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APR 07 2017

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Department of Health Professions

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Henrico, Virginia 23233-1463

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TEL (804) 367- 4400
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David E. Brown, D.C.
Director

April 6, 2017

Tyra Latrice Smith, C.N.A.
707 Oak Park Avenue
Richmond, VA 23222

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 4/6/17

RE: Certificate Number: 1401-113240
Case Number: 175389

Dear Ms. Smith:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your right to renew your certificate to practice as a certified nurse aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered April 6, 2017. You are hereby advised that you may not practice as a certified nurse aide or hold yourself out as a certified nurse aide unless and until the Board of Nursing has notified you in writing that your certificate has been reinstated. Please return your certificate 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 certificate, 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 certificate 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,

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: TYRA LATRICE SMITH, C.N.A.
Certificate Number: 1401-113240
Case Number: 175389

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 Tyra Latrice Smith, C.N.A., was convicted of two felony offenses, to wit: grand larceny, in the Circuit Court of Hanover 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 Tyra Latrice Smith, C.N.A., to renew her certificate practice as a nurse aide in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the certificate of Tyra Latrice Smith, C.N.A., will be recorded as suspended. Should Tyra Latrice Smith, C.N.A., seek reinstatement of her certificate pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the certificate prior to issuance of the certificate to resume practice.

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:

4/6/17

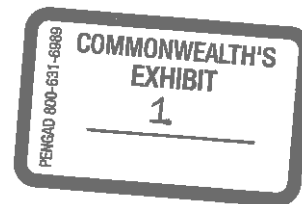
CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Conviction and Sentencing Order entered March 13, 2017, regarding Tyra Latrice Smith, C.N.A., is a true copy of the records received from the Circuit Court of Hanover County, Virginia.



David E. Brown, D.C.

Date: 4/6/17



VIRGINIA: IN THE CIRCUIT COURT OF HANOVER COUNTY

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 085

Hearing Date: December 2, 2016
Judge: Patricia Kelly

COMMONWEALTH OF VIRGINIA

v.

CASE NUMBER: CR16000700

TYRA LATRICE SMITH, DEFENDANT

CONVICTION AND SENTENCING ORDER

This day came the defendant, along with her attorney's, Melissa E. Danjczek and John R. Working. The Commonwealth was represented by David G. Parker.

Whereupon, the defendant was arraigned on and, after being advised by counsel, pleaded guilty to the following offenses as charged in the indictments:

| CASE NUMBER | OFFENSE DESCRIPTION, AND INDICATOR | OFFENSE DATE | VA CODE SECTION | VA CRIME CODE |
|----------------|------------------------------------|--------------------------|-----------------|---------------|
| CR16000700(00) | Grand larceny/Felony | 01/01/2016 | 18.2-95 | LAR2359F9 |
| CR16000700(01) | Grand larceny/Felony | 06/23/2016 to 07/06/2016 | 18.2-95 | LAR2359F9 |

The Court was advised by the defendant, her counsel, and the attorney for the Commonwealth that there has been a plea agreement in this case and that such agreement in writing having been presented to the Court was filed herein. The Court having made inquiry and being of the opinion that the defendant fully understood the nature and consequences of her pleas and of the penalty that may be imposed upon her conviction, and of the waiver of trial by jury and of appeal, found that the pleas were knowingly, freely and intelligently made. The Court proceeded to hear a summary of the evidence and found that it was substantial and sufficient for a finding of guilty. In view of the foregoing, the Court accepted the pleas of guilty of the defendant tendered in person, found the defendant guilty of the charges described above, and accepted the plea agreement.

The defendant and the Attorney for the Commonwealth agreed to waive preparation of a presentence report and proceed to sentencing. The Court concurred and accepted the wavier of presentence report.

Pursuant to the provisions of Virginia 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 were ORDERED filed as 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 defendant having been given the opportunity to be heard, the Court **SENTENCED** the defendant in accordance with the plea agreement to:

Incarceration with the **Virginia Department of Corrections** for five years for case number CR16000700(00); and five years for case number CR16000700(01).

The total sentence imposed is ten years.

These sentences shall run consecutively with all other sentences.

The Court **SUSPENDED** execution of four years, three hundred sixty four days of the period of incarceration in case number CR16000700(00), and execution of five years of the period of incarceration in case number CR16000700(01) upon the following conditions:

Good behavior. The defendant shall keep the peace, be of good behavior, and not violate any laws of the Commonwealth of Virginia, of any sister state, or of the United States of America for five years from her release from confinement.

Supervised probation. The defendant is placed on active supervised probation to commence upon release from incarceration under the supervision of a Probation Officer of this Court for an indefinite period of time not to exceed the period of good behavior. 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 report to District 41 Probation and Parole immediately upon release from incarceration.

Costs. The defendant shall court costs associated with the prosecution of this matter, including any court appointed attorney's fees.

DNA Sample and Fingerprints. Defendant shall immediately give a sample for DNA analysis, in accordance with §19.2-310.2, et. Seq., Code of Virginia (1950), as amended, and legible fingerprints if she has not already done so.

Restitution. Defendant shall make restitution through the Hanover County Circuit Court Clerk's Office in accordance with the Restitution Payment Plans filed with this case as follows: \$90.00 to Old Town Silver Exchange, \$240.00 to The Golden Goat, \$250.00 to Ruthe Hinson, \$5,516.75 to Paragon Subrogation Services #564335.

Barred from premises. Defendant is barred from going on the property of Autumn Care.

No contact. Defendant shall have no contact of any kind, either directly or indirectly, with Ruthe Hinson, Shirley Coltes, Agnes Martin, and Elizabeth Appel, or with their

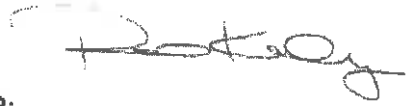
family or household members.

The defendant agreed that she will not seek modification of the charges and/or sentencing. Defendant further agreed that she is not eligible for any alternative to incarceration.

The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Virginia Code § 53.1-187.

The Court certifies that at all times the defendant was personally present with an attorney.

The defendant was remanded.

Mar 13 2017 10:59 AM ENTER:  cosign
DATE JUDGE

DEFENDANT IDENTIFICATION:

Alias: None SSN:  DOB:  Sex: Female

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: TEN YEARS.

TOTAL SENTENCE SUSPENDED: NINE YEARS, THREE HUNDRED SIXTY FOUR DAYS.

TOTAL PERIOD OF INCARCERATION IMPOSED: ONE DAY.

wlh

A COPY TESTE
FRANK D. HARGROVE, JR. CLERK
HANOVER CIRCUIT COURT
By 
DEPUTY CLERK