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VA BD OF NURSING

COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

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

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

January 26, 2009

Tamberlyn S. Russell
813 Gardner Street
Franklin, VA 23851

CERTIFIED MAIL
DUPLICATE COPY
VIA FIRST CLASS MAIL
DATE 1/26/09

RE: Certificate No.: 1401-060092

Dear Ms. Russell:

Pursuant to Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), you are hereby given notice that your certification to practice as a certified nurse aide in the Commonwealth of Virginia has been mandatorily suspended by the enclosed Order entered January 26, 2009. 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 certificate 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 certificate, 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 certificate 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 certificate, contact Jay P. Douglas, Executive Director, at the above address or (804) 367-4639.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily O. Wingfield".

Emily O. Wingfield, Chief Deputy Director
Department of Health Professions

Enclosures
Case # 122366

VIRGINIA:

BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS

IN RE: TAMBERLYN S. RUSSELL, C.N.A.
Certificate No.: 1401-060092

ORDER

In accordance with Section 54.1-2409 of the Code of Virginia (1950), as amended, ("Code"), I, Emily O. Wingfield, Chief Deputy Director of the Virginia Department of Health Professions, received and acted upon evidence that:

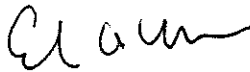
1. Tamberlyn S. Russell, C.N.A., was convicted of a felony charge in the Circuit Court of the County of Southampton for the Commonwealth of Virginia, on or about October 7, 1998, to wit: One (1) Count of Forge Legal Document. A certified copy of the Sentencing Order (with attachments) is attached to this Order and is marked as Commonwealth's Exhibit No. 1.
2. Tamberlyn S. Russell, C.N.A., was convicted of felony charges in the Circuit Court of the County of Southampton for the Commonwealth of Virginia, on or about December 17, 1999, to wit:
 - 1) Two (2) Counts of Possession of Cocaine;
 - 2) One (1) Count of Forgery; and
 - 3) One (1) Count of Utter.

Certified copies of the Sentencing Orders are attached to this Order and are marked as Commonwealth's Exhibit No. 2.

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 certificate of Tamberlyn S. Russell, C.N.A., to practice as a Certified Nurse Aide in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order, the certificate of Tamberlyn S. Russell, C.N.A., will be recorded as suspended and no longer current. Should Ms. Russell seek reinstatement of her certificate 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 certificate prior to issuance of her certificate 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.



Emily O. Wingfield, Chief Deputy Director
Department of Health Professions

ENTERED: 2/26/09



COMMONWEALTH of VIRGINIA

Department of Health Professions

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

Sandra Whitley Ryals
Director

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

CERTIFICATION OF DUPLICATE RECORDS

I, Emily O. Wingfield, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Sentencing Order (with attachments) dated October 7, 1998, regarding Tamberlyn S. Russell, C.N.A., are true copies of the records received from the Circuit Court of the County of Southampton, Virginia.

Emily O. Wingfield

Date: 1/26/09

Emily O. Wingfield

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON TUESDAY,
THE 29TH DAY OF SEPTEMBER, NINETEEN HUNDRED AND NINETY-EIGHT

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE WESTBROOK J. PARKER, JUDGE

COMMONWEALTH OF VIRGINIA

v. #98-293

Tamberlyn Starr Russell, DEFENDANT

DEFENDANT IDENTIFICATION:

Alias:

Race: BLACK Sex: FEMALE

SSN: -- 257-1500 DOB:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
98-293	Forge Legal Document (F)	01/01/98	18.2-168

ATTORNEY FOR THE COMMONWEALTH: Richard C. Grizzard
ATTORNEY FOR THE DEFENDANT: H. Taylor Williams, IV

SENTENCING ORDER

This case came before the Court for sentencing of the defendant, who appeared according to the conditions of her recognizance.

On the 25th day of August, 1998 the defendant was found guilty of Forge Legal Document.

And the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, which report he presented to the Court in open court in the presence of the defendant who was fully advised of the contents of the report and a copy of said report was also delivered to counsel for the accused.

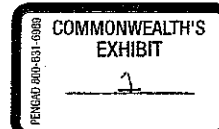
The defendant and her counsel were given the right to cross-examine the Probation Officer as to any matter contained the report and to present any additional facts bearing upon the matter as they desired to present. The pre-sentence report was considered and is ordered filed as a part of the record in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

Pursuant to the provisions of Virginia Code § 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.

And it being demanded of the defendant if anything for himself he had or knew to say why judgment should not be pronounced against him according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court SUSPENDS Five (5) years upon the following condition(s):



Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for **Five (5) years**, upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court.

The Court doth **Order** that the defendant shall complete **Ninety (90) days of community service** under the supervision of the Probation Officer of this Court and that she enroll into and successfully complete a **Driving Improvement Course** at the discretion of the Probation Officer of this Court.

Costs. The defendant shall pay costs of **\$344.02**. The Court further **ORDERED** that costs shall be paid in full within **Six (6) months** from Today's date, and that the Probation Officer of this Court shall set up a payment schedule for the defendant to pay costs in full.

And it is further **ORDERED** that pursuant to Section 19.2-310.3 of the Code of Virginia, the defendant shall have a sample of her blood taken for analysis and the defendant shall report to the Probation Officer of this Court today so arrangements can be made for the defendant to report to the Sheriff for the withdrawal of the sample in accordance with the procedures set forth in Article 1.1 of Chapter 18 of Title 19.2 of the Code of Virginia.

After pronouncing sentence, the Court advised the defendant of her right to petition for an appeal to the Court of Appeals of Virginia.

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

And the defendant is allowed to depart.

October 7th 1998
DATE

ENTER:

Weston R. P...
JUDGE

SENTENCING SUMMARY FOR CASE #98-293

SENTENCE IMPOSED: Five (5) years

SENTENCE SUSPENDED: Five (5) years

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

Richard Francis, Clerk DC
Southampton Circuit Court

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY,
THE 9TH DAY OF DECEMBER, NINETEEN HUNDRED AND NINETY-NINE
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE E. EVERETT BAGNELL, JUDGE

COMMONWEALTH OF VIRGINIA

v. #98-293 (#9591)

TAMBERLYN S. RUSSELL, DEFENDANT

DEFENDANT IDENTIFICATION:

Alias: TAMBERLYN R. HUCKS
Race: BLACK Sex: FEMALE
SSN: DOB:

CASE NUMBER	ORIGINAL OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
98-293	FORGE LEGAL DOCUMENT (F)	1/1/98	18.2-168

ATTORNEY FOR THE COMMONWEALTH: E. A. COOKE
ATTORNEY FOR THE DEFENDANT: S. C. WORRELL, JR. (APPOINTED)

REVOCATION ORDER

This day came the defendant, who was led to the bar in the custody of the jailer of this Court, in answer to a CAPIAS to show cause if any he can why her Five (5) years suspended sentence should not be revoked for failure to abide by an Order of this Court on the 29th day of September, 1998, to-wit: Violation of Probation.

It appearing to the Court that the Honorable Westbrook J. Parker, Judge, was the hearer and trier of the facts in this case, and that the Honorable Westbrook J. Parker, Judge is not present today. Thereupon the defendant by counsel waives the appearance of the Honorable Westbrook J. Parker, Judge, and requests to be sentenced today by the Honorable E. Everett Bagnell, Judge.

And the Court received and considered the evidence of the Attorney for the Commonwealth and the Probation Officer in open court in the presence of the defendant. The defendant and his counsel were given the right to cross-examine fully the Probation Officer and to present any additional facts bearing upon the matter as they desired to present.

The Court, after taking into consideration all the evidence in the case and the argument of counsel, finds the defendant Guilty of Violation of Probation; the Court doth ADJUDGE AND ORDER that the Five (5) years suspended sentence is hereby revoked.

And it being demanded of the defendant if anything for himself he had or knew to say why judgment should not be pronounced against him according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court RE-SUSPENDS Five (5) years upon the following condition(s):

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY, THE 11TH DAY OF DECEMBER, TWO THOUSAND THREE

FEDERAL INFORMATION PROCESSING STANDARDS CODE: 175

HONORABLE WESTBROOK J. PARKER, JUDGE

COMMONWEALTH OF VIRGINIA

v. #98-293 (#9591)

TAMBERLYN STARR RUSSELL, DEFENDANT

DEFENDANT IDENTIFICATION:

Alias: TAMBERLYN RUSSELL HUCKS
Race: BLACK Sex: FEMALE
SSN: DOB: -----

Table with 4 columns: CASE NUMBER, ORIGINAL OFFENSE DESCRIPTION AND INDICATOR (F/M), OFFENSE DATE, VA. CODE SECTION. Row 1: 98-293, FORGE LEGAL DOCUMENT (F), 01/01/98, 18.2-168

ATTORNEY FOR THE COMMONWEALTH: R. C. GRIZZARD
ATTORNEY FOR THE DEFENDANT: P. L. BALES (APPOINTED)

REVOCATION ORDER

This day came the defendant, who appeared according to the conditions of her recognizance, in answer to a Capias to show cause if any she can why her Five (5) years suspended sentence should not be revoked for failure to abide by an Order of this Court on the 9th day of December, 1999, to-wit: Violation of Probation.

It appearing to the Court that on the 12th day of August, 2003, the Court heard the evidence in this case and took this matter under advisement until today's date upon the conditions that the defendant remain on supervised probation, that her probation be transferred to District #42, that she comply with the rules and requirements of probation, that she reside at 813 Gardner Street, Franklin, Virginia, that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court and that she enroll into and successfully complete any substance abuse treatment program deemed necessary by the Probation Officer of this Court. It further appearing to the Court that the defendant has complied with the aforementioned conditions pursuant to a letter herein filed from Probation Officer M. Mason.

The Court, after taking into consideration all the evidence in the case and the argument of counsel, finds the defendant Guilty of Violation of Probation; the Court doth ADJUDGE AND ORDER that the Five (5) years suspended sentence is hereby revoked.

And it being demanded of the defendant if anything for herself she had or knew to say why judgment should not be pronounced against her according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court RE-SUSPENDS Five (5) years upon the following condition(s):

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for Five (5) years upon release upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court, that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court, and that she enroll into and successfully complete any drug treatment program deemed necessary by the Probation Officer of this Court. The Court further ORDERED that within Eighteen (18) months upon release from incarceration the defendant shall complete the remaining Five Hundred Fifty-two (552) hours of community service as ordered on the 29th day of September, 1998.

Costs. The defendant shall pay costs of \$131.00. The Court further ORDERED that the Probation Officer of this Court shall set up a payment schedule for the defendant to pay costs in full.

And the defendant is remanded to jail on another charge.

December 17, 1999 ENTER: Christine Bayne
DATE JUDGE

SENTENCING SUMMARY FOR CASE #98-293:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

I certify that the document to which this authentication is affixed is a true copy of a record in the files of the Circuit Court. That I have custody of the record and that I am custodian of that record.
Richard Francis, Clerk
M. Cross DC
Southampton Circuit Court

Court for an Indefinite period of time upon the conditions that the defendant continue to cooperate with the Probation Officer of this Court, that she comply with all rules and requirements as set forth by the Probation Officer of this Court, that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court and that she enroll into and successfully complete any substance abuse treatment program deemed necessary by the Probation Officer of this Court.

Costs. The defendant shall pay costs of \$558.00. The Court further ORDERED that the Probation Officer of this Court shall set up a payment schedule for the defendant to pay costs in full.

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

And the defendant is allowed to depart.

DECEMBER 19, 2003 ENTER: Westgate
DATE JUDGE

SENTENCING SUMMARY FOR CASE #98B-293:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

I certify that the document to which this authentication is attached is a true copy of a record in the Southern District of Virginia Circuit Court. That I have the custody of the record and that it is a true and correct copy of the original.

M. Cross
Clerk
Southern District of Virginia Circuit Court



COMMONWEALTH of VIRGINIA

Sandra Whitley Ryals
Director

Department of Health Professions

Palmetto Center
9960 Mayland Drive, Suite 300
Richmond, Virginia 23233-1463

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

CERTIFICATION OF DUPLICATE RECORDS

I, Emily O. Wingfield, Chief Deputy Director of the Department of Health Professions, hereby certify that the attached Sentencing Orders dated December 17, 1999, regarding Tamberlyn S. Russell, C.N.A., are true copies of the records received from the Circuit Court of the County of Southampton, Virginia.

E.O. Wingfield

Date: 1/24/09

Emily O. Wingfield

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY,
THE 9TH DAY OF DECEMBER, NINETEEN HUNDRED AND NINETY-NINE
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE E. EVERETT BAGNELL, JUDGE

COMMONWEALTH OF VIRGINIA

v. #99-476

TAMBERLYN RUSSELL HUCKS, DEFENDANT

DEFENDANT IDENTIFICATION:

Race: BLACK Sex: FEMALE
SSN: DOB:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
99-476	POSSESS COCAINE (F)	5/28/99	18.2-250 (A)

ATTORNEY FOR THE COMMONWEALTH: E. A. COOKE
ATTORNEY FOR THE DEFENDANT: S. C. WORRELL, JR. (APPOINTED)

SENTENCING ORDER

This case came before the Court for sentencing of the defendant, who was led to the bar in the custody of the jailer of this Court.

On the 20th day of October, 1999 the defendant was found guilty of Possess Cocaine.

And the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, which report he presented to the Court in open court in the presence of the defendant who was fully advised of the contents of the report and a copy of said report was also delivered to counsel for the accused

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

Pursuant to the provisions of Virginia Code § 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.

And it being demanded of the defendant if anything for herself she had or knew to say why judgment should not be pronounced against her according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court SUSPENDS Five (5) years upon the following condition(s):

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for **Five (5)** years upon release, upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court; that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court, that she enroll into and successfully complete any drug treatment program deemed necessary by the Probation Officer of this Court and that her motor vehicle operator's license is hereby suspended for **Six (6)** months.

Costs. The defendant shall pay costs in case #99-475.

And it is further **ORDERED** that pursuant to Section 19.2-310.3 of the Code of Virginia, the defendant shall have a sample of her blood taken for analysis in accordance with the procedures set forth in Article 1.1 of Chapter 18 of Title 19.2 of the Code of Virginia.

And the defendant is remanded to jail on another jail.

December 17th, 1999
DATE

ENTER: 
JUDGE


SENTENCING SUMMARY FOR CASE #99-476:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

I certify that the document to which this authentication is affixed is a true copy of a record in the custody of the records administrator of the records and information division of

Richard Francis, Clerk


Southampton Circuit Court

DC

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY,
THE 9TH DAY OF DECEMBER, NINETEEN HUNDRED AND NINETY-NINE
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE E. EVERETT BAGNELL, JUDGE

COMMONWEALTH OF VIRGINIA

v. #99-478

TAMBERLYN RUSSELL HUCKS, DEFENDANT

DEFENDANT IDENTIFICATION:

Race: BLACK Sex: FEMALE
SSN: DOB:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
99-478	FORGERY (F)	5/28/99	18.2-172

ATTORNEY FOR THE COMMONWEALTH: E. A. COOKE
ATTORNEY FOR THE DEFENDANT: S. C. WORRELL, JR. (APPOINTED)

SENTENCING ORDER

This case came before the Court for sentencing of the defendant, who was led to the bar in the custody of the jailer of this Court.

On the 20th day of October, 1999 the defendant was found guilty of Forgery.

And the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, which report he presented to the Court in open court in the presence of the defendant who was fully advised of the contents of the report and a copy of said report was also delivered to counsel for the accused

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

Pursuant to the provisions of Virginia Code § 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.

And it being demanded of the defendant if anything for herself she had or knew to say why judgment should not be pronounced against her according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court SUSPENDS Five (5) years upon the following condition(s):

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for **Five (5)** years upon release, upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court; that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court, and that she enroll into and successfully complete any drug treatment program deemed necessary by the Probation Officer of this Court.

Costs. The defendant shall pay costs in case #99-475.

And it is further **ORDERED** that pursuant to Section 19.2-310.3 of the Code of Virginia, the defendant shall have a sample of her blood taken for analysis in accordance with the procedures set forth in Article 1.1 of Chapter 18 of Title 19.2 of the Code of Virginia.

And the defendant is remanded to jail on another jail.

December 17th, 1999
DATE

ENTER *Stuart H. Payne*
JUDGE

SENTENCING SUMMARY FOR CASE #99-478:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

I certify that the document to which this authentication is affixed is a true copy of a record in the custody of the record and information custodian of

Richard Francis Clerk
Southampton Circuit Court DC

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY,
THE 9TH DAY OF DECEMBER, NINETEEN HUNDRED AND NINETY-NINE

FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE E. EVERETT BAGNELL, JUDGE

COMMONWEALTH OF VIRGINIA

v. #99-479

TAMBERLYN RUSSELL HUCKS, DEFENDANT

DEFENDANT IDENTIFICATION:

Race: BLACK Sex: FEMALE
SSN: 25-1908 DOB: 5

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
99-479	UTTER (F)	5/28/99	18.2-172

ATTORNEY FOR THE COMMONWEALTH: E. A. COOKE
ATTORNEY FOR THE DEFENDANT: S. C. WORRELL, JR. (APPOINTED)

SENTENCING ORDER

This case came before the Court for sentencing of the defendant, who was led to the bar in the custody of the jailer of this Court.

On the 20th day of October, 1999 the defendant was found guilty of Utter.

And the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, which report he presented to the Court in open court in the presence of the defendant who was fully advised of the contents of the report and a copy of said report was also delivered to counsel for the accused

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

Pursuant to the provisions of Virginia Code § 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.

And it being demanded of the defendant if anything for herself she had or knew to say why judgment should not be pronounced against her according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court SUSPENDS Five (5) years upon the following condition(s):

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for **Five (5)** years upon release, upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court; that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court, and that she enroll into and successfully complete any drug treatment program deemed necessary by the Probation Officer of this Court.

Costs. The defendant shall pay costs in case #99-475.

And it is further **ORDERED** that pursuant to Section 19.2-310.3 of the Code of Virginia, the defendant shall have a sample of her blood taken for analysis in accordance with the procedures set forth in Article 1.1 of Chapter 18 of Title 19.2 of the Code of Virginia.

And the defendant is remanded to jail on another jail.

December 17th, 1999
DATE

ENTER: *Grant H. Baynell*
JUDGE

SENTENCING SUMMARY FOR CASE #99-479:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

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

Richard Francis, Clerk

Richard Francis DC
Southampton Circuit Court

VIRGINIA: IN THE CIRCUIT COURT OF SOUTHAMPTON COUNTY ON THURSDAY,
THE 9TH DAY OF DECEMBER, NINETEEN HUNDRED AND NINETY-NINE
FEDERAL INFORMATION PROCESSING
STANDARDS CODE: 175

HONORABLE E. EVERETT BAGNELL, JUDGE

COMMONWEALTH OF VIRGINIA

v. #99-475

TAMBERLYN RUSSELL HUCKS, DEFENDANT

DEFENDANT IDENTIFICATION:

Race: BLACK Sex: FEMALE
SSN: DOB: 11/11/75

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION
99-475	POSSESS COCAINE (F)	2/11/99	18.2-250 (A)

ATTORNEY FOR THE COMMONWEALTH: E. A. COOKE
ATTORNEY FOR THE DEFENDANT: S. C. WORRELL, JR. (APPOINTED)

SENTENCING ORDER

This case came before the Court for sentencing of the defendant, who was led to the bar in the custody of the jailer of this Court.

On the 20th day of October, 1999 the defendant was found guilty of Possess Cocaine.

And the Probation Officer of this Court, to whom this case has been previously referred for investigation, appeared in open court with a written report, which report he presented to the Court in open court in the presence of the defendant who was fully advised of the contents of the report and a copy of said report was also delivered to counsel for the accused

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

Pursuant to the provisions of Virginia Code § 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.

And it being demanded of the defendant if anything for herself she had or knew to say why judgment should not be pronounced against her according to law, and nothing being offered or alleged in delay of judgment, accordingly it is the judgment of this Court to sentence the defendant as follows:

The Court SENTENCES the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: Five (5) years, which sentence the Court SUSPENDS Five (5) years upon the following condition(s):



Community-based Corrections System Program. The Court doth ORDER that the defendant shall enroll into and successfully complete the Detention Center Program. If the defendant is not accepted into said program, or if she does not enroll into and successfully complete said program, she shall be brought back before the Court for re-sentencing. The Court further ORDERED that the defendant shall remain in jail until transported to the Detention Center Program.

Supervised probation. The defendant shall be placed on supervised probation under the supervision of the Probation Officer of this Court for Five (5) years upon release, upon the conditions that the defendant shall comply with all rules and requirements as set forth by the Probation Officer of this Court; that she remain drug-free, that she submit to random drug screenings at the discretion of the Probation Officer of this Court, that she enroll into and successfully complete any drug treatment program deemed necessary by the Probation Officer of this Court and that her motor vehicle operator's license is hereby suspended for Six (6) months.

Costs. The defendant shall pay costs of \$3,252.60 for cases #99-475, #99-476, #99-478 and #99-479. The Court further ORDERED that costs shall be paid in full and that the Probation Officer of this Court shall set up a payment schedule for the defendant to pay costs in full.

And it is further ORDERED that pursuant to Section 19.2-310.3 of the Code of Virginia, the defendant shall have a sample of her blood taken for analysis in accordance with the procedures set forth in Article 1.1 of Chapter 18 of Title 19.2 of the Code of Virginia.

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

This sentence shall run consecutively with all other sentences.

And the defendant is remanded to jail.

December 17, 1999 ENTER Christy D. Daniel JUDGE
DATE

SENTENCING SUMMARY FOR CASE #99-475:

SENTENCE IMPOSED: FIVE (5) YEARS

SENTENCE SUSPENDED: FIVE (5) YEARS

DETENTION CENTER PROGRAM

I certify that the document to which this authentication is affixed is a true copy of a record in the custody of the records custodian of

Richard [Signature], Clerk
Southampton Circuit Court DC