

- 1 2. At the time of the massage, T.C. carried a wallet with her Driver's License, a debit
2 card, a corporate credit card, and a personal credit card with her.
- 3 3. On or about July 22, 2023, at 8:26 p.m., T.C. received an alert for an attempted
4 charge of \$6,499 on her debit card, by Charged Cycle Works ("CCW"). Immediately
5 after, a \$1,000 charge was posted on T.C.'s debit card.
- 6 4. T.C. turned off her debit card after thirteen (13) attempted charges were denied
7 over the next 30 minutes, in a total amount of appropriately \$5,0000.
- 8 5. On or about July 24, 2023, T.C. received a phone call from the fraud department
9 for her corporate credit card, due to a suspicious charge of \$6.499, by CCW, and
10 other ten (10) additional suspicious charges denied to various online retainers. T.C.
11 then closed her corporate credit card.
- 12 6. On July 27, 2024, T.C. received a phone call from the fraud department for her
13 personal credit card, inquiring about a \$1,200 charge to CCW, a \$785 charge to
14 NoBull, and another approximately twelve (12) charges to various retailers.
- 15 7. On July 27, 2024, T.C. received a phone call from DJ Osbourne ("DJ"), the owner of
16 CCW because he was concerned about an online order.
- 17 8. DJ confirmed that T.C. did not place an order with CCW, and concluded that
18 someone had taken pictures of T.C.'s Driver's License, debit card, and credit cards.
- 19 9. DJ then provided T.C. with the phone number, email address, and delivery address
20 for the electric bicycle that the person had placed the order on.
- 21 10. Based on the information, T.C. looked up the County Tax Records and confirmed
22 that the shipping address is associated with Respondent.
- 23 11. T.C. subsequently reported this incident to the management at Elements Spa and
24 Salon, filed a complaint with the Massage Board, and a police report with the
25 Metro Police Department.
- 26 12. On November 1, 2023, Respondent was taken into custody.

1 13. Police Officers conducted a recorded interview. Respondent admitted that he was
2 under monetary stress and wanted to buy the items so that he could sell them.
3 Respondent also apologized for his actions and realized he had made a mistake.
4

5 **VIOLATIONS OF LAW**

6 **COUNT ONE**

7 14. By using T.C.'s Driver's License, debit card, and credit cards to make online
8 purchases, Respondent violated the provisions of NRS 640C.700(4) and/or (9) This
9 is grounds for discipline pursuant to NRS 640C.700(2).
10

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Executive Director, Elisabeth Barnard, prays as follows:

- 13 1. That the Board conduct a hearing on this complaint as provided by statute, and
14 after such hearing, that the Board impose upon Respondent the discipline
15 permitted by NRS 640C.710, which may include the following, (a) the imposition
16 of an administrative fine of not more than \$5,000.00 per violation, (b) recovery of
17 reasonable investigative fees and costs incurred, (c) recovery of attorney fees
18 pursuant to NRS 622.400, (d) licensee be publicly reprimanded, (e) suspend, revoke
19 or place conditions on the licensee's license, (f) place the licensee on probation,
20 and/or (g) such other impositions as may be permitted by Nevada law.

21 PLEASE TAKE NOTICE that a disciplinary hearing has been set to consider this
22 Administrative Complaint against the above-named Respondent in accordance with
23 Chapters 233B, 622, 622A and 640C of the Nevada Revised Statutes.

24 THE HEARING WILL TAKE PLACE on Wednesday, March 20, 2024,
25 commencing at 9:00 a.m. or as soon thereafter as the Board is able to hear the matter
26 with video conferencing by Zoom or by appearing in person.

27 Zoom sign-in available at 8:30 a.m.

28 Register in advance:

<https://us06web.zoom.us/j/83570986231?pwd=zJv2aY3VR2oVwCdhbnsqZ74rimro5w.1>

1 Meeting ID: 835 7098 6231

2 Password: 201609

3 Dial by your location

4 +1 253 215 8782 US (Tacoma)

5 +1 346 248 7799 US (Houston)

6 +1 669 900 6833 US (San Jose)

7 +1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

8 Physical Location: 1755 East Plumb Lane, Suite 254, Reno, Nevada 89502

9 PURSUANT TO NRS 622A.320, Respondent may, but is not required to, file an
10 answer to this Complaint with the Board.

11 PURSUANT TO NRS 622A.330, Respondent may seek limited discovery from the
12 Board.

13 As the Respondents, you are specifically informed that you have the right to appear
14 and be heard in your defense, either personally or through counsel of your choice. You
15 have the right to respond and to present relevant evidence and argument on all issues
16 involved. You have the right to call and examine witnesses, introduce exhibits, and cross-
17 examine opposing witnesses on any matter relevant to the issues involved.

18 You have the right to request that the Board issue subpoenas to compel witnesses
19 to testify and/or evidence to be offered on your behalf. In making this request, you may be
20 required to demonstrate the relevancy of the witnesses' testimony and/or evidence.

21 The purpose of the hearing is to determine if the Respondent has violated the
22 provisions of Chapter 640C of NRS and if the allegations contained herein are
23 substantially proven by the evidence presented to further determine what administrative
24 penalty is to be assessed against the Respondent, if any, pursuant to NRS 640C.710.

25 Should the Respondent fail to appear at the hearing, a decision may still be reached
26 by the Board. As the Respondent, you are further advised that you may be charged with
27 the attorney's fees and/or costs associated with the hearing pursuant to NRS 622.400.

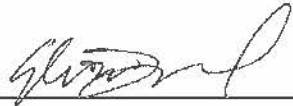
28 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by
stipulation, agreed settlement, consent order, or default. Any attempt to negotiate this

1 case should be made by contacting Elisabeth Barnard, (775) 687-9951 or
2 ebarnard@lmt.nv.gov.

3 Pursuant to NRS 241.033(2)(b), the Nevada State Board of Massage Therapy may,
4 without further notice, take administrative action against your license and/or certificate
5 to practice within the State of Nevada if the Board determines that such administrative
6 action is warranted after considering your character, alleged misconduct, professional
7 competence, or physical or mental health.

8 Dated this 23rd day of February, 2024.

9
10 **NEVADA STATE BOARD OF MASSAGE THERAPY**

11 

12
13 ELISABETH BARNARD, Executive Director

14
15 **CERTIFICATE OF SERVICE**

16 I HEREBY CERTIFY that on 2/23/2024, I deposited for mailing at Reno, Nevada,
17 via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of
18 the foregoing **COMPLAINT AND NOTICE OF HEARING**, properly addressed as
19 follows:
20
21

22
23 Carlos Miguel M. Palma
24 2713 Cedar Bird Dr.
25 North las Vegas, NV 89084

26 9489 0090 0027 6454 7059 79

27 NEVADA STATE BOARD OF MASSAGE THERAPY

28 
Employee