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VA BD 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

March 13, 2014

Joanna Kathleen Olarte Riley  
3490 Woodburne Drive  
Virginia Beach, VA 23452

**CERTIFIED MAIL**

**DUPLICATE COPY  
VIA FIRST CLASS MAIL**

RE: Certificate No.: 1401-158970

**DATE 3 13 14**

Dear Ms. Riley:

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 March 13, 2014. 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 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 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 of the Board of Nursing present at the hearing.

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,

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

Enclosures  
Case #153121

**VIRGINIA:**

**BEFORE THE DEPARTMENT OF HEALTH PROFESSIONS**

**IN RE: JOANNA KATHLEEN OLARTE RILEY, C.N.A.**  
**Certificate No.: 1401-158970**

**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 Joanna Kathleen Olarte Riley, C.N.A., was convicted of felony charges in the Circuit Court of the City of Virginia Beach, Virginia, to wit: Two (2) Counts of Grand Larceny. A certified copy of the Sentencing Order is attached to this Order and 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 certificate of Joana Kathleen Olarte Riley, 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 Joanna Kathleen Olarte Riley, C.N.A., will be recorded as suspended. Should Ms. Riley 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.



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

ENTERED: 3/19/14  
OB



# COMMONWEALTH of VIRGINIA

David E. Brown, D.C.  
Director


## *Department of Health Professions*

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

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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 Sentencing Order entered January 24, 2014, regarding Joanna Kathleen Olarte Riley, C.N.A., are true copies of the records received from the Circuit Court of the City of Virginia Beach, Virginia.

  
\_\_\_\_\_  
David E. Brown, D.C.

Date: 3/13/14

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

HEARING DATE: JANUARY 21, 2014

JUDGE: O'BRIEN

COMMONWEALTH OF VIRGINIA

VS

CASE NO. CR13-4369

JOANNE KATHLEEN OLARTE RILEY, DEFENDANT

SENTENCING ORDER

ATTORNEY FOR THE COMMONWEALTH: S. Chandler

ATTORNEY FOR THE DEFENDANT: A. Miller

COURT REPORTER: Ronald Graham and Associates, Inc.

The defendant was present and represented by counsel.

Upon the defendant's GUILTY PLEA and the stipulated evidence, the Court found the defendant GUILTY of the following offense(s):

<u>OFFENSE DESCRIPTION</u>	<u>OFFENSE DATE</u>	<u>CODE SECTION</u>	<u>VA. CRIME CODE REFERENCE</u>
Grand Larceny (2 counts)	08/08/2013; 09/17/2013	18.2-95, 18.2-10	LAR-2359-F9

Pursuant to the provisions of Code § 19.2-298.01 the applicable discretionary sentencing guidelines and the guidelines worksheets were reviewed and considered by the Court and are ordered filed as part of the record.

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.

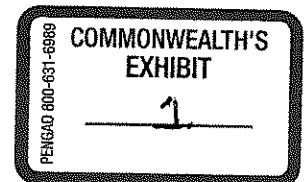
The Court SENTENCES the defendant to:

Incarceration in the Virginia Department of Corrections for the term of: 3 years on each count of Grand Larceny (2 counts).

The total sentence imposed is 6 years.

The Court SUSPENDS the execution of all of the above sentence on the following condition(s):

1. **Good Behavior.** The defendant shall be of good behavior for 6 years.
2. **Community Service.** The defendant shall perform 100 hours of community service within 1 year.



**Restitution.** Restitution shall be paid in accordance with the terms and conditions of the Restitution order entered by the Court.

**Costs.** The defendant shall pay costs pursuant to statute.

ENTER: 1/24/14

JUDGE: Edward W. Hanson

DEFENDANT IDENTIFICATION:  
SSN: 4  
DOB: 01/04/1989  
SEX: F

CLERK: BL/dh

CERTIFIED TO BE A TRUE COPY  
OF RECORD IN MY CUSTODY  
TINA E. SINNEN, CLERK  
CIRCUIT COURT, VIRGINIA BEACH, VA  
BY Stephanie Manio  
DEPUTY CLERK

Virginia:

IN THE CIRCUIT COURT OF THE CITY OF VIRGINIA BEACH

Commonwealth of Virginia,  
Plaintiff

v.

Docket #: CR13-4369

Joanna Kathleen Olarte Riley,  
Defendant

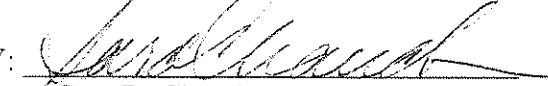
Stipulation Of Facts

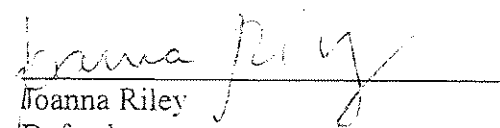
The Commonwealth's evidence would show that during the months of August and September of 2013, the defendant worked as a home healthcare provider assisting Gail Mottola care for her dying husband. During this time, Mrs. Mottola noticed \$200 cash missing from her wallet. Initially unsure what had happened to the money, Mrs. Mottola noticed approximately \$180-\$200 more missing the following week. She was certain that she had not spent that money and began to suspect the defendant, who had been in the home both times the money had gone missing. She also noticed that various pieces of jewelry went missing during these times. On the next occasion that the defendant was coming to her home, Mrs. Mottola placed five \$20 bills and several ones in her wallet after photographing them, put her wallet in its usual place, and then left the home as usual when the defendant arrived for work. When Mrs. Mottola returned home, the twenty-dollar bills were gone. When confronted with the thefts, the defendant initially denied involvement, but then acknowledged stealing money on two occasions. The defendant denied she took as much as Mrs. Mottola found missing. The defendant then acknowledged taking cash on multiple occasions and finally admitted to stealing jewelry, too. Some of the jewelry she pawned and some she still had at her home. Some of the stolen jewelry was able to be recovered. Please see the defendant's attached statement.

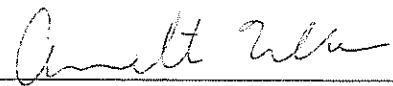
WE AGREE THAT THIS WOULD BE THE COMMONWEALTH'S EVIDENCE.


OFFICE OF THE  
COMMONWEALTH'S  
ATTORNEY  
2425 NIMMO PARKWAY  
VIRGINIA BEACH, VIRGINIA  
23456-9050  
(757) 385-4401

~~HARVEY L. BRYANT  
COMMONWEALTH'S ATTORNEY~~

BY:   
Sara R. Chandler  
Attorney for the Commonwealth

  
Joanna Riley  
Defendant

  
Annette Miller  
Attorney for the Defendant

CERTIFIED TO BE A TRUE COPY  
OF RECORD IN MY CUSTODY  
TINA E. SINNEN, CLERK  
CIRCUIT COURT, VIRGINIA BEACH, VA  
BY   
DEPUTY CLERK  
OCA File Number: VAB13-7147