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By 
Virginia Board of Nursing



RECEIVE

APR 30 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

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TEL (804) 367- 4400
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April 30, 2013

Kenneth Earl Greene
406 Word Terrace
Suffolk, VA 23434

RE: License No.: 0002-067228

Dear Mr. Greene:

CERTIFIED MAIL

DUPLICATE COPY
VIA FIRST CLASS MAIL


DATE 4/30/13

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 April 30, 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

cc: David B. Olson, Esquire
Enclosures
Case # 150163

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

**IN RE: KENNETH EARL GREENE, L.P.N.
License No.: 0002-067228**

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 Kenneth Earl Greene, L.P.N., was convicted of a felony charge in the Circuit Court for the City of Newport News, Virginia, to wit: One (1) Count of Child Cruelty. A certified copy of the 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 Kenneth Earl Greene, L.P.N., to practice nursing in the Commonwealth of Virginia be, and hereby is, suspended.

Upon entry of this Order, the license of Kenneth Earl Greene, L.P.N., will be recorded as suspended and no longer current. Should Mr. Greene 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.



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

ENTERED: 4-30-2013



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

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CERTIFICATION OF DUPLICATE RECORDS

I, Arne W. Owens, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Sentencing Order entered October 24, 2012, regarding Kenneth Earl Greene, L.P.N., is a true copy of the records received from the Circuit Court for the City of Newport News, Virginia.


Arne W. Owens

Date: 4-30-2013

VIRGINIA: In the Circuit Court for the City of Newport News,
Friday, the 19th day of October, 2012.

PRESENT: Robert W. Curran, Judge Designate. FIPS CODE: 700

Indictment No. 1053-12

Commonwealth

: Indictment for Virginia Code
40.1-103 Child Cruelty

V

Kenneth Earl Greene

: A Felony-Offense Date 02-15-12

DOB

SSN

SEX Male

This day came again the attorney for the Commonwealth, Laura Maust and Kenneth Earl Greene (hereinafter referred to as defendant), who stands indicted of a felony, to-wit: Child Cruelty (Virginia Code Section 40.1-103), who appeared according to the condition of his recognizance, and also came David Olson, defendant's attorney. Glynis Locks, Court appointed Court Reporter, was sworn to faithfully and accurately take down and transcribe the proceedings herein.

Whereupon, on August 7, 2012, the defendant pled NOT GUILTY and knowingly and voluntarily waived trial by jury with the concurrence of the attorney for the Commonwealth and of the Court. And the Court withheld findings in this matter until this date, and the Court finds the defendant GUILTY as charged in said indictment, to-wit: Child Cruelty (Virginia Code Section 40.1-103).

The Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court and his report which was previously presented to the Court was thereupon represented in open court in the presence of the defendant who had been fully advised of the contents of the report, a copy of said report having been delivered to counsel for the defendant, as provided by law.

10/30/12

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Thereupon, the defendant and his counsel were given the right to examine the Probation Officer as to any matter contained in the said report and to present any additional facts bearing upon the matter as they desired to present. The presentence report was considered and is ordered filed as a part of the record in this case in accordance with the provisions of Virginia Code Section 19.2-299.

Pursuant to the provisions of Virginia Code Section 19.2-298.01, the Court has considered and reviewed the applicable discretionary guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as 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 **Sentences** the defendant to:

Incarceration with the **Virginia Department of Corrections** for the term of three (3) years.

The Court **Suspends** two (2) years six (6) months of the three (3) year sentence, upon the following conditions:

Good behavior. The defendant shall be of good behavior for ten (10) years to commence upon his release from incarceration.

Supervised probation. The defendant is placed on probation to commence on his release from incarceration, under the supervision of a Probation Officer for five (5) years, or unless sooner released by the court. The defendant shall comply with all rules and requirements set by the Probation Officer.

The Court has no objection to the defendant reporting to begin serving the aforesaid sentence on October 26, 2012, at 6:00 PM.

Costs. The defendant shall pay the costs of this prosecution plus interest at judgment rate.

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 that he had a right to petition for an appeal to the Virginia Court of Appeals if he 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 his attorney was likewise personally present and capably represented the defendant.

Entered: 10-24-12
[Signature]
Judge Designate

Sentencing Summary:

Total Sentence Imposed: Three (3) years

Total Sentence Suspended: Two (2) years Six (6) months

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

Rex A. Davis, Clerk
By [Signature] D.C.