAL INFORMATION

COUNT 4  
CRIMINAL SEXUAL CONDUCT - FOURTH DEGREE (Incest)  
did engage in sexual contact with another person, to-wit: [REDACTED], said defendant and victim, being related by blood or affinity to the third degree; contrary to MCL 750.520e(1)(g). [750.520E1G]  
HIV/STD TESTING NOTICE

Take notice that pursuant to MCL 333.5129, upon bindover to circuit court or recorder's court, the district court judge shall order the defendant to be tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV if the judge determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant. If the district judge determines that testing is not required, upon conviction, the court must order the defendant to be tested.  
MISDEMEANOR: 2 Years and/or \$500.00; mandatory HIV/STD testing

and against the peace and dignity of the State of Michigan.

RECEIVED

Prosecuting Attorney

OCT 22 2008

*[Signature]*

08/14/2008  
Date

BUREAU OF HEALTH PROFESSIONS  
HEALTH REGULATORY DIVISION  
ALLEGATION SECTION

By: \_\_\_\_\_

RECEIVED TIME AUG. 14. 3:49PM

EXHIBIT A page 2 of 4

STATE OF MICHIGAN  
THE CIRCUIT COURT FOR THE COUNTY OF KENT

\*\*\*\*\*

**RECEIVED**

THE PEOPLE OF THE  
STATE OF MICHIGAN,

vs

CARLOS ALBERTO MARCANO,  
Defendant,

OCT 22 2008

BUREAU OF HEALTH PROFESSIONS  
HEALTH REGULATORY DIVISION  
ALLEGATION SECTION

CASE NO.: 08-03915-FC

ORDER OF RE-ARRAIGNMENT  
PLEA OF GUILTY  
TO THE FIRST & FOURTH COUNT(S)  
OF THE AMENDED INFORMATION,

CHARGE: CT 1.) CSC - 1ST DEGREE; CT  
4.) CSC - 4TH DEGREE

REMANDED TO THE KENT COUNTY JAIL

At a session of this Court held this 12 day of August, 2008, Kent County Courthouse, Kent County, Grand Rapids, Michigan.

Present: Honorable GEORGE S. BUTH, Circuit Judge

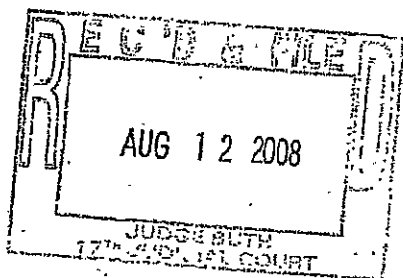
The defendant in this case, CARLOS ALBERTO MARCANO, now appearing in open Court with counsel, JIM MILANOWSKI, and upon being re-arraigned at the Bar thereof, the reading of the information was thereupon had as to the FIRST & FOURTH count(s), whereupon the said defendant entered a plea of GUILTY, as charged,

WHEREUPON, IT IS ORDERED that the plea of GUILTY, as now made to the FIRST & FOURTH count(s) in the information be entered by the Court Clerk,

THEREFORE, IT IS ALSO ORDERED that sentence be and hereby is deferred until a pre-sentence investigation report is completed by the Probation Officer for the County of Kent,

AND, IT IS FURTHER ORDERED that the defendant be remanded to the Kent County Jail, and until sentencing on 9/24/08.

PLEA AGREEMENT: DISMISS CTS 2 AND 3 AT SENTENCING, RECOMMEND GUIDELINES BETWEEN 108 - 180 MONTHS AND THAT SENTENCING NOT EXCEED THE MIDDLE OF THESE GUIDELINES.



  
GEORGE S. BUTH, Circuit Judge

EXHIBIT A page 3 of 4

\* JRL1996 P00161

STATE OF MICHIGAN 17TH JUDICIAL CIRCUIT KENT COUNTY	JUDGMENT OF SENTENCE COMMITMENT TO DEPARTMENT OF CORRECTIONS	CASE NO. 08-03915-FC
---	--	-------------------------

JRI  
VI - 410025J      Kent County Courthouse 180 Ottawa NW, Grand Rapids, MI 49503      Court telephone number 616-632-5480  
Police Report No.

THE PEOPLE OF THE STATE OF MICHIGAN	v	Defendant's name, address, and telephone no. <b>CARLOS ALBERTO MARCANO</b>
Prosecuting attorney's name <b>William A. Forsyth</b>	Bar no. <b>P23770</b>	Defendant's attorney name <b>PUBLIC DEFENDER</b>
CTN/TCN <b>41 08 003796 99</b>		SID <b>DOB</b> <b>05/17/1949</b>

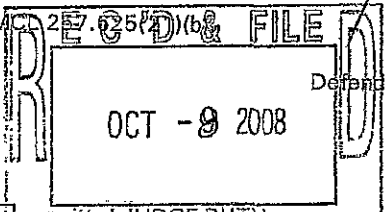
**THE COURT FINDS:**

1. The defendant was found guilty on 08/12/2008 of the crime(s) stated below.  
Date

Count	CONVICTED BY Plea* Court Jury	DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC Code
1	G		CRIMINAL SEXUAL CONDUCT - FIRST DEGREE (RELATIONSHIP)	750.520B1B
2		NP	CRIMINAL SEXUAL CONDUCT - SECOND DEGREE (RELATIONSHIP)	750.520C1B
3		NP	CRIMINAL SEXUAL CONDUCT - SECOND DEGREE (RELATIONSHIP)	750.520C1B
4	G		CRIMINAL SEXUAL CONDUCT - FOURTH DEGREE (INCEST)	750.520E1G

\*For Plea: insert "G" for guilty plea; "NC" for nolo contendere; or "MI" for guilty but mentally ill. \*For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff

- 2. The conviction is reportable to the Secretary of State pursuant to MCL 207.5(1)(b) & FILE **M625108027374**
- 3. HIV testing and sex offender registration is completed.
- 4. The defendant has been fingerprinted according to MCL 28.243.
- 5. Probation is revoked



6. Participating in a special alternative incarceration unit is  prohibited.  permitted. JUDGE BUTH  
7. Defendant is sentenced to custody of the Michigan Department of Corrections. The sentence shall be executed immediately.

Count	SENTENCE DATE	MINIMUM			MAXIMUM		DATE SENTENCE BEGINS	JAIL CREDIT		OTHER INFORMATION
		Years	Mos.	Days	Years	Mos.		Mos.	Days	
1	10-8-08	8			20		8-12-08		13	Said counts to run concurrent w/each other
4	10-8-08	1			2		8-12-08		13	

**RECEIVED**

OCT 22 2008

**BUREAU OF HEALTH PROFESSIONS  
HEALTH REGULATORY DIVISION  
ALLEGATION SECTION**

8. Sentence(s) to be served consecutively to (if this item is not checked, the sentence is concurrent)  each other.  case numbers

9. Defendant shall pay:

Date	Minimum	Crime Victim	Restitution	Court Costs	Fine	Other Costs
	120.00	\$60.00	\$	\$	\$	\$

The due date for payment is Date of Sentence. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed.

- 10. The concealed weapon board shall  suspend for \_\_\_ days  permanently revoke the concealed weapon license, permit number \_\_\_, issued by \_\_\_ County.
- 11. The defendant is subject to lifetime monitoring pursuant to MCL 780.520n.
- 12. Court recommendation:

10-8-08  
Date  
Judge HONORABLE GEORGE BUTH Bar. no. P11479

I certify that this is a correct and complete abstract from the original court records. The sheriff shall, without needless delay, deliver defendant to the Michigan Department of Corrections at a place designated by the department.

(SEAL)

*Debrae Gould*  
Deputy court clerk MCL 785.15(2); MCL 769.1k; MCL 769.16a; MCL 775.22, MCL 780.766  
MCR 6.427



STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
BUREAU OF HEALTH PROFESSIONS  
BOARD OF MEDICINE  
DISCIPLINARY SUBCOMMITTEE

In the Matter of

CARLOS A. MARCANO, M.D.  
License Number: 43-01-057357

File Number: 43-08-108367

STATE OF MICHIGAN     )  
  ) ss  
COUNTY OF INGHAM     )

AFFIDAVIT OF PAMELA DIXON

NOW COMES Pamela Dixon, hereafter Affiant, who, after being duly sworn and upon oath, states on information and belief as follows:

Affiant is a Departmental Analyst in the Health Regulatory Division, Bureau of Health Professions, Department of Community Health, hereafter Department, and in said capacity is responsible for obtaining certified copies of criminal conviction of health professionals licensed to practice a health profession in the state of Michigan.

On October 22, 2008, Affiant received certified records of conviction from the 17th Judicial Circuit Court, Kent County, Michigan, indicating that Carlos A. Marcano, M.D., hereafter Respondent, was convicted of one felony count of Criminal Sexual Conduct-First Degree and one misdemeanor count of Criminal Sexual Conduct-Fourth Degree on August 12, 2008, in case number 08-03915-FC.

Upon checking the Department's records relative to Michigan licensure, Affiant learned that Respondent is licensed to practice medicine in the state of Michigan.

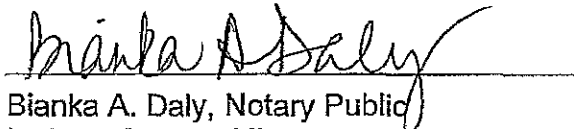
Affiant has not been notified by Respondent of the August 12, 2008, convictions.

Further Affiant saith not.



Pamela Dixon

Subscribed and sworn to before me  
this 19<sup>th</sup> day of November, 2008



Bianka A. Daly, Notary Public  
Ingham County, Michigan  
My Commission expires July 8, 2014

BIANKA A. DALY  
NOTARY PUBLIC-STATE OF MICHIGAN  
COUNTY OF INGHAM  
My Commission Expires July 8, 2014

This is the last and final page of an Affidavit of Pamela Dixon in the matter of Carlos A. Marciano, M.D., File Number 43-08-108367, before the Disciplinary Subcommittee of the Michigan Board of Medicine, consisting of two pages, this page included.

KMC