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MAR 17 2010

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

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

Sandra Whitley Ryals
Director

March 16, 2010

Damon Nathan Dunn
63 Ferguson Lane
Newport News, VA 23601

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE: 3 / 16 / 10

RE: License No.: 0002-075188

Dear Mr. Dunn:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your license to practice nursing in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered March 16, 2010. You are hereby advised that, pursuant to Section 54.1-2409.1 of the Code, any person who practices a profession or occupation after having their license or certificate to do so suspended shall be guilty of a felony. Please return your license to Jay P. Douglas, Executive Director, at the above address, immediately upon receipt of this letter.

Section 54.1-2409 of the Code further provides that you may apply to the Board of Nursing ("Board") for reinstatement of your license, and shall be entitled to a hearing not later than the next regular meeting of the Board after the expiration of sixty days from the receipt of such reinstatement application. You have the following rights, among others: to be represented by legal counsel, to have witnesses subpoenaed on your behalf, to present documentary evidence and to cross-examine adverse witnesses. The reinstatement of your license shall require the affirmative vote of three-fourths of the members present of the Board of Nursing.

Should you wish to petition the Board of Nursing for reinstatement of your license, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4599.

Sincerely,

Sandra Whitley Ryals, Director
Department of Health Professions

cc: Ron Smith, Esquire
Enclosures
Case # 129399

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: DAMON NATHAN DUNN, L.P.N.
License No.: 0002-075188

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Sandra Whitley Ryals, Director of the Virginia Department of Health Professions, received and acted upon evidence that Damon Nathan Dunn, L.P.N., pled guilty to and was found to be guilty of felony charges in the Circuit Court of the City of Newport News for the Commonwealth of Virginia, to wit: Three (3) Counts of Obtain Drugs by Fraud, Deceit or Forgery. A certified copy of the Order is attached to this Order and is marked as Commonwealth's Exhibit No. 1.

WHEREFORE, by the authority vested in the Director of the Department of Health Professions pursuant to Section 54.1-2409 of the Code, it is hereby ORDERED that the license of Damon Nathan Dunn, L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Damon Nathan Dunn, L.P.N., will be recorded as suspended and no longer current. Should Mr. Dunn seek reinstatement of his license pursuant to Section 54.1-2409 of the Code, he shall be responsible for any fees that may be required for the reinstatement and renewal of his license prior to issuance of his license to resume practice.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, 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 and copying upon request.


Sandra Whitley Ryals, Director
Department of Health Professions

ENTERED: March 16, 2010



COMMONWEALTH of VIRGINIA

Department of Health Professions

Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

Sandra Whitley Ryals
Director

www.dhp.virginia.gov
TEL (804) 367-4400
FAX (804) 527-4475

CERTIFICATION OF DUPLICATE RECORDS

I, Sandra Whitley Ryals, Director of the Department of Health Professions, hereby certify that the attached Order dated January 13, 2010, regarding Damon Nathan Dunn, L.P.N., is a true copy of the records received from the Circuit Court of the City of Newport News, Virginia.

 Date: March 14, 2010

Sandra Whitley Ryals

VIRGINIA: In the Circuit Court for the City of Newport News, Wednesday, the 13th day of January, 2010.

PRESENT: Aundria D. Foster, Judge

FIPS CODE: 700

Indictment No. 02007-09

Commonwealth

: Indictment for Virginia Code 18.2-258.1

Obtain Drugs by Fraud, Deceit or

V

Forgery

VCC-NAR-3016-F6

Damon Nathan Dunn

: A Felony - Offense Date 10-01-08

DOB

M

SSN:

This day came the attorney for the Commonwealth, Brian Thoman, and Damon Nathan Dunn (hereinafter referred to as defendant), who stands indicted of a felony, to-wit: **Obtain Drugs by Fraud, Deceit or Forgery (Virginia Code Section 18.2-258.1)**, who appeared upon the conditions of his recognizance, and also came Ron Smith, defendant's attorney. Robin Stewart, court appointed court reporter, was sworn to faithfully and accurately take down and transcribe the proceedings herein.

Whereupon, the defendant was arraigned, and upon advice of counsel, the defendant pleaded **GUILTY** to the Indictment and a plea agreement executed by the attorney for the Commonwealth, the defendant and the attorney for the defendant was presented and disclosed to the Court in open court. The Court having made inquiry and being of the opinion that the defendant fully understood the nature and effect of said plea of guilty, the penalties that may be imposed upon conviction and waiver of trial by jury, and finding that the plea was voluntarily and intelligently made, proceeded to hear and determine the case without the intervention of a jury, as provided by law.

The attorney for the Commonwealth having summarized the evidence with the consent of the defendant by counsel, and the defendant offering no evidence herein, the Court thereupon informed the defendant the plea agreement heretofore presented and disclosed is accepted and filed and will embody in its judgment and sentence the disposition provided for in the plea agreement. In accordance therewith, the Court finds the defendant

COPIES TO:

JAIL _____

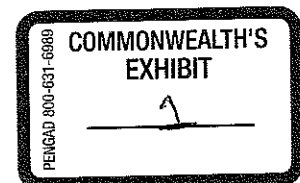
PEN _____

FARM _____

DMV _____

GL

1/22/10



GUILTY as charged in said indictment, to-wit: **Obtain Drugs by Fraud, Deceit or Forgery (Virginia Code Section 18.2-258.1)**, a felony.

Pursuant to the provisions of Virginia Code Section 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 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 Court, in accordance to the said plea agreement, **Sentences** the defendant to:

Incarceration for a period of Five (5) Years in the state penitentiary with all five (5) of those years suspended for a period of five (5) years from today's date upon the following conditions:

- a) That the defendant keep the peace and be of uniform good behavior for a period of five (5) years from today's date;
- b) That the defendant complete one (1) year of supervised probation;
- c) That the defendant remain drug free;
- d) That the defendant participate in, and complete any and all drug treatment programs deemed appropriate by the Newport News Department of Probation and Parole;
- e) The defendant is to lose his Virginia operators permit and/or his ability to obtain one, for a period of six (6) months from today's date.

DNA. The Court further ordered as a condition of the aforesaid suspended sentence, that the defendant be remanded to the custody of the sheriff for the City of Newport News for the purpose of the defendant authorizing and permitting withdrawal of his blood sample for DNA analysis to be sent to the Bureau of Forensic Science, and the defendant shall be released immediately

upon the conclusion of the withdrawal, subject to any other order governing his custody.

License suspension. The defendant's operator's license is suspended for six (6) months from this date, which suspension the defendant acknowledged in open court.

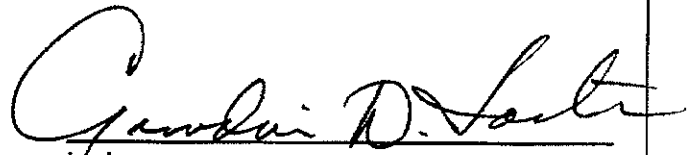
Costs. The costs incurred by the Commonwealth of Virginia in the prosecution of this matter shall be docketed as a judgment plus interest at judgment rate as applicable.

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

Appeal. The Court advised the defendant of the right to petition for an appeal to the Virginia Court of Appeals if so desired.

And, the record made by the Court Reporter herein of the said proceedings is filed as part of the record in this case. The Court certifies that at all times during the trial of this case the defendant was personally present and the defendant's attorney was likewise personally present and capably represented the defendant.

The defendant is committed to custody for DNA testing.

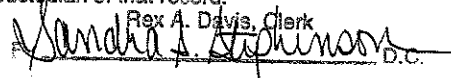

Judge

Sentencing Summary:

TOTAL SENTENCE IMPOSED: Five (5) Years

TOTAL SENTENCE SUSPENDED: Five (5) Years

I certify that the document to which this authentication is affixed is a true copy of record in the Newport News Circuit Court, that I have custody of the record and I am the custodian of that record.

Rex A. Davis, Clerk

D.C.

VIRGINIA: In the Circuit Court for the City of Newport News, Wednesday
the 13th day of January, 2010.

PRESENT: Aundria D. Foster, Judge

FIPS CODE: 700

Indictment No. 02006-09

Commonwealth

: Indictment for Virginia Code 18.2-258.1

Obtain Drugs by Fraud, Deceit or

V

Forgery

VCC-NAR-3016-F6

Damon Nathan Dunn

: A Felony - Offense Date 10-15-08

DOB: EX: M

SSN.

This day came the attorney for the Commonwealth, Brian Thoman, and Damon Nathan Dunn (hereinafter referred to as defendant), who stands indicted of a felony, to-wit: **Obtain Drugs by Fraud, Deceit or Forgery (Virginia Code Section 18.2-258.1)**, who appeared upon the conditions of his recognizance, and also came Ron Smith, defendant's attorney. Robin Stewart, court appointed court reporter, was sworn to faithfully and accurately take down and transcribe the proceedings herein.

Whereupon, the defendant was arraigned, and upon advice of counsel, the defendant pleaded **GUILTY** to the Indictment and a plea agreement executed by the attorney for the Commonwealth, the defendant and the attorney for the defendant was presented and disclosed to the Court in open court. The Court having made inquiry and being of the opinion that the defendant fully understood the nature and effect of said plea of guilty, the penalties that may be imposed upon conviction and waiver of trial by jury, and finding that the plea was voluntarily and intelligently made, proceeded to hear and determine the case without the intervention of a jury, as provided by law.

The attorney for the Commonwealth having summarized the evidence with the consent of the defendant by counsel, and the defendant offering no evidence herein, the Court thereupon informed the defendant the plea agreement heretofore presented and disclosed is accepted and filed and will embody in its judgment and sentence the disposition provided for in the plea agreement. In accordance therewith, the Court finds the defendant

COPIES TO:

JAIL _____
PEN _____
FARM _____
DMV _____
CL _____

1-22-10

GUILTY as charged in said indictment, to-wit: **Obtain Drugs by Fraud, Deceit or Forgery (Virginia Code Section 18.2-258.1)**, a felony.

Pursuant to the provisions of Virginia Code Section 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 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.

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- a) That the defendant keep the peace and be of uniform good behavior for a period of five (5) years from today's date;
- b) That the defendant complete one (1) year of supervised probation;
- c) That the defendant remain drug free;
- d) That the defendant participate in, and complete any and all drug treatment programs deemed appropriate by the Newport News Department of Probation and Parole;
- e) The defendant is to lose his Virginia operators permit and/or his ability to obtain one, for a period of six (6) months from today's date.

DNA. The Court further ordered as a condition of the aforesaid suspended sentence, that the defendant be remanded to the custody of the sheriff for the City of Newport News for the purpose of the defendant authorizing and permitting withdrawal of his blood sample for DNA analysis to be sent to the Bureau of Forensic Science, and the defendant shall be released immediately

upon the conclusion of the withdrawal, subject to any other order governing his custody.

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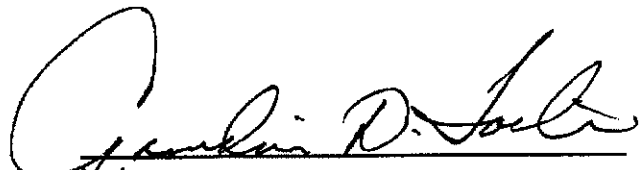
Costs. The costs incurred by the Commonwealth of Virginia in the prosecution of this matter shall be docketed as a judgment plus interest at judgment rate as applicable.

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

Appeal. The Court advised the defendant of the right to petition for an appeal to the Virginia Court of Appeals if so desired.

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The defendant is committed to custody for DNA testing.

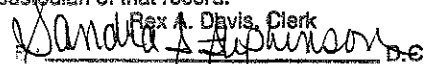

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Rex A. Davis, Clerk

Sandra S. Robinson, C.C.

VIRGINIA: In the Circuit Court for the City of Newport News, Wednesday, the 13th day of January, 2010.

PRESENT: Aundria D. Foster, Judge

FIPS CODE: 700

Indictment No. 02005-09

Commonwealth

: Indictment for Virginia Code 18.2-258.1

Obtain Drugs by Fraud, Deceit or

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VCC-NAR-3016-F6

Damon Nathan Dunn

: A Felony - Offense Date 10-16-08

DOB: _____ SEX: M

SSN: _____

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The attorney for the Commonwealth having summarized the evidence with the consent of the defendant by counsel, and the defendant offering no evidence herein, the Court thereupon informed the defendant the plea agreement heretofore presented and disclosed is accepted and filed and will embody in its judgment and sentence the disposition provided for in the plea agreement. In accordance therewith, the Court finds the defendant

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- b) That the defendant complete one (1) year of supervised probation;
- c) That the defendant remain drug free;
- d) That the defendant participate in, and complete any and all drug treatment programs deemed appropriate by the Newport News Department of Probation and Parole;
- e) The defendant complete fifty (50) hours of community service through the Newport News Department of Probation and Parole;
- f) The defendant is to lose his Virginia operators permit and/or his ability to obtain one, for a period of six (6) months from today's date.

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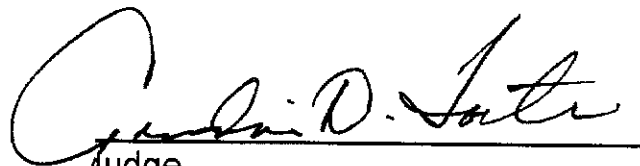
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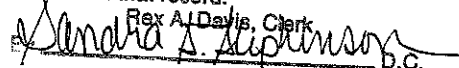
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