preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff Report

The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on December 5, 2002, and a public version will be issued thereafter, pursuant to § 207.22 of the Commission's rules.

Hearing

The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on December 18, 2002, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before December 11, 2002. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. If unable to allocate amongst themselves respective times of testimony within the maximum allowable, all parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference that is scheduled for this purpose at 9:30 a.m. on December 16, 2002, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by §§ 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is December 12, 2002. Parties may also file written testimony in connection with their presentation at the hearing, as provided in § 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is December 27, 2002; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations on or before December 27, 2002. On January 13, 2003, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before January 15, 2003, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: October 17, 2002.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 02–26880 Filed 10–22–02; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

TIME AND DATE: October 29, 2002 at 10 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. *Agenda for future meetings:* None.
2. Minutes.
3. Ratification List.
4. Inv. Nos. TA–421–1 (Remedy) (Pedestal Actuators from China)—briefing and vote. (The Commission is currently scheduled to transmit its views and remedy proposals to the President and U.S. Trade Representative on November 7, 2002.)
5. *Outstanding action jackets:* None.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: October 18, 2002.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 02–27089 Filed 10–21–02; 11:03 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Steven Tyler Everett, M.D.; Revocation of Registration

On May 28, 2002, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Steven Tyler Everett, M.D. (Dr. Everett) of Port St. Lucie, Florida, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BE4443064 under 21 U.S.C. 824(a), and deny any pending applications for renewal or modification of that registration. As a basis for revocation, the Order to Show Cause alleged that Dr. Everett is not currently authorized to practice medicine or handle controlled substances in Florida, the State in which he practices. The order also notified Dr. Everett that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent by certified mail to Dr. Everett at his registered location in Port St. Lucie, Florida. On June 17, 2002, DEA received an undated signed receipt indicating that the Order to Show Cause was received on his behalf. DEA has not received a request for hearing or any other reply from Dr. Everett or anyone purporting to represent him in this matter. Therefore, the Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Everett is deemed to have waived his hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43 (d) and (e) and 1301.46.

The Deputy Administrator finds that Dr. Everett currently possesses DEA Certificate of Registration BE4443064

and that registration remains valid until August 31, 2004. The Deputy Administrator further finds that on July 10, 2001, the State of Florida, Department of Health (Department of Health) filed a three-count Administrative Complaint against Dr. Everett seeking the revocation of his medical license. As a basis for revocation, the Department of Health alleged, *inter alia,* that Dr. Everett engaged in a sexual relationship with a patient and that he committed fraud in the practice of medicine by writing a prescription for injectable Demerol (a Schedule II controlled substance) in the name of one patient while knowing the drug was intended for and would be used by another.

On October 23, 2001, the Department of Health issued a Final Order, revoking Dr. Everett's license to practice medicine. The investigative file contains no evidence that the Final Order has been stayed or that Dr. Everett's medical license has been reinstated. Therefore, the Deputy Administrator finds that Dr. Everett is not currently authorized to practice medicine in the State of Florida. As a result, it is reasonable to infer that he is also without authorization to handle controlled substances in that State.

DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without State authority to handle controlled substances in the State in which he conducts business. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See Muttaiya Darmarajeh, M.D.,* 66 FR 52936 (2001); *Dominick A. Ricci, M.D.,* 58 FR 51104 (1993); *Bobby Watts, M.D.,* 53 FR 11919 (1988).

Here, it is clear that Dr. Everett's medical license has been revoked and he is not licensed to handle controlled substances in the State of Florida, where he is registered with DEA. Therefore, he is not entitled to a DEA registration in that State.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 828 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration BE4443064, issued to Steven Tyler Everett, MD., be, and it hereby is revoked. The Deputy Administrator further orders that any pending applications for renewal of such registration be, and they hereby are denied. This order is effective November 22, 2002.

Dated: September 30, 2002.

John B. Brown, III,

Deputy Administrator.

[FR Doc. 02–26966 Filed 10–22–02; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Samuel Silas Jackson, D.D.S.; Revocation of Registration

On March 5, 2002, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Samuel Silas Jackson, D.D.S. of Nashville, Tennessee, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BJ5820558 under 21 U.S.C. 824(a)(2), (a)(3), and (a)(4), and deny any pending applications for renewal or modification of that registration for reason that Dr. Jackson was convicted of a felony offense related to controlled substances, is not authorized to handle controlled substances in the State of Tennessee, and his continued registration would be inconsistent with the public interest. The order also notified Dr. Jackson that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent by certified mail to Dr. Jackson at his registered location in Nashville, Tennessee, and DEA received a signed receipt indicating that it was received on March 11, 2002. A second copy of the Order to Show Cause was sent by certified mail to Dr. Jackson at a location in Forrest City, Arkansas. DEA again received a signed receipt indicating that the Order to Show Cause was received on behalf of Dr. Jackson. DEA has not received a request for hearing or any other reply from Dr. Jackson or anyone purporting to represent him in this matter.

Therefore, the Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Jackson is deemed to have waived his hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that on January 24, 2002, Dr. Jackson entered into an Agreed Order of Revocation with the Tennessee Department of Health, Board of Dentistry (the Board). As the caption of the order suggests, Dr. Jackson agreed to the revocation of his state license to practice dentistry. The Board found, *inter alia*, that Dr. Jackson entered into a conspiracy with a known drug trafficker/federal fugitive and with a confidential informant with the Drug Enforcement Administration; and that Dr. Jackson conspired with others to perform dental work and arrange for plastic surgery in California for two fugitives. These actions by Dr. Jackson were carried out for the purpose of altering the fugitives' dental records and physical appearance, and to aid their avoiding identification and apprehension by law enforcement officers. The Board also found that on or about March 16, 2000, Dr. Jackson entered a guilty plea in the United States District Court for the Middle District of Tennessee to one felony count of conspiracy to be an accessory after the fact, in violation of 18 U.S.C. 371 and 373.

There is no evidence in the record that Dr. Jackson's license to medicine in the State of Tennessee has been reinstated. Therefore, the Deputy Administrator finds that since Dr. Jackson is not currently authorized to practice medicine in the State of Tennessee, it is reasonable to infer that he is not authorized to handle controlled substances in that state.

DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts business. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See Joseph Thomas Allevi, M.D.,* 67 FR 35581 (2002); *Dominick A. Ricci, M.D.,* 58 FR 51104 (1993); *Bobby Watts, M.D.,* 53 FR 11919 (1988).

Here, it is clear that Dr. Jackson is not licensed to handle controlled substances in Tennessee, where he is registered with DEA. Therefore, he is not entitled to maintain that registration. Because Dr. Jackson is not entitled to a DEA registration in Tennessee due to his lack of state authorization to handle controlled substances, the Deputy Administrator concludes that it is unnecessary to address whether Dr. Jackson's registration should be revoked based upon the other grounds asserted in the Order to Show Cause. *See Nathaniel-Aikens-Afful, M.D.,* 62 FR 16871 (1997).

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823