


Certified True Copy

By   
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

September 27, 2016

Juan M. Lopez, R.N.  
3828 Windsor Gate Road  
Virginia Beach, VA 234522931

DUPLICATE COPY  
VIA FIRST CLASS MAIL

DATE 9/27/16

RE: License Number: 0001-206703  
Case Number: 162320

Dear Mr. Lopez:

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 September 27, 2016. 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,



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: JUAN M. LOPEZ, R.N.**  
**License Number: 0001-206703**  
**Case Number: 162320**

**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 Juan M. Lopez, R.N., was convicted of two felony offenses, to wit: aggravated sexual abuse and false statement. A certified copy of the Judgment in a Criminal Case 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 Juan M. Lopez, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Juan M. Lopez, R.N., will be recorded as suspended. Should Juan M. Lopez, R.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 Juan M. Lopez'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:

\_\_\_\_\_  
9/27/16

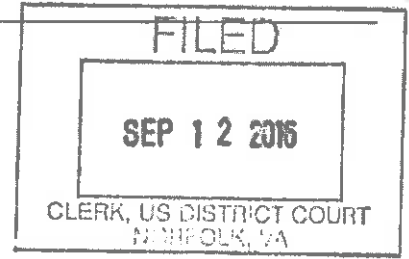
**CERTIFICATION OF DUPLICATE RECORDS**

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Judgment in a Criminal Case entered September 12, 2016, regarding Juan M. Lopez, R.N., is a true copy of the records received from the United States District Court for the Eastern District of Virginia.

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

Date: 9/27/16

UNITED STATES DISTRICT COURT  
Eastern District of Virginia  
Newport News Division



UNITED STATES OF AMERICA

v.

Case Number: 4:15cr14

JUAN LOPEZ

USM Number: 85434-083

Defendant.

Defendant's Attorney: Stephen Plott



JUDGMENT IN A CRIMINAL CASE

The defendant was found guilty by a jury on Counts 1 and 2 after a plea of not guilty as to the Second Superseding Indictment.

Accordingly, the defendant is adjudged guilty of the following counts involving the indicated offenses.

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Offense Class</u>	<u>Offense Ended</u>	<u>Count</u>
T. 18, USC Section 2241(b)	Aggravated Sexual Abuse	Felony	September 20, 2014	1
T. 18, USC Section 1001(a)(2)	False Statement	Felony	September 25, 2014	2

As pronounced on September 9, 2016, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of material changes in economic circumstances.

Signed this 12<sup>th</sup> day of September, 2016.

*/s/ msd*  
Mark S. Davis  
United States District Judge

A TRUE COPY TESTE:  
CLERK, U.S. DISTRICT COURT

BY *[Signature]*  
DEPUTY CLERK

Case Number: 4:15cr14  
Defendant's Name: LOPEZ, JUAN

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TWO HUNDRED-FOUR (204) MONTHS**. This term of imprisonment consists of a term of **TWO HUNDRED-FOUR (204) MONTHS** on Count 1 and a term of **NINETY-SIX (96) MONTHS** on Count 2, all to be served concurrently.

The Court makes the following recommendations to the Bureau of Prisons:

- 1) The defendant shall be incarcerated in a facility as close to the Hampton Roads Virginia area as possible, preferably FCI Petersburg.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this judgment as follows: \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_  
at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

Case Number: 4:15cr14  
Defendant's Name: LOPEZ, JUAN

### **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **TWENTY (20) YEARS**. This term consists of a term of **TWENTY (20) YEARS** on Count 1 and a term of **THREE (3) YEARS** on Count 2, all to run concurrently.

The Probation Office shall provide the defendant with a copy of the standard conditions and any special conditions of supervised release.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. As reflected in the presentence report, the defendant presents a low risk of future substance abuse, and therefore, the Court hereby suspends the mandatory condition for substance abuse testing as defined by 18 U.S.C. 3563(a)(5). However, this does not preclude the Probation Office from administering drug tests or other substance abuse tests as they deem appropriate.

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

### **STANDARD CONDITIONS OF SUPERVISION**

The defendant shall comply with the standard conditions that have been adopted by this court set forth below:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer for a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Case Number: 4:15cr14  
Defendant's Name: LOPEZ, JUAN

### **SPECIAL CONDITIONS OF SUPERVISION**

While on supervised release pursuant to this Judgment, the defendant shall also comply with the following additional special conditions:

- 1) The defendant shall participate in a program approved by the United States Probation Office for mental health treatment, to include a psychosexual evaluation, and sex offender treatment. The costs of these programs are to be paid by the defendant as directed by the probation officer. The defendant shall waive all rights of confidentiality regarding sex offender/mental health treatment to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.
- 2) The defendant shall submit to penile plethysmograph testing or Abel Assessment for Sexual Interest (AASI) as directed by the United States Probation Office as part of his sexual offender therapeutic treatment. The costs of the testing are to be paid by the defendant, as directed by the probation officer. To the extent he wishes to assert his Fifth Amendment rights during such testing, he may do so, and that issue may be brought back to the Court to determine whether the defendant should be compelled to respond.
- 3) The defendant shall submit to polygraph testing as directed by the United States Probation Officer as part of the defendant's sex offender therapeutic program. The costs of the testing are to be paid by the defendant, as directed by the probation officer. To the extent he wishes to assert his Fifth Amendment rights during such testing, he may do so, and that issue may be brought back to the Court to determine whether the defendant should be compelled to respond.
- 4) The defendant shall not utilize any sex-related adult telephone services, websites, or electronic bulletin boards. The defendant shall submit any records requested by the probation officer to verify compliance with this condition including, but not limited to, credit card bills, telephone bills, and cable/satellite television bills.
- 5) The defendant shall not have any access to or possess any pornographic material or pictures displaying nudity.
- 6) Pursuant to the Adam Walsh Child Protection and Safety Act of 2006, the defendant shall register with the state sex offender registration agency in any state where the defendant resides, works, and attends school, according to federal and state law and as directed by the probation officer.
- 7) Pursuant to the Adam Walsh Child Protection and Safety Act of 2006, the defendant shall submit to a search of his person, property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time by any law enforcement or probation officer with reasonable suspicion concerning unlawful conduct or a violation of a condition of supervision, upon prior notification to and approval by the court or with a warrant.
- 8) The defendant shall apply monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation; or in a lesser amount to be determined by the Court upon the recommendation of the probation officer.
- 9) The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- 10) The defendant shall provide the probation officer access to any requested financial information.
- 11) The defendant shall participate in the Treasury Offset Program (TOP) as directed by the probation officer.

Case Number: 4:15cr14  
Defendant's Name: LOPEZ, JUAN

### CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Count</u>	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
	1	\$100.00	\$0.00	\$122,211.24
	2	\$100.00	\$0.00	\$0.00
<b>TOTALS:</b>		<b>\$200.00</b>	<b>\$0.00</b>	<b>\$122,211.24</b>

### FINES

No fines have been imposed in this case.

### RESTITUTION

SEE RESTITUTION ORDER ENTERED AND FILED IN OPEN COURT ON SEPTEMBER 9, 2016.

The Court determined that the defendant does not have the ability to pay interest and it is ordered that:  
the interest requirement is waived for the restitution balance as long as the defendant makes timely payments  
in accordance with the payment schedule, or any modified payment schedule, established by the Court.



Case Number: 4:15cr14  
Defendant's Name: LOPEZ, JUAN

## **SCHEDULE OF PAYMENTS**

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

The special assessment and restitution shall be due in full immediately.

Any balance remaining unpaid on the special assessment and restitution at the inception of supervision, shall be paid by the defendant in installments of not less than \$200 per month, until paid in full. Said payments shall commence 60 days after defendant's supervision begins.

At the time of supervision commences, the probation officer shall take into consideration the defendant's economic status as it pertains to his ability to pay the special assessment ordered and shall notify the court of any changes that may be needed to be made to the payment schedule.

Any special assessment may be subject to penalties for default and delinquency.

Nothing in the court's order shall prohibit the collection of any judgment, fine, or special assessment by the United States.

Since this judgment imposes a period of imprisonment, payment of criminal monetary penalties, including the special assessment, shall be due during the period of imprisonment. All criminal monetary penalty payments, including the special assessment, are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Payments shall be applied in the following order: (1) assessment (2) restitution principal (3) restitution interest (4) fine principal (5) fine interest (6) community restitution (7) penalties and (8) costs, including cost of prosecution and court costs.