

Certified True Copy

By [Signature]
Virginia Board of Nursing



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

November 6, 2017

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 11/6/17

Melany Kathryn Walter, R.N.
2171 Sandy Beach Rd
South Boston, VA 24592

RE: License Number: 0001-196054
Case Number: 177188

Dear Ms. Walter:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered November 2, 2017. You are hereby advised that you may not practice professional nursing or hold yourself out as a licensed professional nurse unless and until the Board of Nursing has notified you in writing that your license has been reinstated. Please return your license to Jay P. Douglas, Executive Director of the Virginia Board of Nursing ("Board"), at the above address, immediately upon receipt of this letter.

You may apply to the Board for reinstatement of your license, and you shall be entitled to a formal administrative hearing not later than the next regular meeting of the Board after the expiration of 60 days from the Board's receipt of your reinstatement application. The reinstatement of your license shall require the affirmative vote of three-fourths of the members of the Board present at the hearing. The reinstatement application can be found at www.dhp.virginia.gov/Nursing.

If you have any questions about this matter, you can contact me at (804) 367-4474 or anne.joseph@dhp.virginia.gov.

Sincerely,

[Signature]

Anne Joseph, Deputy Director
Administrative Proceedings Division

cc: Jay P. Douglas, M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Virginia Board of Nursing
Enclosures

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: MELANY KATHRYN WALTER, R.N.
License Number: 0001-196054
Case Number: 177188

ORDER OF MANDATORY SUSPENSION


In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Melany Kathryn Walter, R.N., was convicted of a felony offense, to wit: drive with suspended license – 3rd DWI within 10 years, in the Circuit Court of Halifax County, Virginia. A certified copy of the Conviction and Sentencing Order is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the right of Melany Kathryn Walter, R.N., to renew her license to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Melany Kathryn Walter, R.N., will be recorded as suspended. Should Ms. Walter seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Walter's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

Pursuant to Virginia Code § 2.2-4023 and § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

ENTERED:

11/2/17

CERTIFICATION OF DUPLICATE RECORDS

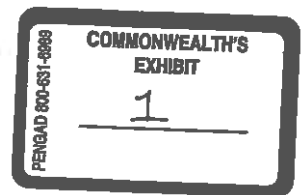
I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Conviction and Sentencing Order entered October 20, 2017, regarding Melany Kathryn Walter, R.N., is a true copy of the records received from the Circuit Court of Halifax County, Virginia.



David E. Brown, D.C.

4/2/17

Date



CONVICTION AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF HALIFAX COUNTY
FEDERAL INFORMATION
PROCESSING STANDARDS CODE: 083

Hearing Date: October 13, 2017
Judge: Kimberley S. White

COMMONWEALTH OF VIRGINIA

V.

MELANY KATHRYN WALTER, DEFENDANT

This date came again the Attorney for the Commonwealth, David S. Pittman, and Melany Kathryn Walter, who stands indicted for a felony and a misdemeanor to-wit: (1) On or about July 20, 2016, did unlawfully and feloniously drive a motor vehicle in the Commonwealth during the time for which the defendant was deprived of the right to do so (i) upon conviction of a violation of § 18.2-268.3 or of an offense set forth in subsection E of § 18.2-270, (ii) by §§ 18.2-271 or 46.2-391.2, (iii) after her license has been revoked pursuant to §§ 46.2-389 or 46.2-391, or (iv) in violation of the terms of restricted license issued pursuant to subsection E of § 18.2-271.1, after having committed two or more prior violations of § 18.2-272 within a ten year period, in violation of §§ 18.2-272; 18.2-10 of the Code of Virginia (1950) as amended, (2) On or about July 20, 2016, did unlawfully drive a motor vehicle or any self-propelled machinery or equipment (i) while her license was revoked pursuant to subsection A or B of § 46.2-391 or (ii) in violation of the terms of a restricted license issued pursuant to Subsection C of § 46.2-391 where such revocation was based on at least one conviction of an offense committed after July 1, 1999, in violation of §§ 46.2-391 (D)(1); 18.2-10 of the Code of Virginia (1950) as amended, and came also her attorney, Jeffrey R. Fox.

The Attorney for the Commonwealth moved for the entry of a *nolle* prosequi of Count #2 in the indictment, to which motion the defendant consented. The Court, for good cause shown, entered the *nolle prosequi*.

Whereupon the defendant waived the reading of Count #1 in the Indictment and after private consultation with and after being advised by her counsel, plead GUILTY to Count #1 in the Indictment, which plea was tendered by the defendant in person and the Court, having made inquiry and being of the opinion that the defendant fully understood the nature and effect of her plea and of the penalties that may be imposed upon her conviction, and of the waiver of trial by jury and of appeal, and finding that the plea was knowingly, voluntarily and intelligently made, proceeded to try the case without the intervention of a jury as provided by law.

The Court, having heard the evidence, finds the defendant guilty of the following offense:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR: (F/M)	OFFENSE DATE	VA. CODE SECTION
CR16-253-00	Drive With Suspended License – 3 rd DWI Within 10 Years (F)	07/20/2016	18.2-272

The defendant, Attorney for the Defendant, Attorney for the Commonwealth, and the Court waived a presentence report.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.

The Court **SENTENCES** the defendant to:

Incarceration with the **Virginia Department of Corrections** for the term of five (5) years on the Drive With Suspended License – 3rd DWI Within 10 Years conviction. The total sentence imposed is five (5) years.

The Court **SUSPENDS** all but three (3) months of the five (5) year Drive With Suspended License – 3rd DWI Within 10 Years sentence, for a total suspension of four (4) years and nine (9) months, upon the following conditions:

Good Behavior: The defendant shall be of good behavior for five (5) years commencing this date.

Supervised probation: The defendant is placed on probation to commence on her release from incarceration, under the supervision of a Probation Officer for one (1) year, or unless sooner released by the court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer. The defendant shall abstain from the use of marijuana and other illegal drugs and shall be subject to random urine screens or other drug tests.

Credit for time served: The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Code § 53.1-187. The defendant shall receive additional credit for time served on a separate charge (CR16000253-02).

DNA: In addition, the Defendant is Ordered to allow the withdrawal of a blood sample or other substance for DNA (deoxyribonucleic acid) analysis to be sent to the Bureau of

Forensic Science within 15 days after withdrawal pursuant to Va. Code Section 19.2-310.2 and 19.2-310.3, unless a sample has been previously been taken.

Costs: The Commonwealth of Virginia is to recover against the said defendant its costs by it about its prosecution in this behalf expended. The defendant shall have his Court costs paid in full within one (1) year from this date.

The Court certifies that at all times during the trial of this case, the defendant was personally present with her attorney.

And the defendant is remanded to jail.

10/20/17 ENTER: [Signature]
DATE JUDGE

DEFENDANT'S IDENTIFICATION:

ALIAS: NONE

SSN:

DOB:

SEX: Female

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: 5 Years

TOTAL SENTENCE SUSPENDED: 4 Years 9 Months (3 Months to serve)

Halifax County Circuit Court, VA

Cathy M. Cosby, Clerk

A copy teste: [Signature] Clerk Dep. Clerk