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VA BD OF NURSING

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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

May 4, 2015

Amanda Lynn Black
160 Windwood Lane
Galax, VA 24333

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

RE: License No.: 0001-226150

DATE 5/4/15

Dear Ms. Black:

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 May 4, 2015. 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 of the Virginia Board of Nursing, 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,



David E. Brown, D.C., Director
Department of Health Professions

cc: Donna L. Shumate, Esquire
Enclosures
Case # 162947

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: AMANDA LYNN BLACK, R.N.
 License No.: 0001-226150**

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that Amanda Lynn Black, R.N., was convicted of felony charges in the Superior Court for the County of Alleghany, at Sparta for the State of North Carolina, to wit:

1. One (1) Count of Attempting Trafficking of Opium/Heroin; and
2. One (1) Count of Exploit Disable/Elder Trust.

A Certified copy of the Judgment 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 Amanda Lynn Black, R.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Amanda Lynn Black, R.N., will be recorded as suspended and no longer current. Should Ms. Black seek reinstatement of her license pursuant to Section 54.1-2409 of the Code, she shall be responsible for any fees that may be required for the reinstatement and renewal of her license prior to issuance of her 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.



David E. Brown, D.C., Director
Department of Health Professions

ENTERED: 5/4/15



COMMONWEALTH of VIRGINIA

David E. Brown, D.C.
Director

Department of Health Professions

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CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Judgment dated March 16, 2015, regarding Amanda Lynn Black, R.N., is a true copy of the records received from the Superior Court for the County of Alleghany at Sparta, for the State of North Carolina.

David E. Brown, D.C.

Date: _____

5/4/15

STATE OF NORTH CAROLINA

ALLEGHANY County

SPARTA

Seat of Court

File No.

14CRS050077

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NOTE: [This form is to be used for (1) felony offense(s) and (2) misdemeanor offense(s) that are consolidated for judgment with any felony offense(s). Use AOC-CR-310 for DWI offense(s).]

In The General Court Of Justice

District Superior Court Division

STATE VERSUS

JUDGMENT: SUSPENDING SENTENCE - FELONY

PUNISHMENT: COMMUNITY INTERMEDIATE

(STRUCTURED SENTENCING)

(For Offenses Committed On Or After Dec. 1, 2011)

G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Name Of Defendant

BLACK, AMANDA, L

Race

W

Sex

F

Date Of Birth

07/27/1987

Attorney For State

TOM HORNER

Def. Found Not Indigent

Def. Waived Attorney

Attorney For Defendant

DONNA SHUMATE

Appointed Retained

Crt Rptr Initials

MJ

The defendant pled guilty pursuant to Afford) to was found guilty by the Court of was found guilty by a jury of pled no contest to

Table with columns: File No.(s), Off., Offense Description, Offense Date, G.S. No., F/M, CL, Pun. CL. Rows include offenses like ATTEMPTED TRAFFICKING OPIUM/HEROIN and EXPLOIT DISABLE/ELDER TRUST.

NOTE: Enter punishment class if different from underlying offense class... The Court has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 00... PRIOR RECORD LEVEL: I III V II IV VI

- The Court (NOTE: Block 1 or 2 MUST be checked.): 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c). 2. makes the Determination of aggravating and mitigating factors on the attached AOC-CR-605. 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606. 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5). 5. adjudges the defendant to be a habitual felon to be sentenced four classes higher than the principal felony (no higher than Class C). 6. finds enhancement pursuant to: G.S. 90-95(e)(3) (drugs). G.S. 14-3(c) (hate crime). G.S. 50B-4.1 (domestic violence). G.S. 14-50.22 (gang). Other: This finding is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission. 7. finds the above-designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore imposes the special conditions of probation set forth on the attached AOC-603C, Page Two, Side Two, and makes the additional findings and orders on the attached AOC-CR-615, Side Two. 8. finds the above-captioned offense(s) involve the physical or mental sexual abuse of a minor. (If No. 7 not found) and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603C, Page Two, Side Two. 9. finds that a motor vehicle commercial motor vehicle was used in the commission of the offense and that it shall be reported to DMV. 10. finds this is an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim. 11. finds the above-designated offense(s) involved criminal street gang activity. G.S. 14-50.25. 12. did not grant a conditional discharge under G.S. 90-96(a) because the defendant refused to consent. (offenses committed on or after Dec. 1, 2013, only) the Court finds, with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense. 13. finds that the defendant used or displayed a firearm while committing the felony. G.S. 15A-1382.2. 14. (for judgments entered on or after Dec. 1, 2013, only) finds that this was an offense involving child abuse or an offense involving assault or any of the acts as defined in G.S. 50B-1(a) committed against a minor. G.S. 15A-1382.1(a1).

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned for a minimum term of 24 months for a maximum term of 41 months in the custody of the N.C. DAC.

This sentence shall run at the expiration of sentence imposed in file number The defendant shall be given credit for 67 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the sentence imposed above. imprisonment required for special probation set forth on AOC-CR-603C, Page Two.

SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on supervised unsupervised probation for 30 months.

- 1. The Court finds that a longer shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d). 2. The Court finds that it is NOT appropriate to delegate to the Section of Community Corrections the authority to impose any of the requirements in G.S. 15A-1343.2(e) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment. 3. This period of probation shall begin when the defendant is released from incarceration at the expiration of the sentence in the case below.

Table with columns: File No., Offense, County, Court, Date

- 4. The defendant shall comply with the conditions set forth in file number 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)

MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee, pursuant to a schedule determined by the probation officer. set out by the court as follows:

Table with columns: Costs, Fine, Restitution, Attorney's Fees, Comm Serv Fee, EHA Fee, SBM Fee, Appt Fee/Misc, Total Amount Due. Values include \$1059.50, \$0.00, \$600.00, \$250.00, \$0.00, \$0.00, \$60.00, \$1,969.50.

*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference. The Court finds just cause to waive costs, as ordered on the attached AOC-CR-618. Other: Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.



REGULAR CONDITIONS OF PROBATION - G.S. 15A-1343(b)

NOTE: Any probationary judgment may be extended pursuant to G.S. 15A-1342. The defendant shall: (1) Commit no criminal offense in any jurisdiction. (2) Possess no firearm, explosive device, or other deadly weapon listed in G.S. 14-269. (3) Remain gainfully and suitably employed or faithfully pursue a course of study or vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution. (4) Satisfy child support and family obligations, as required by the Court. If the defendant is on supervised probation, the defendant shall also: (5) Not abscond, by willfully avoiding supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer. (6) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer. (7) Report as directed by the Court or the probation officer to the officer at reasonable times and places and in a reasonable manner, permit the officer to visit at reasonable times, answer all reasonable inquiries by the officer and obtain prior approval from the officer for, and notify the officer of, any change in address or employment. (8) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment. (9) Submit at reasonable times to warrantless searches by a probation officer of the defendant's person and of the defendant's vehicle and premises while the defendant is present, for purposes directly related to the probation supervision, but the defendant may not be required to submit to any other search that would otherwise be unlawful. (10) Submit to warrantless searches by a law enforcement officer of the defendant's person and of the defendant's vehicle, upon a reasonable suspicion that the defendant is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon listed in G.S. 14-269 without written permission of the court. (11) Not use, possess, or control any illegal drug or controlled substance unless it has been prescribed for the defendant by a licensed physician and is in the original container with the prescription number affixed on it; not knowingly associate with any known or previously convicted users, possessors, or sellers of any such illegal drugs or controlled substances; and not knowingly be present at or frequent any place where such illegal drugs or controlled substances are sold, kept, or used. (12) Supply a breath, urine, or blood specimen for analysis of the possible presence of prohibited drugs or alcohol when instructed by the defendant's probation officer for purposes directly related to the probation supervision. If the results of the analysis are positive, the probationer may be required to reimburse the Division of Adult Correction for the actual costs of drug or alcohol screening and testing.

13. The Court finds that the defendant is responsible for acts of domestic violence and therefore makes the additional findings and orders on the attached AOC-CR-603C, Page Two, Side Two.

SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1)

The defendant shall also comply with the following special conditions which the Court finds are reasonably related to the defendant's rehabilitation:

14. Surrender the defendant's drivers license to the Clerk of Superior Court for transmittal/notification to the Division of Motor Vehicles and not operate a motor vehicle for a period of _____ or until relicensed by the Division of Motor Vehicles, whichever is later.

15. Successfully pass the General Education Development Test (G.E.D.) during the first _____ months of the period of probation.

16. Complete 0100 hours of community service during the first 120 days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-708 is

not due because it is assessed in a case adjudicated during the same term of court.

to be paid pursuant to the schedule set out under Monetary Conditions on the reverse. within _____ days of this Judgment and before beginning service.

17. Report for initial evaluation by _____ participate in all further evaluation, counseling, treatment, or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.

18. Not assault, threaten, harass, be found in or on the premises or workplace of, or have any contact with _____ "Contact" includes any defendant-initiated contact, direct or indirect, by any means, including, but not limited to, telephone, personal contact, e-mail, pager, gift-giving, telefacsimile machine or through any other person, except _____

19. (for offenses committed on or after December 1, 2012) Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of _____ days, _____ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.

20. Other:
NOT TO HAVE ANY DIRECT OR INDIRECT CONTACT WITH LUKE HAMPTON OR ANY MEMBER OF THE HAMPTON FAMILY. PSF STRICKEN IF PROBATION IS TRANSFERRED VA. NOT TO USE OR POSSESS ALCOHOL. HAVE A SUBSTANCE ABUSE ASSESSMENT IF DEEMED NECESSARY BY PO. COMMUNITY SERVICE TO BE DONE VOLUNTARILY IF PROBATION TRANSFERRED TO VA. (WS FEE TO BE STRICKEN IF TRANSFERRED TO VA.

21. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603C, Page Two.

ORDER OF COMMITMENT/APEAL ENTRIES

1. It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

2. The defendant gives notice of appeal from the judgment of the trial court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

SIGNATURE OF JUDGE

Date 03/16/2015	Name Of Presiding Judge (type or print) THE HONORABLE RICHARD L DOUGHTON	Signature Of Presiding Judge 
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CERTIFICATION

I certify that this Judgment and the attachment(s) marked below is a true and complete copy of the original which is on file in this case.

- | | |
|---|---|
| <input type="checkbox"/> 1. Appellate Entries (AOC-CR-350) | <input type="checkbox"/> 6. Judicial Findings As To Required DNA Sample (AOC-CR-319) |
| <input type="checkbox"/> 2. Judgment Suspending Sentence (AOC-CR-603C, Page Two) (additional conditions of probation) | <input type="checkbox"/> 7. Judicial Findings And Order For Sex Offenders - 'Suspended' Sentence (AOC-CR-615, Side Two) |
| <input type="checkbox"/> 3. Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605) | <input type="checkbox"/> 8. Convicted Sex Offender Permanent No Contact Order (AOC-CR-620) |
| <input type="checkbox"/> 4. Extraordinary Mitigation Findings (AOC-CR-606) | <input type="checkbox"/> 9. Additional File No.(s) And Offense(s) (AOC-CR-626) |
| <input type="checkbox"/> 5. Restitution Worksheet, Notice And Order (Initial Sentencing) (AOC-CR-611) | <input checked="" type="checkbox"/> 10. Other: _____ |

Date 2-23-15	Date Certified Copies Delivered To Sheriff	Signature Of Clerk 	<input type="checkbox"/> Deputy CSC <input checked="" type="checkbox"/> Assl. CSC
			<input type="checkbox"/> Clerk Of Superior Court

SEAL

Material opposite unmarked squares is to be disregarded as surplusage.