

Certified True Copy

By M. Baylitz  
Virginia Board of Nursing



RECEIVED

JUN 14 2017

VA BD 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

June 13, 2017

Travis Lane Burkholder, L.P.N.  
2237 Scholl Rd  
Middleburg, PA 17842

RE: License Number: 0002-090998  
Case Number: 180203

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 6/13/17 *J*

Dear Mr. Burkholder:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your license to practice practical nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered June 12, 2017. You are hereby advised that you may not practice practical nursing or hold yourself out as a licensed practical 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,

Anne Joseph, Deputy Director  
Administrative Proceedings Division

cc: Jay P. Douglas, Executive Director, Board of Nursing  
Enclosures

**BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: TRAVIS LANE BURKHOLDER, L.P.N.**  
**License Number: 0002-090998**  
**Case Number: 180203**

**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 the Pennsylvania State Board of Nursing suspended the license of Travis Lane Burkholder, L.P.N., to practice practical nursing in the Commonwealth of Pennsylvania. A certified copy of the Final Order of Automatic Suspension 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 Travis Lane Burkholder, L.P.N., to renew his license to practice practical nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Travis Lane Burkholder, L.P.N., will be recorded as suspended. Should Travis Lane Burkholder, L.P.N., 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. Burkholder's multistate licensure privilege, if any, to practice practical 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:

6/12/17

**CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Final Order of Automatic Suspension entered May 5, 2017, regarding Travis Lane Burkholder, L.P.N., is a true copy of the records received from the Pennsylvania State Board of Nursing.

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

Date: 6/12/17

**COPY**

**COMMONWEALTH OF PENNSYLVANIA  
 DEPARTMENT OF STATE  
 BEFORE THE STATE BOARD OF NURSING**

Department of State  
 2017 MAY -5 AM 7:33  
 PROTHONOTARY

In the Matter of the Automatic :  
 Suspension of the License to : Docket No. 0586-51-17  
 Practice Practical nursing of :  
 Travis Lane Burkholder, LPN, : File No. 16-51-12984  
 License No. PN292724 :

**FINAL ORDER OF AUTOMATIC SUSPENSION**

**WHEREAS**, the records of the State Board of Nursing (Board) reflect that Travis Lane Burkholder, LPN, (Respondent), is the holder of a license to practice practical nursing in the Commonwealth of Pennsylvania, license number PN292724; and

**WHEREAS**, on April 3, 2017, the Board issued a Notice and Order of Automatic Suspension that automatically suspended Respondent's license to practice as a practical nurse under the authority of Section 23(c) of the Controlled Substance, Drug, Device and Cosmetic Act (Drug Act), Act of April 14, 1972, P.L. 233, No. 64, *as amended*, 35 P.S. §780-123(c) for 1 (one) year; and

**WHEREAS**, any hearing held in connection with this matter was limited to the issue of whether Licensee was convicted of the offense as alleged or whether the conviction of the offense was for a misdemeanor under the Drug Act; and

**WHEREAS**, having received no request for a hearing by Licensee on the issue of whether Licensee was convicted of the offense as alleged or whether the conviction of the offense was a misdemeanor under the Drug Act; and

**NOW THEREFORE**, the Board **ORDERS** that the notice and order of automatic suspension issued on April 3, 2017 **IS NOW FINAL** and Licensee's license shall remain suspended for 1 (one) year until reinstated by order of the Board.

**TRUE AND CORRECT COPY  
 CERTIFIED FROM THE RECORD  
 THIS 19<sup>th</sup> DAY OF May A.D. 2017**

*Peter D. Jones*  
 PROTHONOTARY  
 Legal Assistant

The Board **ORDERS** that Licensee shall immediately **CEASE** practicing the profession. **IT IS FURTHER ORDERED** that, if he has not already done so, Licensee shall return his wall certificates, wallet cards, and registration certificates to the Board within 10 days of the date of this order by mailing them to:

State Board of Nursing  
Bureau of Professional and Occupational Affairs  
P.O. Box 69523  
Harrisburg, PA 17106-9523

At the conclusion of the one (1) year Automatic Suspension, Licensee may petition the Board to reinstate his license. Any petition to reinstate must be accompanied by the following documentation:

- (a) An evaluation conducted by a treatment provider approved by the Professional Health Monitoring Program indicating that Licensee is fit to safely practice as a practical nurse with reasonable skill and safety;
- (b) A current Criminal History Record Information (a/k/a "Criminal Record Check") from a governmental agency from all states where Respondent has resided since the suspension, compiled no more than three months prior to the Petition for Reinstatement; and
- (c) A signed verification that Licensee has not practiced nursing during the period of automatic suspension.

This order shall take effect immediately.

**BY ORDER:**

**STATE BOARD OF NURSING**

**BUREAU OF PRACTICAL AND  
OCCUPATIONAL AFFAIRS**

  
\_\_\_\_\_  
**IAN J. HARLOW  
COMMISSIONER**

  
\_\_\_\_\_  
**LINDA L. KMETZ, Ph.D., RN  
CHAIRPERSON**

**Respondent's address:**

Travis Lane Burkholder, LPN  
2237 Scholi Road  
Middleburg, PA 17842

**Prosecuting attorney:**

Lindsay Dearing Szymanski, Esquire  
P.O. Box 69521  
Harrisburg, PA 17106-9521

**Board counsel:**

Megan E. Castor, Esquire

**Date of mailing:**

May 5, 2017

## NOTICE

The attached Final Order represents the final agency decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a Petition for Review with that Court within 30 days after the entry of the order in accordance with the Pennsylvania Rules of Appellate Procedure. See Chapter 15 of the Pennsylvania Rules of Appellate Procedure entitled "Judicial Review of Governmental Determinations," Pa. R.A.P 1501 – 1561. Please note: An order is entered on the date it is mailed. If you take an appeal to the Commonwealth Court, you must serve the Board with a copy of your Petition for Review. The agency contact for receiving service of such an appeal is:

Board Counsel  
P.O. Box 69523  
Harrisburg, PA 17106-9523

The name of the individual Board Counsel is identified on the Final Order.

COPY

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF NURSING

Department of State

2017 APR -3 AM 10: 01

PROTHONOTARY

In the Matter of the Automatic  
Suspension of the Licenses to  
Practice Practical Nursing of  
Travis Lane Burkholder, LPN  
License No. PN292724

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Docket No. 0586 -51-  
File No. 16-51-129

NOTICE AND ORDER OF AUTOMATIC SUSPENSION

WHEREAS, the records of the State Board of Nursing (Board) reflect that Travis Lane Burkholder, LPN (Respondent), is the holder of a license to practice practical nursing in the Commonwealth of Pennsylvania, license number PN292724; and

WHEREAS, the prosecuting attorney for the Commonwealth has filed a petition for automatic suspension (Attachment "A"), including copies of records certified by the Court of Common Pleas of Lycoming County, Pennsylvania, in the case of *Commonwealth v. Travis Lane Burkholder* (Respondent), Criminal Docket No. CP-41-CR-0001989-2016, which relate that on November 28, 2016, Respondent pled guilty to using or possessing with intent to use, drug paraphernalia, for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance, a misdemeanor, in violation of section 13(a)(32) of the Controlled Substance, Drug, Device and Cosmetic Act (Drug Act), Act of April 14, 1972, P.L. 233, No. 64, as amended, 35 P.S. §780-113(a)(32); and

WHEREAS, section 13(a)(32) of the Drug Act, 35 P.S. § 780-113(a)(32), provides:

(a) The following acts and the causing thereof within the Commonwealth are hereby prohibited:

TRUE AND CORRECT COPY  
CERTIFIED FROM THE RECORD  
THIS 19<sup>th</sup> DAY OF May, AD 2017

*Peter Abrus*  
PROTHONOTARY  
Legal Assistant



(32) The use of, or possession with intent to use, drug paraphernalia for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this act.

WHEREAS, section 13(b)(i) of the Drug Act, 35 P.S. § 780-113(b)(i), classifies the violation of section 13(a)(32) of the Drug Act as a misdemeanor; and

WHEREAS, Section 23(c) of the Drug Act, 35 P.S. §780-123(c), provides:

(c) The appropriate licensing boards in the Department of State shall automatically suspend, for a period not to exceed one year, the registration or license of any practitioner when the person has pleaded guilty or nolo contendere or has been convicted of a misdemeanor under this act.

NOW THEREFORE, the Board concludes that the offense of which Respondent was convicted is a misdemeanor under the Drug Act, and that the license to practice practical nursing issued to Travis Lane Burkholder, LPN license number PN292724, shall be **AUTOMATICALLY SUSPENDED** for a period of one year for the violation of Section 13(a)(32) of the Drug Act, 35 P.S. §780-113(a)(32), effective immediately, under the authority of Section 23(c) of the Drug Act.

Should Respondent choose to file an answer to the petition and a request for a hearing, Respondent must do so by April 24, 2017, twenty days after the mailing date of this order. If Respondent files an answer and request for hearing, the suspension of Respondent's license shall remain in effect until a final order is issued addressing the issues raised in the answer.

Respondent may also petition for a stay of the suspension in accordance with the attached notice pertaining to personal use of controlled substances. A stay will be granted only if Respondent does not contest the fact of the conviction and meets the requirements set

forth in the attached notice, as established in section 23(c) of the Drug Act, 35 P.S. §780-123(c). If Respondent files a request for a stay, Respondent's license will remain suspended until the Board determines whether a stay of the suspension is appropriate.

Answers to the petition, requests for hearing and petitions shall be filed with Prothonotary, Department of State, 2601 North Third Street, Harrisburg, PA 17110. A copy of any answer, request for hearing and petitions shall be served on the prosecuting attorney identified in the petition at the address set forth below.

Any hearing in connection with this matter shall be scheduled within 30 days of receipt of the request for a hearing. Continuances will only be granted for good cause.

BUREAU OF PROFESSIONAL AND  
OCCUPATIONAL AFFAIRS

  
\_\_\_\_\_  
IAN J. HARLOW  
COMMISSIONER

BY ORDER:  
STATE BOARD OF NURSING

  
\_\_\_\_\_  
LINDA L. KMETZ, Ph.D., RN  
CHAIRPERSON

Respondent's address:

Travis Lane Burkholder, LPN  
2237 Scholl Road  
Middleburg, PA 17842

Prosecuting attorney:

Lindsay Dearing Szymanski, Esquire

Board counsel:

Megan E. Castor, Esquire

Date of Mailing:

April 3, 2017

NOTICE

You may request that this suspension be stayed if your conviction involved only the personal use of controlled substances and if you are accepted into the Professional Health Monitoring Program (PHMP) of the Bureau of Professional and Occupational Affairs. If you meet both of these conditions and the Board stays the suspension you will be required to participate in PHMP for a period of between three and five years.

If your conviction was for personal use of a drug only and you desire to enter the PHMP, you must file a written request to stay this suspension. You must file the request with both the Board counsel and the Prothonotary of the Department of State (see addresses below). After a determination as to whether you are eligible for the PHMP, the Board will hold a hearing and determine whether a stay of this suspension is appropriate.

Prothonotary  
Department of State  
2601 North Third Street  
Harrisburg, PA 17110

Megan E. Castor, Counsel  
State Board of Nursing  
Bureau of Professional and Occupational Affairs  
P.O. Box 69523  
Harrisburg, PA, 17106-9523

# ATTACHMENT A

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BEFORE THE STATE BOARD OF NURSING

In the Matter of the Automatic  
Suspension of the License to  
Practice of Professional Nursing  
Travis Lane Burkholder, LPN  
License No. PN292724

:  
:  
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:  
:

Docket No.  
File No.

0580

16

PROFICIENCY  
2017 APR -3 11:16:01  
Department of State  
-51-17  
-12984

PETITION FOR AUTOMATIC SUSPENSION

AND NOW, the Commonwealth of Pennsylvania, by and through its duly authorized prosecuting attorney, Lindsay Dearing Szymanski, files the within Petition for Automatic Suspension, pursuant to the Controlled Substance, Drug, Device and Cosmetic Act (Drug Act) at 35 P.S. § 780 - 123(c), and as grounds therefore, states as follows:

1. Travis Lane Burkholder, LPN (Respondent) is the holder of Pennsylvania practical nursing license number PN292724 issued by the State Board of Nursing (Board) on September 21, 2012 authorizing the Respondent to practice practical nursing in the Commonwealth of Pennsylvania.
2. The Respondent's license is currently active and may be renewed continually upon the filing of the appropriate documentation and payment of the necessary fees.
3. At all times pertinent to the allegations in this Petition, the Respondent has been licensed to practice practical nursing in the Commonwealth of Pennsylvania.
4. Respondent retains a property interest in his license until and unless it is revoked by the Board.
5. The Respondent's registered address with the Board is 2237 Scholl Road, Middleburg, PA 17842.
6. On November 28, 2016, in the Court of Common Pleas of Lycoming County,

Pennsylvania in Commonwealth of Pennsylvania v. Travis Lane Burkholder, Criminal Docket No. CP-41-CR-0001989-2016, Respondent pleaded guilty to one (1) count of Use/Possession of Drug Paraphernalia, in violation of 35 P.S. §780-113(a)(32) of the Act of April 14, 1972 (P.L. 233, No. 64) known as The Controlled Substance, Drug, Device and Cosmetic Act (Drug Act), 35 P.S. §780-101, et seq.

7. On November 28, 2016, Respondent was sentenced to six (6) months of probation.

8. Certified copies Court of Common Pleas of Lycoming County, Pennsylvania in Commonwealth of Pennsylvania v. Travis Lane Burkholder, Criminal Docket No. CP-41-CR-0001989-2016, reflecting Respondent's guilty verdict under the Drug Act, including Criminal Complaint, Information, and Sentencing documents are attached collectively as Exhibit A.

9. The Drug Act at 35 P.S. §780-113(a)(32) provides as follows:

(a) The following acts and the causing thereof within the Commonwealth here hereby prohibited:

...

(32) The use of, or possession with intent to use, drug paraphernalia for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this act.

10. The Drug Act at 35 P.S. §780-113(i) provides in pertinent part, "Any person who violates clauses (32), (33) and (34) of subsection (a) is guilty of a misdemeanor ... ."


11. Section 123(c) of the Drug Act, 35 P.S. §780-123(c), provides in pertinent part:

The appropriate licensing boards in the Department

of State shall automatically suspend, for a period not to exceed one year, the registration or license of any practitioner when the person has pleaded guilty or nolo contendere or has been convicted of a misdemeanor under this act . . . .

WHEREFORE, based upon the Respondent's conviction as set forth above, the Commonwealth petitions the Board to notify the Respondent that pursuant to the Controlled Substance, Drug and Device and Cosmetic Act at 35 P.S. §780-123(c), the Respondent's license to practice practical nursing in the Commonwealth of Pennsylvania has been **AUTOMATICALLY SUSPENDED** and it is **ORDERED** that the Respondent immediately surrender her licensure documents and **CEASE AND DESIST** from the practice of practical nursing in the Commonwealth of Pennsylvania.

Respectfully submitted,


  
Lindsay Dearing Szymanski  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Department of State

DATE: March 1, 2017.

LDS/lds

**VERIFICATION**

I, Lindsay Dearing Szymanski, do verify that the facts set forth in the foregoing Petition for Automatic Suspension are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relating to unsworn falsification to authorities.

  
Lindsay Dearing Szymanski  
Prosecuting Attorney  
Commonwealth of Pennsylvania  
Department of State

Dated: March 1, 2017



IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH

: CR-1989-2016

VS.

: T 841565-4

TRAVIS BURKHOLDER

: Guilty Plea/Sentence

FILED  
LYCOMING COUNTY  
2016 DEC -2 PM 5:34  
SUZANNE M. FEDELE  
PROTHONOTARY &  
CLERK OF COURTS

ORDER

AND NOW, this 28th day of November, 2016, the Court having first inquired of the Defendant as to his understanding of the plea and its consequences by means of a written guilty plea colloquy, which is to made part of the record and which was supplemented by an oral colloquy, and having satisfied itself of 1) the factual basis for such plea and 2) that the Defendant is, in fact, guilty of Count 2, Possession of Drug Paraphernalia, an ungraded misdemeanor and Count 3, Theft by Unlawful Taking, a misdemeanor of the first degree, the Court accepts as knowing, intelligent, and voluntary the Defendant's plea of guilty to the said charges.

It is ORDERED AND DIRECTED that the guilty plea colloquy be marked, filed and entered as part of the record in the above-captioned case.

The Defendant waives preparation of a pre-sentence investigation report.

Sentence of the Court is that the Defendant pay the costs of prosecution, which shall include a \$100 Act 198 fee, pay restitution in the amount of \$528 to Valley

DATE FEB 16 2017

*Suzanne M. Fedele*

PROTHONOTARY & CLERK OF COURTS

EXHIBIT  
A

SCANNED

IN RE: T. Burkholder

View Nursing, and as to the charge contained in Count 3, Theft by Unlawful Taking, a misdemeanor of the first degree, the Defendant shall be placed under the supervision of the Adult Probation Office of Lycoming County for a period of eighteen (18) months' probation.

Sentence of the Court as to Count 2, Possession of Drug Paraphernalia, an ungraded misdemeanor, the Defendant shall be placed under the supervision of the Adult Probation Office of Lycoming County for a period of six (6) months' probation. This sentence shall run entirely consecutive to the sentence imposed this date under Count 3.

Special conditions of supervision are that the Defendant shall attend any program to which she may be referred by the Court, including but not limited to performing fifty (50) hours of community service, continuing to attend out-patient counseling and following any recommendations from counseling.

If county IP, parole and/or probation is included as a sentence, the conditions of said supervision shall include the standard written conditions of supervision, the special written conditions of supervision, and if the supervision is imposed as a sentence in connection with any sexually related offense as determined by the court, the special and supplemental written conditions for sexual offenders. This language shall not prohibit the defendant from requesting a court hearing to

IN RE: T. Burkholder

determine if any of the imposed conditions should be stricken as not reasonably related to defendant's rehabilitation.

The Defendant's payment of costs, fines and restitution in compliance with this Order is hereby made a condition of intermediate punishment, probation or parole supervision. This language shall not be construed to infringe on compliance with the provisions of Act 84.

This Order for restitution, costs and/or fines herein established shall be entered as a judgment in favor of Lycoming County 42 Pa. C.S.A. Section 9728.

In addition to the other imposed conditions of supervision, Defendant is specially directed not to travel outside the Commonwealth of Pennsylvania without specific approval from the Court or without complying with the applicable provisions of the Interstate Compact. This provision does not prohibit the supervising Adult Probation Office to further restrict travel as deemed appropriate.

If the Defendant is accepted for supervision by the Pennsylvania Board of Probation and Parole, the Defendant shall comply with all General Conditions of Special probation as set forth in 37 Pa. Code 65.4.

To the extent the Defendant has a parole, intermediate punishment (IP) or probationary sentence to be served following a period of incarceration, defendant must comply with all of the rules and regulations of the incarcerating facility. Such

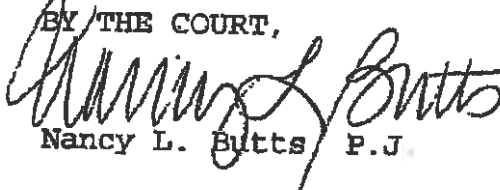
IN RE: T. Burkholder

compliance is a specific condition of defendant's parole, IP, and/or probation. If defendant fails to comply with said condition Defendant's parole, IP, and/or probation may be revoked regardless of when it is set to begin.

Upon motion of the Commonwealth, any remaining counts are hereby dismissed.

If any bail was posted in this matter it is hereby terminated. It is further ORDERED AND DIRECTED that the Prothonotary shall return such bail to the person who posted it, less poundage. This shall apply regardless of whether such bail was ten percent cash bail, personal or real property, or any other type of bail.

BY THE COURT,



Nancy L. Butts P.J.

NLB/rjk

CC: CA;CC;APO;DA(EL)

J. Bower, Esq.

Warden(2);Victim/Witness Coordinator

West Branch

PA State Police

INFORMATION

G. Davis

COMMONWEALTH OF PENNSYLVANIA : IN THE COURT OF COMMON  
 VS. : PLEAS OF LYCOMING,  
 : PENNSYLVANIA  
 : CRIMINAL DIVISION  
 TRAVIS LANE BURKHOLDER : Action No. CP-41-CR-0001989-2016  
 2237 SCHOLL ROAD :  
 MIDDLEBURG, PA 17842 :  
 :  
 :  
 :

THE DISTRICT ATTORNEY OF LYCOMING COUNTY, by this Information charges that on or about Wednesday, the 13th day of July, 2016, in said County of Lycoming, Pennsylvania, the defendant did commit the crime of

**COUNT 1 - POSSESSION OF A CONTROLLED SUBSTANCE - (MISDEMEANOR)**  
Unlawfully have in his/her possession a controlled substance. TO WIT: ONE (1) PERCOCET PILL

**COUNT 2 - POSSESSION OF DRUG PARAPHERNALIA - (MISDEMEANOR)**  
The Actor not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, Act of April 14, 1972, as amended, nor a practitioner registered or licensed by the appropriate State Board, used or possessed with intent to use drug paraphernalia for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, packaging, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, inhaling, and ingesting or otherwise introducing into the human body, a controlled substance.

**COUNT 3 - THEFT BY UNLAWFUL TAKING OR DISPOSITION - (MISDEMEANOR)**  
1)  
The Actor unlawfully took or exercised unlawful control over movable property, belonging to another with the intent to deprive the owner thereof, in violation of Section 3921(a) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. Section 3921(a). Property: ONE (1) PERCOCET PILL & SIX (6) USED FETANYL PATCHES Custodian: VALLEY VIEW NURSING CENTER Value:\$468.00

SCANNED

FILED  
CLERK  
COUNTY

2016 NOV 23 AM 10:53

FILED  
LYCOMING COUNTY

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

  
\_\_\_\_\_  
Attorney for the Commonwealth

35 P.S. SECTION 780-113(A)(16) - MISDEMEANOR  
35 P.S. SECTION 780-113(a)(32) - MISDEMEANOR  
18 Pa. C.S. Section 3921(a) - MISDEMEANOR 1

\_\_\_\_\_  
Citation of Statute, Section & Penalty

\_\_\_\_\_  
Prosecutor

COURT COPY



POLICE CRIMINAL COMPLAINT

Docket Number: <b>0031316</b>	Date Filed: <b>11</b>	OTN/LiveScan Number:	Complaint/Incident Number PA 16-428306
Defendant Name:	First: <b>2</b>	Middle: Lane	Last: BURKHOLDER

AFFIDAVIT of PROBABLE CAUSE

Your affiant is a member of the Pennsylvania State Police assigned to Troop F, Montoursville Station and was in full uniform in a marked patrol unit working the 06-1400 hours shift on Wednesday, July 13, 2016.

On 07/13/16 at approximately 0906 hours, I was dispatched for a theft that occurred at the Valley View Nursing Center, located at 2140 Warrensville Rd., Loyalsock Township, Lycoming County. Upon arrival at the scene at approximately 1007 hours, I spoke with Betty Joan SHAW (W/N/F DOB 110 Lockard Rd., Muncy, PA. 17758 ) the nurse manager, who related that Stanley HIGGINS III (B/N/M DOB 765 W 3RD ST APT 2, Williamsport, PA. 17701 reported to her that the defendant Travis Lane BURKHOLDER who was an employee had taken one Percocet pill from the medicine distribution cabinet without being the practitioner of said pill. She related that the nurses do not become the practitioner until a script is filled just prior to giving medications to the residents. Stacy L DANIELS (W/N/F DOB 2225 Lincoln DR., Williamsport, PA. 17701 570-506-3359) a nurse at the Valley View Nursing center and girlfriend of BURKHOLDER, reported that she found fentanyl patches and the packaging for the fentanyl patches scattered on her couch when she had returned home from the grocery store. She then confronted the defendant and he related that had removed 6 used fentanyl patches and their packaging from the RX Destroyer's which are located at different locations around the facility. SHAW explained that the packaging and patches are not broken down by the solution contained in the destroyers. The defendant was dumping out the bottles to obtain the used fentanyl patches and their packaging. The defendant then refilled the containers with water. He would then leave the facility with the stolen items. He was not the assigned practitioner for these patches. SHAW related that when the nurses are the practitioner for the patches they are required to put their initials on the packaging. None of the packaging that was recovered had BURKHOLDERS initials. DANIELS then collected up the fentanyl patches and returned them to Valley View Nursing Center. When she arrived at the nursing center she gave the patches to a supervisor. He was assigned to the 3rd shift hall 300. SHAW then relinquished possession of the evidence over to me. SHAW related that the Percocet pill was valued at \$55.00, the packaging for the fentanyl patches were valued at \$5.00 and that the fentanyl patches were valued at \$486.00. She had notified the Pennsylvania Department of health of the violation. She related that the administration tried to contact BURKHOLDER multiple times to talk to him about what occurred with negative results.

-CONTINUED-

I, TPR, JASON ZACHARIAH, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

*TPR Zachariah*

(Signature of Affiant)

Sworn to me and subscribed before me this 29 day of AUGUST 2016

Date

Magisterial District Judge

My commission expires first Monday of January;





**POLICE CRIMINAL COMPLAINT  
AFFIDAVIT CONTINUATION PAGE**

Docket Number: <b>06-3B-16</b>	Date Filed: <b>11</b>	OTN/LiveScan Number:	Complaint/Incident Number PA 16-426306
Defendant Name:	First: Travis	Middle: Lane	Last: BURKHOLDER

**AFFIDAVIT of PROBABLE CAUSE CONTINUATION**

On 07/13/16 at approximately 1030 hours, I was provided a statement by Michelle BANGHART, a nurse's aide at Valley View Nursing Center (2140 Warnersville Rd., Montoursville, PA. 17754), at the scene, in which she related that she was assigned to work with BURKHOLDER in the 300 hall as his aide. On Sunday 06/26/16 at approximately 0600 hours in the 300 hall, while preparing the med cart for rounds she observed a large white pill that looked like a Percocet on the 300 hall med cart side bin under the blood pressure cuff. She notified Katherine L BERGER, the dayshift nurse assigned to the 300 hall. She related that the cart is inspected before and at the end each shift. The carts are also checked when they conduct their rounds throughout the shift. The pill was not on the cart during the previous rounds that shift. The aides do not have access to the medication dispensaries.

On 07/13/16 at approximately 1115 hours, I received a statement from HIGGINS the nightshift supervisor on 06/25 into 06/26/16. He related that he noticed that BURKHOLDER was scheduled to work 2-10 on the 25th and 10-6 on the 26th into the 26th. He approached BURKHOLDER and asked if he was okay to work a 16 hour shift. He then told BURKHOLDER that if at any time that he felt he could not make it and needed to go home to let him know. At the shift change (beginning of the 10-6) he again approached BURKHOLDER to ask if he was ok to work the remaining 8 hours. BURKHOLDER related he was fine. He asked BURKHOLDER was doing at 0200 hours, he related he was fine. BURKHOLDER approached him at 0400 hours and related that he needed to go home. He was notified by Katherine L. BERGER and Michelle BANGHART that they had found a pill on the outside of the medicine cart under the blood pressure cuff. He then related that the only person in the 300 hall to receive Percocet was an Andrew NAGY a patient at Valley View Nursing Center and was not supposed to receive the pill until 0600 hours. He related that the pill was scored but not broken in half in a medicine cup. The medications are not to be drawn prior to the prescribed medication rounds. The Percocet was drawn too soon which is in violation of policy. He related that 06/26/16 he was notified by DANIELS that she had found 6 used 50 mcg patches and their packaging on her couch. He related that she needed to bring them back to the facility. Upon her arrival he inspected the items with dates ranging from early to late May.

On 07/13/16 at approximately 1140 hours, I returned to PSP Montoursville to enter the evidence into property. I entered the evidence into property at 1155 hours under Property Record F01-21796.

**-CONTINUED-**

*JPR J. Phil*

(Signature of Affiant)





**POLICE CRIMINAL COMPLAINT  
AFFIDAVIT CONTINUATION PAGE**

Docket Number: <i>OK 313-1P</i>	Date Filed: <i>11</i>	OTN/LiveScan Number:	Complaint/Incident Number PA 16-426308
Defendant Name:	First: Travis	Middle: Lane	Last: BURKHOLDER

**AFFIDAVIT of PROBABLE CAUSE CONTINUATION**

On 07/13/16 at approximately 1300 I spoke with DANIELS at her residence. She related that she is the defendant's former girlfriend and that the defendant was living at her house. She is also a nurse at the Valley View Nursing Center. She related that on 06/26/16 at approximately 0720 hours after putting groceries away, she noticed several items strewn on her coach. When she went over and looked closer, she noticed that they were fentanyl used patches. She then confronted the defendant were they came from. She then confronted the defendant and he related that had removed 6 used fentanyl patches and their packaging from the RX Destroyer's which are located at different locations around the facility. The defendant was dumping out the bottles to obtain the used fentanyl patches and there packaging. The defendant then refilled the containers with water. He would then leave the facility with the stolen items. He was not the assigned practitioner for these patches. DANIELS then collected up the fentanyl patches and returned them to Valley View Nursing Center. When she arrived at the nursing center she gave the patches to a supervisor.

I respectfully request that Travis Lane BURKHOLDER be brought before this court to answer for these charges.

*Travis Lane*

(Signature of Affiant)

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: **LYCOMING**



POLICE CRIMINAL COMPLAINT  
COMMONWEALTH OF PENNSYLVANIA  
VS.

Magisterial District Number: **29-3-02**  
MDJ Name: Hon. **GARY A. WHITEMAN**  
Address: **542 COUNTY FARM RD.  
MONTOURSVILLE, PA.  
17754**  
Telephone: **570-328-1714**

DEFENDANT: **(NAME and ADDRESS):**  
**TRAVIS LANE BURKHOLDER**  
First Name: **TRAVIS** Middle Name: **LANE** Last Name: **BURKHOLDER** Gen.  
**2237 SCHOLL RD.  
MIDDLEBURG, PA. 17842**

NCIC EXTRADITION CODE TYPE

- |  |   |  |                            |
|--|---|--|----------------------------|
| <input type="checkbox"/> 1-Felony Full               | <input type="checkbox"/> 5-Felony Pend.                       | <input type="checkbox"/> C-Misdemeanor Surrounding States            | Distance: <b>300 MILES</b> |
| <input type="checkbox"/> 2-Felony Ltd.               | <input type="checkbox"/> 6-Felony Pend. Extradition Determin. | <input type="checkbox"/> D-Misdemeanor No Extradition                |                            |
| <input type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full                   | <input type="checkbox"/> E-Misdemeanor Pending                       |                            |
| <input type="checkbox"/> 4-Felony No Ext.            | <input checked="" type="checkbox"/> B-Misdemeanor Limited     | <input type="checkbox"/> F-Misdemeanor Pending Extradition Determin. |                            |

DEFENDANT IDENTIFICATION INFORMATION

Docket Number: **CL-313-16** Date Filed: **9/12/16** OTN/LiveScan Number: **841565-4** Complaint/Incident Number: **PA 16-426308** SID: Request Lab Services?  YES  NO

GENDER:  Male  Female DOB: **POB PENNSYLVANIA** Add'l DOB: Co-Defendant(s)   
AKA: First Name: Middle Name: Last Name: Gen.

RACE:  White  Asian  Black  Native American  Unknown  
ETHNICITY:  Hispanic  Non-Hispanic  Unknown

HAIR COLOR:  GRY (Gray)  RED (Red / Auburn)  SDY (Sandy)  BLU (Blue)  PLE (Purple)  BRO (Brown)  
 BLK (Black)  ORG (Orange)  WHI (White)  XXX (Unk. / Bald)  GRN (Green)  PNK (Pink)  
 BLN (Blonde / Strawberry)

EYE COLOR:  BLK (Black)  BLU (Blue)  BRO (Brown)  GRN (Green)  GRY (Gray)  
 HAZ (Hazel)  MAR (Maroon)  PNK (Pink)  MUL (Multicolored)  XXX (Unknown)

Driver License: State **PA** License Number: Expires: **02/25/18** WEIGHT (lbs.):

DNA:  YES  NO DNA Location: FBI Number: **220** MNU Number: Ft. HEIGHT in: **5 10**

Defendant Fingerprinted:  YES  NO Fingerprint Classification:

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat	Registration Sticker (MM/YY)	Comm'l Veh. Ind.	School Veh.	Oth. NCIC Veh. Code	Reg. same as Def.
VIN	Year	Make	Model	Style	Color		<input type="checkbox"/>

Office of the Attorney for the Commonwealth  Approved  Disapproved because:  
(The attorney for the Commonwealth may require that the complaint, arrest warrant, citation, or both be approved by the attorney for the Commonwealth prior to filing Pa.R.Cm.P., 102.)

Name of Attorney for Commonwealth - Please Print or Type

**I, TPR. JASON ZACHARIAH**  
(Name of Arrest - Please Print or Type)

**00626272/10639**  
(PAPSP0610 - Assigned Arrest ID Number & Badge #)

of the Pennsylvania State Police, Troop F, Montoursville  
(County Department of Agency Registration and Political Subdivision)

**PAPSP6000**  
(Police Agency ORI Number)

do hereby state: (check appropriate box)

1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as  
 I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe or Jane Doe.

with violating the penal laws of the Commonwealth of Pennsylvania at: **219** **2140 WARRENSVILLE RD., LOYALSOCK**  
(Subdivision Code) (Place-Political Subdivision)  
in **LYCOMING** County **41** on or about **JULY 13, 2016 AT APPROXIMATELY 0906 HOURS**  
(County Code) (Offense Date)

SEP 12 2016



# POLICE CRIMINAL COMPLAINT

Docket Number: <b>CL-313-16</b>	Date Filed: <b>11</b>	OTN/LiveScan Number	Complaint/Incident Number PA 18-426306
Defendant Name	First: <b>TRAVIS</b>	Middle: <b>LANE</b>	Last: <b>BURKHOLDER</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	<b>1</b>	<b>780-113</b>	<b>(a)(16)</b>	of the	<b>Title 35, C.S.D.D.C.A.</b>	<b>1</b>	<b>M</b>	<b>18( )/35A</b>
Offense #	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):  
**The Controlled Substance, Drug, Device and Cosmetic Act: Prohibited Acts; Penalties**

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT, not being registered under the Controlled Substance, Drug, Device and Cosmetic Act, nor a practitioner registered or licensed by the appropriate State Board, did knowingly or intentionally possess a controlled substance, which was not obtained directly from, or pursuant to a order of a practitioner, in violation of Section 780-113(a)(16) of the PA Controlled Substance, Drug, Device and Cosmetic Act. The defendant did without being the assigned practitioner for 1 Percocet pill did remove from the medication dispensary and place it on the medication cart under the blood pressure cuff.

Inchoate Offense	<input type="checkbox"/>	Attempt 18 901 A	<input type="checkbox"/>	Solicitation 18 902 A	<input type="checkbox"/>	Conspiracy 18 903
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<input type="checkbox"/> Lead?	<b>2</b>	<b>780-113</b>	<b>(a)(32)</b>	of the	<b>Title 35, C.S.D.D.C.A.</b>	<b>1</b>	<b>M</b>	<b>260/35A</b>
Offense #	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (include the name of statute or ordinance):  
**The Controlled Substance, Drug, Device and Cosmetic Act: Prohibited Acts; Penalties**

Acts of the accused associated with this Offense:

IN THAT, on or about said date, THE DEFENDANT did use, or possess with intent to use, drug paraphernalia, namely, clear plastic baggies used for the packaging of medical use fentanyl patches, for the purpose of planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packing, repacking, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance, that is to say the DEFENDANT did possess the above-described paraphernalia for the purposes of concealing and otherwise introducing into the human body a controlled substance, in violation of Section 780-113(a)(32) of the PA Controlled Substance, Drug, Device and Cosmetic Act.



# POLICE CRIMINAL COMPLAINT

Docket Number: <b>CR-31316</b>	Date Filed: <b>11</b>	OTN/LiveScan Number	Complaint/Incident Number <b>PA 16-426308</b>
Defendant Name	First: <b>TRAVIS</b>	Middle: <b>LANE</b>	Last: <b>BURKHOLDER</b>

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA Code §§ 213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/>	Attempt <b>18 901 A</b>	<input type="checkbox"/>	Solicitation <b>18 902 A</b>	<input type="checkbox"/>	Conspiracy <b>18 903</b>
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<input type="checkbox"/> Lead?	<b>3</b>	<b>3921</b>	<b>(a)</b>	of the	<b>Title 18, PA Crimes Code</b>	<b>1</b>	<b>M1</b>	<b>080/23A</b>
Offense #	Section	Subsection	PA Statute (Title)		Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description (Include the name of statute or ordinance):  
**Theft by Unlawful Taking or Disposition**

Acts of the accused associated with this Offense:  
IN THAT, on or about said date, THE DEFENDANT did unlawfully take or exercise unlawful control over movable property, namely one percocet pill valued at \$55.00 and 6 used fetanyl patches and packaging valued at \$468, belonging to Valley View Nursing Center, with the intent to deprive the owner thereof, in violation of Section 3921(a) of the PA Crimes Code.



# POLICE CRIMINAL COMPLAINT

Docket Number: <b>CL-313-16</b>	Date Filed: <b>9/12/16</b>	OTN/LiveScan Number <b>T 841565-4</b>	Complaint/Incident Number PA 18-426306
Defendant Name	First: <b>TRAVIS</b>	Middle: <b>LANE</b>	Last: <b>BURKHOLDER</b>

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. §4904) relating to unsworn falsification to authorities.
- This complaint consists of the preceding page(s) numbered 1 through 4.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

AUGUST 29, 2016

*T.A. Z...*  
(Signature of Affiant)

AND NOW, on this date, 17 September 2016, I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

29302  
(Magisterial District Court Number)

*[Signature]*  
(Issuing Authority)

