



**DEPARTMENT OF JUSTICE
Drug Enforcement Administration**

Mark Allen, D.D.S.; Decision and Order

On November 24, 2025, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Mark Allen, D.D.S., of Edmond, Oklahoma (Registrant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, at 1, 3. The OSC proposed the revocation of Registrant’s Certificate of Registration, No. AA1668803, alleging that Registrant is “currently without authority to prescribe, administer, dispense, or otherwise handle controlled substances in the State of Oklahoma, the state in which [he is] registered with DEA.” *Id.* at 2 (citing 21 U.S.C. 824(a)(3)).

The OSC notified Registrant of his right to file a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Registrant did not request a hearing, and the Agency finds him to be in default. RFAA, at 3.¹ “A default, unless excused, shall be deemed to constitute a waiver of the registrant’s/applicant’s right to a hearing and an admission of the factual allegations of the [OSC].” 21 CFR 1301.43(e).

Further, “[i]n the event that a registrant . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21

¹ Based on the Government’s submissions in its RFAA dated March 3, 2026, the Agency finds that service of the OSC on Registrant was adequate. The included declaration from a DEA Diversion Investigator (DI) indicates that on December 1, 2025, DI mailed a copy of the OSC to Registrant’s registered address, which is also Registrant’s mailing address. RFAAX 2, at 2. The same day, DI then emailed Registrant a copy of the OSC to Registrant’s registered email address and did not receive an error message indicating that the email was not delivered. *Id.* DI also confirmed that a review of her email system showed that the email had been delivered. *Id.* Here, the Agency finds that Registrant was successfully served the OSC by email and that DI’s efforts to serve Registrant by other means were “‘reasonably calculated, under all the circumstances, to apprise [Registrant] of the pendency of the action.’” *Jones v. Flowers*, 547 U.S. 220, 226 (2006) (quoting *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950)); see also *Mohammed S. Aljanaby, M.D.*, 82 Fed. Reg. 34552, 34552 (2017) (finding that service by email satisfies due process where the email is not returned as undeliverable and other methods have been unsuccessful).

CFR] 1316.67.” *Id.* 1301.43(f)(1). Here, the Government has requested final agency action based on Registrant’s default pursuant to 21 CFR 1301.43(c), (f), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

Findings of Fact

The Agency finds that, in light of Registrant’s default, the factual allegations in the OSC are deemed admitted. According to the OSC, on October 31, 2023, Registrant’s Oklahoma Bureau of Narcotics and Dangerous Drugs (OBNDD) license expired by its own terms. RFAAX 1, at 2. According to Oklahoma online records, of which the Agency takes official notice,² Registrant’s OBNDD registration is inactive. OBNDD Registrant Search, <https://obnddc.us.thenticloud.net/webs/obnddc/register> (last visited date of signature of this Order). Accordingly, the Agency finds that Registrant is not licensed to handle controlled substances in Oklahoma, the state in which he is registered with DEA.³

Discussion

Pursuant to 21 U.S.C. 824(a)(3), the Attorney General is authorized to suspend or revoke a registration issued under 21 U.S.C. 823 “upon a finding that the registrant . . . has had his State license or registration suspended . . . [or] revoked . . . by competent State authority and is no longer authorized by State law to engage in the . . . dispensing of controlled substances.” With respect to a practitioner, DEA has also long held that the possession of authority to dispense controlled substances under the laws of the state in which a practitioner engages in professional practice is a fundamental condition for obtaining and maintaining a practitioner’s registration. *Gonzales v. Oregon*, 546 U.S. 243, 270 (2006) (“The Attorney General can register

² Under the Administrative Procedure Act, an agency “may take official notice of facts at any stage in a proceeding – even in the final decision.” United States Department of Justice, Attorney General’s Manual on the Administrative Procedure Act 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979).

³ Pursuant to 5 U.S.C. 556(e), “[w]hen an agency decision rests on official notice of a material fact not appearing in the evidence in the record, a party is entitled, on timely request, to an opportunity to show the contrary.” The material fact here is that Registrant, as of the date of this Order, is not licensed to handle controlled substances in Oklahoma. Accordingly, Registrant may dispute the Agency’s finding by filing a properly supported motion for reconsideration of findings of fact within fifteen calendar days of the date of this Order. Any such motion and response shall be filed and served by e-mail to the other party and to the Office of the Administrator, Drug Enforcement Administration, at dea.addo.attorneys@dea.gov.

a physician to dispense controlled substances ‘if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.’ . . . The very definition of a ‘practitioner’ eligible to prescribe includes physicians ‘licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which he practices’ to dispense controlled substances. 802(21).”). The Agency has applied these principles consistently. *See, e.g., Lawrence Rudolph, D.M.D.*, 89 Fed. Reg. 79310 (2024); *Henry-Norbert O. Ndekwe, M.D.*, 90 Fed. Reg. 15990 (2025); *Benson Sergiles, P.A.*, 90 Fed. Reg. 32016 (2025).⁴

Pursuant to Oklahoma’s Uniform Controlled Dangerous Substances Act, “[e]very person who manufactures, distributes, dispenses, prescribes, administers or uses for scientific purposes any controlled dangerous substance within or into this state . . . shall obtain a registration issued by the Director of the [OBND], in accordance with rules promulgated by the Director.” Okla. Stat. tit. 63, § 2-302(A) (2025).⁵

Here, the undisputed evidence in the record is that Registrant currently lacks authority to handle controlled substances in Oklahoma because his OBND registration is inactive. As discussed above, a person must hold a valid OBND registration to dispense a controlled substance in Oklahoma, subject to limited exceptions not applicable here. Thus, because Registrant lacks authority to handle controlled substances in Oklahoma, Registrant is not eligible to maintain a DEA registration in Oklahoma. Accordingly, the Agency will order that Registrant’s DEA registration be revoked.

⁴ This rule derives from the text of two provisions of the Controlled Substances Act (CSA). First, Congress defined the term “practitioner” to mean “a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner’s registration, Congress directed that “[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(g)(1). Because Congress has clearly mandated that a practitioner possess state authority in order to be deemed a practitioner under the CSA, DEA has held repeatedly that revocation of a practitioner’s registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the state in which he practices. *See, e.g., Elias Garcia Garcia, P.A.*, 90 Fed. Reg. 31242 (2025); *Jason Weakley, R.N., A.P.R.N.*, 90 Fed. Reg. 10085 (2025); *Khurshed Haider, M.D.*, 90 Fed. Reg. 21950 (2025).

⁵ Although there are limited circumstances under which a person “may lawfully possess controlled dangerous substances” without a registration issued by the Director of the OBND, based on the information furnished by the Government, none are applicable here. *Id.* § 2-302(H).

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. AA1668803 issued to Mark Allen, D.D.S. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Mark Allen, D.D.S., to renew or modify this registration, as well as any other pending application of Mark Allen, D.D.S., for additional registration in Oklahoma. This Order is effective **[INSERT DATE 30 DAYS FROM THE DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

Signing Authority

This document of the Drug Enforcement Administration was signed on June 18, 2026, by Administrator Terrance Cole. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the Federal Register.

Leslie Mayer,
Federal Register Liaison Officer,
Drug Enforcement Administration.

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