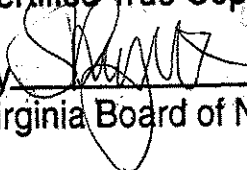


Certified True Copy

By 
Virginia Board of Nursing



RECEIVED

OCT 18 2013

VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
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

October 18, 2013

Makesha Cartina Tims Ndiaye
P.O. Box 664
Petersburg, VA 23804

RE: License No.: 0002-068703

Dear Ms. Ndiaye:

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 October 18, 2013. 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,



Arne W. Owens, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 153337

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL

DATE 10/18/13

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: MAKESHA CARTINA TIMS NDIAYE, L.P.N.
License No.: 0002-068703

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Arne W. Owens, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that Makesha Cartina Tims Ndiaye, L.P.N., was convicted of a felony charge in the Circuit Court for the County of Chesterfield, Virginia, to wit: One (1) Count of Simple Possession of Cocaine (Schedule I/II Controlled Drug). A certified copy of the Trial and Sentencing 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 Makesha Cartina Tims Ndiaye, L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Makesha Cartina Tims Ndiaye, L.P.N., will be recorded as suspended and no longer current. Should Ms. Ndiaye 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.



Arne W. Owens, Chief Deputy Director
Department of Health Professions

ENTERED: 10-18-2013



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
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

CERTIFICATION OF DUPLICATE RECORDS

I, Arne W. Owens, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Trial and Sentencing Order dated December 20, 2010, regarding Makesha Cartina Tims Ndiaye, L.P.N., is a true copy of the records received from the Circuit Court for the County of Chesterfield, Virginia.


Arne W. Owens

Date: 10-18-2013

TRIAL AND SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CHESTERFIELD

FIPS CODE: 041

Hearing Date: December 7, 2010

Judge: H. Harrison Braxton, Jr., Designate

COMMONWEALTH OF VIRGINIA

v.

MAKESHA C. TIMS, DEFENDANT

The defendant came before the Court for trial and appeared in person with counsel, James T. Maloney. The Commonwealth was represented by Melissa H. Hoy.

The parties have entered into a written plea agreement in accordance with Rule 3A:8(c).

The attorney for the Commonwealth moved the Court to amend the charge of possession of a schedule I or II controlled drug with intent to distribute, to simple possession of cocaine, which motion the Court granted.

The defendant was arraigned and pled GUILTY to the amended charge.

The attorney for the defendant stipulates to the sufficiency of the evidence.

The Court, being of the opinion that the defendant fully understood the nature and effect of the plea(s) and of the penalties that may be imposed upon conviction(s) and of the waiver of trial by jury and of appeal, proceeded to hear the evidence without a jury.

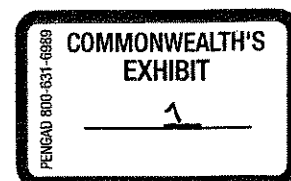
The Court, having heard the evidence and argument of counsel, and having reviewed and considered the plea agreement, finds the defendant GUILTY of the following offense(s):

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
CR10F02288-02	Simple Possession Of Cocaine (Schedule I/II Controlled Drug) (F)	01-19-10	18.2-250

The Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets, pursuant to the provisions of §19.2-298.01. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record.

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: 5 years.



The Court **SUSPENDS** the 5- year sentence, for a period of 10 years, upon the following condition(s):

Good Behavior. The defendant shall be of good behavior.

DNA testing. The defendant shall submit to DNA testing pursuant to §19.2- 310.2 of the Virginia Code (1950), as amended.

State Supervised probation. The defendant is placed on supervised probation, under the supervision of a Probation Officer, until released by the Court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer and/or Judge.

Costs. The defendant shall pay court costs, including attorney fees, if court appointed and any interest that may accrue until the balance is paid in full.

License Suspension. The Court suspends the defendant's motor vehicle operator's license for **6 months**; however, the defendant is granted a restricted operator's license to drive to and from the place of employment, to and from medical appointments for self, to and from school and medical appointments for child(children), to and from probation meetings, and to and from church.

Departure. The defendant is allowed to depart.

Court Reporter. These proceedings were reported by Crane- Snead & Associates, Inc., Court Reporters.

12/20/2010
DATE

Hank Benson
JUDGE

A COPY TESTE:
JUDY L. WORTHINGTON, CLERK
BY *A. Newson*
DEPUTY CLERK

DEFENDANT IDENTIFICATION:

Alias: *Makesha Cartina Tims*
SSN: .

DOB: [REDACTED]

Sex: Female

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: 5 years

TOTAL SENTENCE SUSPENDED: 5 years

TOTAL SENTENCE TO SERVE: 0

MWH/DIH/c: Filming/DOC/VCSC/Deft Atty
Sentencing Guideline/Revocation Report Provided

DEC 21 2010

Copied
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