

Certified True Copy

By [Signature]  
Virginia Board of Nursing



RECEIVED

10/25/17

COMMONWEALTH of VIRGINIA

VA BD OF NURSING

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

October 25, 2017

James David Carver, Jr., R.N.  
✓ 109 Country Lodge Road  
Waynesboro, VA 22980

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 10/25/17

625 Shore Road  
Waynesboro, Virginia 22980

RE: License Number: 0001-163508  
Case Number: 180350

Dear Mr. Carver:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your license to practice professional nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered October 25, 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](http://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](mailto:anne.joseph@dhp.virginia.gov).

Sincerely,

[Signature: Anne Joseph]

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

Board of Audiology & Speech-Language Pathology – Board of Counseling – Board of Dentistry – Board of Funeral Directors & Embalmers  
Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy  
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine  
Board of Health Professions



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
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## Department of Health Professions

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Sincerely,

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

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Board of Long-Term Care Administrators – Board of Medicine – Board of Nursing – Board of Optometry – Board of Pharmacy  
Board of Physical Therapy – Board of Psychology – Board of Social Work – Board of Veterinary Medicine  
Board of Health Professions

**BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: JAMES DAVID CARVER, JR., R.N.**  
**License Number: 0001-163508**  
**Case Number: 180350**

**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 James David Carver, Jr., R.N., was convicted of a felony offense, to wit: 12 counts of possess child pornography, in the Circuit Court of the City of Waynesboro, 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 license of James David Carver, Jr., R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of James David Carver, Jr., R.N., will be recorded as suspended and no longer current and valid. Should Mr. Carver seek reinstatement of his license pursuant to Virginia Code § 54.1-2409, he 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 Mr. Carver'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.



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

ENTERED:

10/25/17

**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 4, 2017, regarding James David Carver, Jr., R.N., is a true copy of the records received from the Circuit Court of the City of Waynesboro, Virginia.



\_\_\_\_\_  
David E. Brown, D.C.

10/25/17

\_\_\_\_\_  
Date

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF WAYNESBORO  
CONVICTION AND SENTENCING ORDER



FIPS CODE #820

Hearing Date: September 26, 2017  
Judge: The Honorable Charles L. Ricketts, III

COMMONWEALTH OF VIRGINIA

V.

JAMES DAVID CARVER, JR., DEFENDANT

<u>CASE NUMBER</u>	<u>OFFENSE DESCRIPTION</u>	<u>OFFENSE DATE</u>	<u>VA CODE SECTION</u>	<u>VCC</u>
CR17000334	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000335	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000336	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000337	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000338	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000339	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000340	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000341	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000342	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000343	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6
CR17000344	Possess Child Pornography – FELONY	06/20/2016-03/30/2017	18.2-374.1:1	OBS-3731-F6

A TRUE AND CORRECT COPY

TESTE: Freddie A. Buzg CLERK  
CIRCUIT COURT  
CITY OF WAYNESBORO

CR17000345 Possess Child Pornography – 06/20/2016- 18.2-374.1:1 OBS-3731-F6  
FELONY 03/30/2017

This 26th day of September, 2017 came K. Elysse Stolpe, the Assistant Commonwealth's Attorney, and James David Carver, Jr., who stands indicted of twelve (12) felonies, to-wit: feloniously and knowingly possess child pornography, appeared according to the condition of his recognizance, and came also Thomas B. Weidner, IV, counsel for the accused.

Whereupon the accused was duly arraigned and after private consultation with and being advised by his said counsel, pleaded "guilty" to the indictments, which pleas were tendered by the accused in person, and the Court having made inquiry and being of the opinion that the accused fully understood the nature and effect of his pleas and of the penalties that may be imposed upon his conviction and of the waiver of trial by jury and of appeal, finds the pleas were voluntarily and intelligently made. And the Court having been advised by the defendant, his counsel, and the Attorney for the Commonwealth that there has been a plea agreement in these cases, and such agreement in writing having been presented to the Court, and now filed herein, and the evidence of the Commonwealth having been stipulated, the Court accepts said agreement and the pleas of guilty of the defendant and finds the defendant **GUILTY** of feloniously and knowingly possessing child pornography (twelve charges), as charged in the indictments.

The Court doth hereby ORDER the applicable discretionary sentencing guidelines and the guidelines worksheets filed as a part of the record in these cases.

And it being demanded of the defendant if anything for himself he had or knew to say why judgment should not be pronounced against him according to law, and nothing being offered or alleged in delay of judgment, it is accordingly the judgment of this Court that the defendant be and he is hereby **SENTENCED** to incarceration with the Virginia Department of Corrections for a period of one (1) year and three (3) months in each case, said sentences to run *consecutively* with one another, in accordance with the aforementioned plea agreement, and that the Commonwealth of Virginia do recover against the said defendant its costs by it about its prosecution in this behalf expended.

And in accordance with the plea agreement, the Court **SUSPENDS** the execution of ten (10) months of each of the aforesaid sentences for and during a period of fifteen (15) years from this date on the following conditions:

1. that he keep the peace and be of good behavior;
2. that he be and is hereby placed on probation under the supervision of the Probation Officer of this Court for a period of five (5) years upon his release from incarceration, and that he comply with all rules of probation;
3. that he be evaluated and undergo any sex offender treatment as may be indicated or prescribed by his Probation Officer or the Court;

4. that he submit to any polygraphs as prescribed by his Probation Officer or the Court;
5. that he enter, follow all recommendations, and complete such substance abuse treatment and/or education programs as deemed necessary by his Probation Officer;
6. that he have no unsupervised contact with minors;
7. that he not use any public or private computers, tablets, notebooks, other computing devices permitting access to the internet through web browsers, social networks, electronic bulletin board systems, gaming console services, equipment that provides access to the internet, or phones or any other devices with web browsing capability other than supervised usage as part of an educational program or employment;
8. that pursuant to Virginia Code §19.2-386.31, the electronic devices seized in connection with this prosecution are forfeited to the Waynesboro Police Department;
9. that he be subject to random drug screens and remain drug free; and
10. that he pay the court costs assessed against him herein in regular monthly payments to commence within thirty (30) days of his release from confinement.

After pronouncing sentence, the Court advised the defendant of his right to petition for an appeal and his right to proceed in forma pauperis and to have the assistance of court-appointed counsel.

And it is further ORDERED that as soon as possible after the entry of this order the defendant be removed and safely conveyed according to law from the jail of this Court to the said Virginia Department of Corrections, therein to be kept, confined and treated in the manner provided by law.

The Court ORDERS that the prisoner be allowed credit for the time spent in jail awaiting trial.

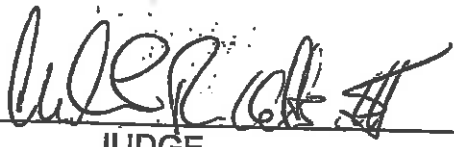
The Court certifies that at all times during the trial of these cases the defendant was personally present and his attorney was likewise personally present and capably represented the defendant.

The defendant having been convicted of twelve (12) charges of feloniously and knowingly possessing child pornography, in violation of Virginia Code Section 18.2-347.1:1, being offenses for which registration is required, as defined in Virginia Code §9.1-902, the

defendant is hereby remanded to the custody of the Sheriff of this City for the purpose of obtaining the defendant's fingerprints and photographs of a type and kind specified by the Department of State Police for inclusion in the Sex Offender and Crimes Against Minors Registry established and maintained pursuant to Virginia Code §19.2-390.1. The defendant is ORDERED to provide all information required by the Virginia State Police for inclusion in the Registry.

In addition, the defendant is remanded to the custody of the Sheriff of this City for the purpose of providing a sample of saliva for DNA analysis to be sent to the Department of Forensic Science within 15 days after withdrawal pursuant to Va Code §§19.2-310.2 and 19.2-310.3, unless a sample was previously taken, and is ORDERED to cooperate fully and promptly in providing information and permitting fingerprinting and/or sampling of saliva as required by this Order.

And the defendant is remanded to jail to await transfer to the Virginia Department of Corrections.

ENTER:   
JUDGE  
DATE: 10/4/17

**DEFENDANT IDENTIFICATION:**

SSN: \_\_\_\_\_ DOB: \_\_\_\_\_ SEX: MALE

**SENTENCING SUMMARY:**

TOTAL SENTENCE IMPOSED: FIFTEEN (15) YEARS

TOTAL SENTENCE SUSPENDED: TEN (10) YEARS