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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions
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Henrico, Virginia 23233-1463

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March 20, 2017

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 3/20/17

Zachary Kenton Chestnut, C.N.A.
1311 Appomattox Drive
Colonial Heights, VA 23834

RE: Certificate Number: 1401-171625
Case Number: 179161

Dear Mr. Chestnut:

Pursuant to Virginia Code § 54.1-2409, you are hereby given notice that your certificate to practice as a nurse aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered March 20, 2017. You are hereby advised that you may not practice as a 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: ZACHARY KENTON CHESTNUT, C.N.A.
Certificate Number: 1401-171625
Case Number: 179161

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 Zachary Kenton Chestnut, C.N.A., was convicted of a felony offense, to wit: possession of a Schedule I or II controlled substance, in the Circuit Court of Chesterfield County, Virginia. A certified copy of the Trial 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 certificate of Zachary Kenton Chestnut, C.N.A., to practice as a nurse aide in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the certificate of Zachary Kenton Chestnut, C.N.A., will be recorded as suspended and no longer current and valid. Should Zachary Kenton Chestnut, C.N.A., seek reinstatement of his certificate pursuant to Virginia Code § 54.1-2409, he 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:

3/20/17

CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Trial and Sentencing Order entered October 31, 2016, regarding Zachary Kenton Chestnut, C.N.A., is a true copy of the records received from the Circuit Court of Chesterfield County, Virginia.



David E. Brown, D.C.

Date: 3/20/17

TRIAL AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CHESTERFIELD
FIPS CODE: 041

Hearing Date: **October 31, 2016**
Judge: **Thomas V. Warren, Designate**

COMMONWEALTH OF VIRGINIA

v.

ZACHARY KENTON CHESTNUT, DEFENDANT

The defendant's trial resumed on the offense(s) indicated below. The defendant appeared in person with counsel, **Denis C. Englisby**. The Commonwealth was represented by **Christopher L. Miller**.

On June 13, 2016, the Court deferred judgment pursuant to §18.2-251.

The Court, having heard further evidence and argument of counsel, finds the defendant **GUILTY** of the following offense(s):

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION	VCC
CR16F00827-01	Possession of Schedule I or II Controlled Substance (F)	11-20-15	18.2-250	NAR3022F5

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.

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: 6 months.

The Court **SUSPENDS** all but 30 days of the sentence, for a period of 5 years, upon the following condition(s):

Good Behavior. The defendant shall be of good behavior upon the defendant's release from confinement.

Supervised Probation. The defendant is placed on probation to commence upon release from incarceration, under the supervision of a Probation Officer, until released by the Court or the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer.

Costs. Pursuant to Titles 16.1 and 17.1 of the Code of Virginia, (1950) as amended, the defendant shall pay court costs, including attorney fees, if appointed, and any interest that may accrue until the balance is paid in full.

Interest is deferred on all fines and/or costs pending the defendant's release from incarceration on this/these charge(s). No deferral is extended to those defendants participating in alternative programs.

Departure. The defendant is remanded to the custody of the sheriff.

Court Reporter. These proceedings were reported by Farnsworth & Taylor Reporting, LLC, Court Reporters.

10/31/16
DATE

[Signature]
JUDGE

DEFENDANT IDENTIFICATION:

Alias: r/a
SSN: DOB: 01-14-1988 Sex: Male

A COPY TESTE:
WENDY S. HUGHES, CLERK

BY: [Signature]
DEPUTY CLERK

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: 6 months
TOTAL SENTENCE SUSPENDED: 5 months

amn/amn c: 10/31/16 CIS/DOC/VCSC/Def Atty/Probation
Sentencing Guidelines/Revocation Report provided