

NEVADA STATE BOARD OF MASSAGE THERAPY

AGENDA ACTION SHEET

TITLE: Application Review (Education and Administrative)

MEETING DATE: January 12, 2022

APPLICANT: Chunling Wu

REVIEW UNDER: NRS 640C.700

BACKGROUND INFORMATION:

Ms. Wu's massage application is before you today for review that could not be approved administratively. Ms. Wu was arrested on April 9, 2004, for prostitution by Dallas Police Department; arrested on June 8, 2013, for prostitution by Los Angeles Police Department. Ms. Wu failed to disclose she attended American International Vocational College in Monterey Park, California. Ms. Wu failed to answer section 3 and 6 of the application appropriately. Ms. Wu is requesting to be granted a license under NRS 640C.580 and is before you today for review under NRS 640C.700.

ACTION:

Approved

Probation – NRS 640C.700(1)(2)(4)(9)a

Denied – NRS 640C.700(1)(2)(4)(9)a

Tabled

PROBATION CONDITIONS: Per NRS 640C.710 Options for Respondent:

<input type="checkbox"/> A. Report all contact with law enforcement personnel within 48 hours after such contact occurs.	<input type="checkbox"/> B. Refrain from providing outcall services.
<input type="checkbox"/> C. Submit employment offers to the staff of the Board for review and approval.	<input type="checkbox"/> D. Submit to a random drug test at respondent's expense.
<input type="checkbox"/> E. Complete an ethics course of _____ CEU hours within 90 calendar days of licensure.	<input type="checkbox"/> F. Submit to the Board a complete set of Fingerprints bi-annually/annually at licensee's expense.
<input type="checkbox"/> G. Take any other action that the Board deems appropriate -	

Required for Respondent:

Cooperate fully with Board staff to administrate term of probation.	Responsible for all administrative fees incurred by the Board as a result of their probation compliance
Attend Probation Orientation	Comply with all laws governing massage therapy
Notify any change in address, phone number, establishment or employment to the Board office within 10 calendar days per NAC.640C.085(3)	Take any combination of the actions set forth in paragraphs (a) through (g), inclusive.

Board Meeting Application review: Chunling Wu:

10/08/2021 - Received written statement with exhibits from Ms. Wu through retained attorney. Exhibit 1 and 2 were omitted from packet as they were identification and naturalization certificate.

**06/28/2013:** Arrested by Los Angeles Police Department for prostitution

No written narrative from Los Angeles Police Department as of 12/13/2021.

- ❖ Background indicates Ms. Wu's prostitution charge was dismissed and plead down to local ordinance violation and was to serve two years' probation with restitution.
- ❖ See page 2 of written narrative from Attorney regarding arrest. Exhibit 4 also includes Los Angeles Municipal Code for not having a business license for massage business.
- ❖ Ms. Wu does not possess a California certificate to practice massage.

**04/09/2004:** Arrested by Dallas Police Department for prostitution.

No written narrative from Dallas Police Department as of 12/13/2021.

- ❖ Background indicates on 3/17/2005, Ms. Wu was convicted with 90-day jail, 12-month probation and fines/fess of \$400.00.
- ❖ Documents indicate Ms. Wu was working in an outcall setting.
- ❖ Ms. Wu was not licensed in Texas until March of 2017.

Listed American International Vocational College in Monterey Park, CA -- used this school to take FSMTB (MBLEx) exam on 05/07/2013. School is not open or active today.

Not certified in CA

Not licensed in WA, OR, FL

Licensing period in TX was March 22, 2017 until revocation in August of 2021.

**NRS 640C.700 Grounds for refusal to issue license or for disciplinary action.** The Board may refuse to issue a license to an applicant, or may initiate disciplinary action against a holder of a license, if the applicant or holder of the license:

1. Has submitted false, fraudulent or misleading information to the Board or any agency of this State, any other state, a territory or possession of the United States, the District of Columbia or the Federal Government;
2. Has violated any provision of this chapter or any regulation adopted pursuant thereto;
4. Has engaged in or solicited sexual activity during the course of practicing massage, reflexology or structural integration on a person, with or without the consent of the person, including, without limitation, if the applicant or holder of the license:
  - (a) Made sexual advances toward the person;
  - (b) Requested sexual favors from the person; or
  - (c) Massaged, touched or applied any instrument to the breasts of the person, unless the person has signed a written consent form provided by the Board;
9. Has, in the judgment of the Board, engaged in unethical or unprofessional conduct;

Prepared by Tereza Van Horn, Executive Assistant



# Nevada State Board of Massage Therapy

1755 E. Plumb Lane, Suite 252, Reno, NEVADA

**Application:** License Application  
**Application Number:** OL210709012612

**Fee:** \$30.00

## APPLICATION INSTRUCTIONS

Please read the following instructions carefully before completing the application. Incomplete applications will cause delays in processing your application. If you have any questions about completing this application, visit our website listed above and click the FAQs tab.

1. Did you complete/graduate from a program of Massage Therapy with at least 550 hours? :  Yes  No
2. Did you take and pass the National Exam (NESL, NCETM, NCETMB, MBLEX, IASI, ITEC, ARCB, IIR and NCBTMB-R)? :  Yes  No

## Section 1 : Personal Information

- Include 1 current passport quality photo - No emailed photos or faxes will be accepted
- No larger than 2" x 2", front view of FACE - no profile
- Must be taken against a solid white background
- We will **NOT ACCEPT** the photo if you are wearing a hat, sunglasses, or anything obstructing any portion of your face.

**Application Type :**  Massage Therapist  Structural Integration  Reflexology

### Applicant Name

**Last Name :** WU  
**First Name :** CHUNLING  
**Middle Name :**



List all legal names previously or currently being used by you :

No record found.

### Mailing address :

**Street :** \_\_\_\_\_  
**City :** \_\_\_\_\_ **State :** \_\_\_\_\_ **Zip :** \_\_\_\_\_

**Residence address (If different than the mailing address) :**  Same as mailing address

**Street :** \_\_\_\_\_  
**City :** \_\_\_\_\_ **State :** \_\_\_\_\_ **Zip :** \_\_\_\_\_

**Social Security Number :** \_\_\_\_\_ **Date of Birth :** \_\_\_\_\_  
**Place of Birth :** \_\_\_\_\_ **Gender :**  Male  Female

**Home/Cell Phone :** \_\_\_\_\_

Indicate the appropriate selection; which address you would prefer to be public knowledge.

Home  Mailing  Business

Do you want to be excluded from the public mailing list? (Select one You will still receive Board

notifications)

Yes  No

**Section 2 : Child Support Information (Pursuant to NRS 640C.430)**

Mark the appropriate response (failure to mark one of the three will result in denial of your application):

- I am NOT SUBJECT to a court order for the support of a child.
- I am SUBJECT to a court order for the support of one or more children and am in compliance with the order or am in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount pursuant to the order.
- I am SUBJECT to a court order for the support of one or more children and am NOT in compliance with the order or am NOT in compliance with a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount pursuant to the order.

**Section 3 : Previous Licensure Information**

**Previous Licensure :**

List all jurisdictions/states in which you have ever been licensed as a Massage Therapist, Reflexology or Structural Integrationist.

- Check here if you have never been licensed in any state jurisdiction.

Licensure information is not required because you have checked "Sign off from local jurisdiction to follow".

**Section 4 : Training and Education**

**Training :**

Contact registrar of your school/(s) and request to have official transcripts mailed directly to the Nevada State Board of Massage Therapy.

Diploma may be provided by school or applicant.

Name of School	City/State	Years from and to	Hours Completed
FuZuBa	Las Vegas	2021 - 2021	550

**Transcript(s)**

Document Name	User Defined Document Name	Document Link
210709012612-167482-Transcript.pdf	FUZUBA-TRANSCP	<a href="#">Document Detail</a>

**Section 5 : National Exam**

Exam Taken	Where Taken	Date Taken
MBLEx	Monterey Park, CA	05/07/2013

National Exam Status :

Date Received :

Score Report Received

Document Name	User Defined Document Name	Document Status
210709012612-167399-ScoreReportCard.jpg	MBLEX	Pass

## Section 6 : Application Screening Questions

Please review the information you provided on this page carefully before submitting. Once saved and submitted, this cannot be changed.

1. Have you ever had any disciplinary proceedings instituted against you relating to your license to practice massage, reflexology or structural integration?

Yes  No

If yes, add the disciplinary actions below.

No record found.

2. Are you currently a party to any pending litigation related to the practice of massage therapy, reflexology or structural integration? If yes, please indicate whether you are a plaintiff or defendant and describe the nature of the litigation.

Yes  No

3. Are you currently or have you ever been required to register as a Sex Offender? (Tier I, II or III)

Yes  No

If Yes, please explain in below textbox :

4. Have you been accused of, arrested for, engaged in or solicited sexual activity during the course of practicing massage, reflexology, or structural integration on a person, with or without the consent of the person, including, without limitation, if you were an applicant or holder of a license:

- (a) Made sexual advances toward the person;
- (b) Requested sexual favors from the person; or
- (c) Massaged, touched or applied any instrument to the breasts of the person, unless the person had signed a written consent form provided by the Board;

Yes  No

If yes, fill in the following with complete and accurate information for each accusation or arrest:

No record found.

## Fingerprint Background Waiver

### NOTICE OF NONCRIMINAL JUSTICE APPLICANT'S RIGHTS

As an applicant who is the subject of a Federal Bureau of Investigation (FBI) fingerprint-based criminal history record check for a noncriminal justice purpose you have certain rights which are discussed below.

1. You must be notified by the **Nevada State Board of Massage Therapy** that your fingerprints will be used to check the criminal history records of the FBI and the State of Nevada.
2. If you have a criminal history record, the officials making a determination of your suitability for the job, license or other benefit for which you are applying must provide you the opportunity to complete or challenge the accuracy of the information in the record. You may review and challenge the accuracy of any and all criminal history records which are returned to the submitting agency. The proper forms and procedures will be furnished to you by the Nevada Department of Public Safety, Records Bureau upon request. If you decide to challenge the accuracy or completeness of your FBI criminal history record, Title 28 of the Code of Federal Regulations Section 16.34 provides for the proper procedure to do so:

**16.34 - Procedure to obtain change, correction or updating of identification records.** If, after reviewing his/her identification record, the subject thereof believes that it is incorrect or incomplete in any respect and wishes changes, corrections or updating of the alleged deficiency, he/she should make application directly to the agency which contributed the questioned information. The subject of a record may also direct his/her challenge as to the accuracy or completeness of any entry on his/her record to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D-2, 1000 Custer Hollow Road, Clarksburg, WV 26306. The FBI will then forward the challenge to the agency which submitted the data requesting that agency to verify or correct the challenged entry. Upon the receipt of an official communication directly from the agency which contributed

the original information, the FBI CJIS Division will make any changes necessary in accordance with the information supplied by that agency.

3. Based on 28 CFR § 50.12 (b), officials making such determinations should not deny the license or employment based on information in the record until the applicant has been afforded a reasonable time to correct or complete the record or has declined to do so.

4. You have the right to expect that officials receiving the results of the fingerprint-based criminal history record check will use it only for authorized purposes and will not retain or disseminate it in violation of federal or state statute, regulation or executive order, or rule, procedure or standard established by the National Crime Prevention and Privacy Compact Council.

5. I hereby authorize **Nevada State Board of Massage Therapy** to submit a set of my fingerprints to the Nevada Department of Public Safety, Records Bureau for the purpose of accessing and reviewing State of Nevada and FBI criminal history records that may pertain to me.

In giving this authorization, I expressly understand that the records may include information pertaining to notations of arrest, detentions, indictments, information or other charges for which the final court disposition is pending or is unknown to the above referenced agency. For records containing final court disposition information, I understand that the release may include information pertaining to dismissals, acquittals, convictions, sentences, correctional supervision information and information concerning the status of my parole or probation when applicable.

6. I hereby release from liability and promise to hold harmless under any and all causes of legal action, the State of Nevada, its officer(s), agent(s) and/or employee(s) who conducted my criminal history records search and provided information to the submitting agency for any statement(s), omission(s), or infringement(s) upon my current legal rights. I further release and promise to hold harmless and covenant not to sue any persons, firms, institutions or agencies providing such information to the State of Nevada on the basis of their disclosures. I have signed this release voluntarily and of my own free will.

A reproduction of this authorization for release of information by photocopy, facsimile or similar process, shall for all purposes be as valid as the original.

In consideration for processing my application I, the undersigned, whose name and signature voluntarily appears below; do hereby and irrevocably agree to the above.

**Last Name :** WU

**First Name :** CHUNLING

**Middle Name :**

**Street :**

**City :**

**State :**

**Zip :**

**Date :** 8/20/2021

**Submitting Agency :** Nevada State Board of Massage Therapy

**Address :** 1755 E. Plumb Ln. Suite 252, Reno, NV 89502

#### VETERAN

The Nevada State Board of Massage Therapy is required by State Law to report veteran information annually. If this section applies to you, please complete the following information.

Have you ever served in the military:  Yes  No

Branch(es) of Service: (Check all that apply)

- Army/Army Reserve
- Marine Corps/Marine Corps Reserve
- Navy/Navy Reserve
- Air Force/Air Force Reserve
- Coast Guard/Coast Guard Reserve
- National Guard

**Military Occupation Speciality/Specialties:**

**Date(s) of Service:** From To

As by Executive Order 2014-20 all professional licensing board organized pursuant to the NRS shall collect the above data and provide the information to the Nevada Department of Veterans Services.

#### Affidavit of Applicant / Authorization of Release

I, **CHUNLING WU** certify that I am the person described and identified in this application;

I have answered all the questions truthfully and completely, and any documents that I have provided in support of my application are, to the best of my knowledge, accurate.

I certify that I have not had any undisclosed disciplinary proceedings instituted against me relating to my license to practice massage, reflexology or structural integration and I have disclosed or have not been arrested or convicted, for any crime involving violence, prostitution or any other sexual offense.

I authorize all institutions or organizations, including educational institutions and organizations, employers (past and present), business and professional associations (past and present) and all governmental agencies and municipalities (local, state, federal and foreign) to release to the Nevada State Board of Massage Therapy any information, files or records required by the Nevada State Board of Massage Therapy in connection with processing this application.

I understand that furnishing false or misleading information or failing to furnish required information on this application may be cause for the denial, suspension or revocation of my license to practice massage therapy, structural integration or reflexology in the State of Nevada.

Name : CHUNLING WU

Date : 8/24/2021

### Upload

**Have you uploaded a current passport quality photo?**

**Has our office received your Official School Transcripts, Certificate of Completion (diploma), National Exam Official Score Report and, if applicable, Certified Statement from other jurisdictions/states?**

Yes  No

**Have you uploaded a current copy of driver's license or identification card and social security card. Names must match on driver's license and social security card. If your license has expired since you submitted your application you must include a current legible copy?**

Yes  No

**Have you uploaded a current massage therapy license, reflexology license/certificate or structural integration license. If your current massage therapist license, reflexology license/certificate or structural integration license has expired since you submitted your application you must include a current legible copy?**

Yes  No

- Please allow up to 4 weeks for processing your live scan fingerprints
- Please allow up to 6-8 weeks for processing fingerprint cards
- **Once you have submitted your completed application, please allow up to 15 business days for processing before inquiring about the status of your application.**

Document Type	Document Name	User	Defined Document Name
Certificate of Completion	0L210709012612-169120-Certificate-of-Completion.pdf	FUZUBA-DIPL	
Photo	210709012612-Photo Wu Chunling.jpg		
Transcript	210709012612-167482-Transcript.pdf	FUZUBA-TRANSCP	
Score Report Card	210709012612-167399-ScoreReportCard.jpg	MBLEX	
Social Security Card	0L210709012311-167127-Social-Security-Card.jpg		
Government Issued ID Card	0L210709012311-167126-Government-Issued-ID-Card.jpg		

### Application Fees

**All fees are non-refundable.**

### Fee Detail(s)

### Payment Detail(s)

Payment Method:

Amount Paid:



**Transcript**  
 3880 Schiff Dr.  
 Las Vegas, NV 89103

Student: Chunling Wu SSN: Gender: Female Birth Date: Start Date: 03/15/2021 Graduation Date: 07/02/2021	Grade: 3.07 Total Earned Hours: 550
--	--

Message 03/2021 Class		NV Massage Training Program 550-Hr		GPA: 3.07	
Course	Marks	Grade	Credits	Earned	
Unit A: Anatomy, Physiology, & Kinesiology	78	C+	125	125	
Unit B: Theory and Practice of Massage	86	B	220	220	
Unit C: Other Modalities of Massage	90	A-	125	125	
Unit D: Pathology for Massage Therapists	89	B+	40	40	
Unit E: Standards of Professional Practice	91	A-	40	40	
<b>Total Credits</b>				<b>550</b>	

Grading Scale				
97 - 100 = A+	93 - 96 = A	90 - 92 = A-	87 - 89 = B+	83 - 86 = B
80 - 82 = B-	77 - 79 = C+	73 - 76 = C	70 - 72 = C-	0 - 69 = F



	<b>Notes</b> -Grade points are for comparison purposes only -ITEC scores are reported separately	<b>Signature of the Registrar</b> 
	Not official without school seal IN ACCORDANCE WITH THE FAMILY EDUCATIONAL ACT OF 1974, THIS RECORD CANNOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE STUDENT	



NSBMT  
JUL 12 2021  
RECEIVED



## Certificate of Graduation

I certify that that Ms. Chunling Wu, having successfully completed the 550-hour Professional Practice of Therapeutic Massage training program, is hereby awarded the Certificate of Graduation this second day of July, 2021 with all the rights and responsibilities thereto pertaining.



*Nathan O'Hara*  
Nathan O'Hara, Ph.D.  
Director



MBLEx Results: 7/8/2021

MBLEx Result Jurisdictional Report



State: NV

<u>Last Name</u>	<u>First Name</u>	<u>Last four SS#</u>	<u>DOB</u>	<u>Exam Date</u>	<u>Pass/Fail</u>	<u>Previous Attempt(s)</u>	<u>Language</u>	<u>School</u>
Wu	Chunling			5/7/2013	Pass		English	American International Vocational College - MONTEREY PARK CA



National Practitioner Data Bank  
 Health Resources and Services Administration  
 U.S. Department of Health and Human Services  
 P.O. Box 10832  
 Chantilly, VA 20153-0832  
<https://www.npdb.hrsa.gov>

DCN: 5500000179813964  
 Process Date: 09/02/2021  
 Page: 1 of 1  
 WU, CHUNLING  
 For authorized use by:  
 NEVADA STATE BOARD OF MASSAGE  
 THERAPY

## WU, CHUNLING - ONE-TIME QUERY RESPONSE

### A. SUBJECT IDENTIFICATION INFORMATION (Recipients should verify that subject identified is, in fact, the subject of interest.)

Practitioner Name: WU, CHUNLING  
 Date of Birth: Gender: FEMALE  
 Home Address:  
 Social Security Number:  
 License: MESSAGE THERAPIST, NO LICENSE  
 Professional School(s): FUZUBA SCHOOL OF MASSAGE & REFLEXOLOGY (2021)

### B. QUERY INFORMATION

Statutes Queried: Title IV; Section 1921; Section 1128E  
 Query Type: This is a One-Time query response. Your organization will only receive future reports on this practitioner if another query is submitted.  
 Entity Name: NEVADA STATE BOARD OF MASSAGE THERAPY (DBID ending in ...94)  
 Authorized Submitter: TEREZA VANHORN, EXECUTIVE ASSISTANT, (775) 687-9953

### C. SUMMARY OF REPORTS ON FILE WITH THE DATA BANK AS OF 09/02/2021

The following report types have been searched:			
Medical Malpractice Payment Report	No Reports	Health Plan Action(s):	No Reports
State Licensure or Certification Action	No Reports	Professional Society Action(s):	No Reports
Exclusion or Debarment Action(s):	No Reports	DEA/Federal Licensure Action(s):	No Reports
Government Administrative Action(s):	No Reports	Judgment or Conviction Report(s):	No Reports
Clinical Privileges Action(s):	No Reports	Peer Review Organization Action(s):	No Reports

----- No Reports Found Based on the Subject Information Submitted -----



**Nevada State Board of Massage Therapy**

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Phone (775) 687-9955

Fax (775) 786-4264

Email: [nvmassagebd@lmt.nv.gov](mailto:nvmassagebd@lmt.nv.gov)

Website: <http://massagetherapy.nv.gov>

September 3, 2021

Chunling Wu

Re: DISPOSITION OF RECORD

Dear Ms. Wu,

In order to complete your application and obtain your Nevada State Board of massage therapy license, we need to have the following documents to continue processing your application;

- 1.e A written narrative describing the incident(s), the circumstances that led up to the incident(s) and the outcome of the incident(s). **Online printouts cannot be accepted.**
- 2.e Receipts for all fines or penalties showing that they have been paid. You will need to contact the court you attended or appeared at. **Online printouts cannot be accepted.**
- 3.e Dispositions from the court(s) you appeared at regarding the attached highlighted arrest dates.
- 4.e You must comply with Board Staff for all requested documents and the Board Staff will be making recommendations regarding your Application.

**Please mail or fax the above documents to our office for review. Emailed documents cannot be accepted.** Your background check will expire on **02/28/2022**. Your massage license must be completed and issued by the above expiration date, or you will be required to fulfill another background check and be responsible for the additional \$85.00 fee.

If you have any questions regarding the attached criminal history, you can email us at [nvmassagebd@lmt.nv.gov](mailto:nvmassagebd@lmt.nv.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Tereza Van Horn".

Tereza Van Horn  
Executive Assistant  
Enclosed

COPY

**Please Note: It is a misdemeanor to practice or advertise Massage Therapy without a current valid NSBMT Massage License.**



**Nevada State Board of Massage Therapy**

1755 E. Plumb Lane Suite 252

Reno, NV 89502

Reno Phone (775) 687-9955

Fax (775) 786-4264

Email: [nvmassagebd@lmt.nv.gov](mailto:nvmassagebd@lmt.nv.gov)

Website: <http://massagetherapy.nv.gov>

December 7, 2021

Chunling Wu  
C/O Law Offices of Eva Garcia-Mendoza  
10001 Park Run Dr.  
Las Vegas, NV 89145

Re: Notice of meeting of the Nevada State Board of Massage Therapy to consider your character, alleged misconduct, competence, or physical or mental health.

Dear Ms. Wu:

In connection with your Application Review, the Nevada State Board of Massage Therapy (Board) may consider your character, alleged misconduct, competence or physical or mental health at its meeting on January 12, 2022. There will be no physical location for this meeting. Participants can join the meeting via Zoom. The meeting will begin at 9:00 a.m:

Zoom sign-in available at 8:30 a.m.  
Register in advance for both meetings:

<https://us06web.zoom.us/j/86981107368?pwd=cVhxQFhuVGRNOTV3cjhvTnRPOUZKdz09>

Meeting ID: 869 8110 7368

Password: 627930

The meeting is a public meeting. You are not required to attend; however, attendance is recommended. Pursuant to NAC 640C.070 your completed investigation results may be discussed. You may choose to have an attorney or other representative of your choosing present during the meeting, present written evidence, provide testimony, present witnesses relating to your character, alleged misconduct, professional competence, or physical or mental health. Please be aware you are one of many agenda items, and the Board may take items out of order. The meeting may last until 4:30 p.m.

If the Board determines it necessary, after considering your character, alleged misconduct, professional competence, or physical or mental health whether in a closed meeting or open meeting, it may take administrative action against you at this meeting. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.034. This notice is provided to you under NRS 241.033.

In the event you need an interpreter, please provide one at your own expense. If

you have any questions, please feel free to contact the office at (775) 687-9955.

Sincerely,

  
Sandra J. Anderson  
Executive Director

Cc: Eva Garcia-Mendoza

COPY

9489 0090 0027 6351 4476 37



---

<b>License Number:</b> MT127411	<b>Current Date:</b> 10/15/2021 09:50 PM
<b>Name:</b>	WU, CHUNLING
<b>License Type:</b>	Licensed Massage Therapist
<b>License Status:</b>	Revoked
<b>Expiry Date:</b>	04/06/2023
<b>Effective Rank Date:</b>	03/22/2017

---

**Addresses**

**Main Address**

Address

SAN GABRIEL , CA  
OUT OF STATE/UNKNOWN  
91776

**Mailing Address**

Address

NORTH LAS VEGAS , NV  
89081-4029  
US



---

**License Number: MT127411**

**Current Date: 12/13/2021 03:34 PM**

Name:

**WU, CHUNLING**

License Type:

**Licensed Massage Therapist**

License Status:

**Revoked**

Expiry Date:

**04/06/2023**

Effective Rank Date:

**03/22/2017**

---

**Addresses**

**Main Address**

Address

**SAN GABRIEL , CA  
OUT OF STATE/UNKNOWN  
91776**

**Mailing Address**

Address

**NORTH LAS VEGAS , NV  
89081-4029  
US**

LAW OFFICES OF  
**EVA GARCIA-MENDOZA**  
10001 PARK RUN DRIVE  
LAS VEGAS, NEVADA 89145

T: (702) 384-8484  
F: (702) 384-0207  
evagm@gms4law.com

October 5, 2021

Ms. Tereza Van Horn  
Executive Assistant  
Nevada State board of Massage Therapy  
1755 E. Plumb Land, Suite 252  
Reno, Nevada 89502



**RE: APPLICANT: WU, CHUNLING for Massage Therapy License**

**LEGAL MEMORANDUM**

**NONE OF THE CONVICTIONS IMPACT GOOD MORAL CHARACTER**

Dear Ms. Van Horn:

Please be advised that his law office has been retained to represent the interests of Chunling Wu concerning her application to obtain a Nevada State board of massage therapy license.

This shall serve to respond to your letter dated September 3, 2021 wherein you ask Mrs. Wu to submit the following:

1. A written narrative describing the incident(s), the circumstances that led up to the incident(s) and the outcome of the incident(s)
2. Receipts for all fines or penalties showing that they have been paid.
3. Dispositions from the court(s) you appeared at regarding the attached highlighted arrest dates. This legal memorandum is intended to inform you as to Mrs. Wu's convictions and why none of them disqualify her from qualifying for a Nevada Massage Therapy License

It appears from your letter and attachments thereto that you are seeking this information concerning an arrest on 4-9-2004 in Dallas, Texas and another arrest on 6-28-2013 in Los Angeles.

Therefore this letter will be addressing these 2 arrests.



FACTS

Mrs. Wu is a 57 year old female, native of China.

Mrs. Wu became a lawful permanent resident of the United States on November 17, 2004 after having previously been granted asylum based on religious persecution.

Mrs. Wu became a naturalized American citizen on September 13, 2019 in Las Vegas, Nevada. (See Ex. 1 copy of Mrs. Wu's naturalization certificate). On September 25, 2019, she was issued a United States passport. (See Ex. 2)

ARRESTS AND CONVICTIONS

1.a On August 28, 2013, Mrs. Wu was arrested for violation of California Penal Code 647 (B), a misdemeanor, in case number 3CA17772. (Ex 3). Mrs. Wu plead not guilty. On November 21, 2013, the government amended the complaint by interlineation to charge a violation of Los Angeles Municipal Code Section 103.205(B). Mrs. Wu plead nolo contendere to this charge and was convicted in the Superior Court of California, East Los Angeles District for violating Section 103.205() of the Los Angeles Municipal Code for not having a **business license** for a massage business. (See Ex 4 which is a copy of the code) Mrs. Wu was ordered to serve 14 days of a community service, pay a fine of \$140.00, pay an assessment of \$70.00 and was placed on a probation for 2 years. Mrs. Wu complied with all of the court's conditions and the case was closed. (Ex. 3)a

2.a On April 9, 2004, Mrs. Wu was arrested and charged with a Class B misdemeanor on a prostitution charge. Mrs. Wu plead not guilty and requested a jury trial. On March 17, 2005, a the jury found Mrs. Wu guilty for violation of Texas Penal Code Section 43.02(c), a misdemeanor. She was sentenced to 90 days in jail but did not serve any jail time. Instead she was placed on community supervision for a period of 12 months and fined \$400.00. She was also ordered to serve 24 hours of community service. (Ex. 5)a

Mrs. Wu was accused of having a conversation with an undercover police officer who claimed that Mrs. Wu agreed to engage in sexual intercourse with said officer for a fee. Mrs. Wu plead not guilty and requested a jury trial. Unfortunately, the jury chose to believe the undercover officer and not her.

Mrs. Wu states that the facts are vastly different. She states that she went to a friend's condo in Dallas to work. Her friend had suggested that she move to Dallas because she would find her a job as a massage therapist there. This was the very first time she had been to Dallas

and to the condo. Her friend's friend picked her up and took her to the condo. This friend came to court to testify on her behalf but her attorney did not call him during the trial. Likewise, her attorney did not allow Mrs. Wu to testify even though she really wanted to testify to the facts. Mrs. Wu, had a Mandarin interpreter, and she asked him to tell her attorney that she wanted to testify but the attorney would not listen.

Mrs. Wu was a nurse in China and as part of her training she was taught massage therapy. She was not licensed as a massage therapist in Texas at that time.

The condo where she was taken had separate rooms and had massage tables in the separate rooms. The undercover officer came to the condo as a customer and asked Mrs. Wu for a massage. Mrs. Wu's English was extremely limited at that time having come to the United States from China in 2000.

She became a lawful permanent resident on November 17, 2004 through her application for asylum. Prior to coming to Texas Mrs. Wu worked as a babysitter for a couple of years, and then taking care of a person who had lymphatic cancer in the Los Angeles, California area.

When the customer/officer asked her what she believed to be a price for the 1 hour massage, Mrs. Wu responded \$60.00. The officer /customer gave Mrs. Wu \$70.00 (a \$50 bill and a \$20 bill) . Mrs. Wu told the officer she would give him the change. She then heard some noise in another room where another massage therapist was giving a customer a massage. She went to investigate the noise but the officer/customer made a gesture for her to be quiet. The officer took Mrs. Wu to another room and told her to shush and began looking around the room searching for something. As he searched a shelf where the towels were kept, he found a condom and put it in his pocket. The officer/customer then pushed Mrs. Wu to the room where Mrs. Wu had heard the noise and Mrs. Wu saw the therapist still massaging the customer. Then the officer/customer asked Mrs. Wu for her driver's license but Mrs. Wu did not have it with her at that time. The officer/customer admonished Mrs. Wu that if she did not produce her driver's license, he would take her to the police station. The officer/customer then grabbed Mrs. Wu and the other massage therapist and put them in a police car and took them to the police station.

After the arrest and hiring of her attorney, Mrs. Wu underwent a polygraph exam and passed it. Unfortunately, the results of a polygraph exam cannot be used in trials.

After the conviction, Mrs. Wu, who had paid her attorney \$3,000 went to his office to complain about the conviction and why he did not allow her to testify and why he did not test the condom for fingerprints. The attorney then responded that he would Appeal her conviction but it would cost her \$7,000. I asked if the conviction would affect my immigration but he said "Don't Worry. In 1 year, the record will be gone." Because my attorney assured me that this conviction would not hurt her in the future, she decided not to Appeal the conviction.

Unfortunately, this conviction has caused her problems 17 years later. Mrs. Wu is now hiring an attorney in Texas to try to get rid of the conviction based on ineffective assistance of counsel.



**UNDER FEDERAL LAW, PROSTITUTION IS CONSIDERED A  
CONDITIONAL BAR TO ESTABLISHING GOOD MORAL CHARACTER  
INA SECTION 101(F) AND 8 CFR 316.10**

Policy Manual Volume 12, Chapter 5, Part F says that engaging in prostitution once, doesn't fall within the definition of engaging in prostitution. Part F states"

"An applicant may not establish Good Moral Character if he or she has engaged in prostitution, procured or attempted to procure or to import prostitutes or persons for the purpose of prostitution, or received proceeds from prostitution during the statutory period. The Board of Immigration Appeals has held that to "engage in" prostitution, one must have engaged in a regular pattern of behavior or conduct. The Board of Immigration Appeals has also determined that a single act of soliciting prostitution on one's own behalf is not the same as procurement."

An applicant is not barred per se from becoming a naturalized American citizen for participating once in prostitution. However an applicant still needs to demonstrate five years of good moral standing to qualify for Naturalization, as found in chapter 9 of the Policy Manual.

In this case, Mrs. Wu only had one prostitution conviction where the arrest occurred in 2004.

Therefore she is not barred from establishing good moral character as a result of this conviction.

**THE CRIME OF FAILURE TO POSSESS  
A MESSAGE BUSINESS LICENSE IS REGULATORY  
OFFENSE AND IS NOT CONSIDERED A  
CRIME INVOLVING MORAL TURPITUDE**

Regulatory offenses typically concern filing, reporting, and licensing requirements. **Efagene v. Folder 642 F.3d 918 at 923(10th Cir., 2011)** See also **Florentino-Francisco v. Lynch (10th Cir., 2015)**

In a series of published decisions, the Board of Immigration Appeals has set forth its general understanding that a "crime involving moral turpitude" involves "conduct that shocks the public conscience as being inherently base, vile, or depraved, contrary to the rules of morality and the duties owed between man and man, either one's fellow man or society in general." **In re Perez-Contreras, 20 I. & N. Dec. 615, 618 (B.I.A.1992)**; See also **In re Danesh, 19 I. & N. Dec. 669, 670 (B.I.A.1988)**. In a welcome effort to "establish a uniform framework" for the determination of crimes involving moral turpitude, the Attorney General decreed that "[a] finding of moral turpitude ... requires that a perpetrator have committed [a] reprehensible act with some form of scienter." **In re Silva-Trujillo, 24 I. & N. Dec. 687, 688, 706 (2008)**.e

**NSBMT**

OCT 08 2021

**RECEIVED**

In Marmolejo-Campos v. Holder, 558 F.3d 903 (9th Cir., 2009), the court held that without more specific guidance from the Board, we have relied on our own generalized definition of "moral turpitude," See Carty v. Ashcroft, 395 F.3d 1081, 1083 (9th Cir.2005) explaining that we have traditionally divided crimes involving moral turpitude into two basic types: "those involving fraud and those involving grave acts of baseness or depravity. See also Navarro-Lopez v. Gonzales, 503 F.3d 1063, 1074 (9th Cir.2007). The court noted that it has noted that their understanding does not differ materially from the Board's, Galeana-Mendoza, 465 F.3d at 1058 n. 9.e

In Mohamed v. Holder, 769 F.3d 885 (4th Cir., 2014), the court noted that by using the phrase "involving moral turpitude" to define a qualifying crime, Congress meant to refer to more than simply the wrong inherent in violating the statute. Otherwise, the requirement that moral turpitude be involved would be superfluous. The court further stated that therefore it followed that a crime involving moral turpitude must involve conduct that not only violates a statute but also independently violates a moral norm. See Tillinghast v. Edmead, 31 F.2d 81, 83 (1st Cir.1929) (defining "crime involving moral turpitude" as requiring "an act intrinsically and morally wrong and malum in se"). To identify such a crime, the court considered whether conduct that violates the statutory proscription also violates a moral norm and thus gives rise to "turpitude"—meaning the debasement of the norm or the value. See Merriam-Webster's Collegiate Dictionary 1351 (11th ed.2007) (defining "turpitude"); Id. at 101 (defining "base"). Accordingly, the court noted that "moral turpitude" refers generally to "conduct that shocks the public conscience as being inherently base, vile, or depraved." Medina v. United States, 259 F.3d 220, 227 (4th Cir.2001) (quoting Matter of Danesh, 19 I. & N. Dec. 669, 670 (BIA 1988)); see also Tobar-Lobo, 24 I. & N. Dec. at 144 which defined moral turpitude to mean "conduct that is inherently base, vile, or depraved").

The Mohamed v. Holder, 769 F.3d 885 (4th Cir., 2014) court further held that the failure to register as a sex offender is much like the failure to register for the military draft, neither of which constitutes a malum in se offense. Laws of this nature simply do not implicate any moral value beyond the duty to obey the law. At bottom, violating a registration law—particularly Va.Code Ann. § 18.2-472.1—is categorically not a crime involving moral turpitude. The court held that the BIA's contrary conclusion, which was based on the statute's purpose, was an unreasonable construction of the statutory language. For that reason, the court did not defer to Tobar-Lobo. Accord Totimeh v. Att'y Gen., 666 F.3d 109, 116 (3d Cir.2012)...  
Mohamed v. Holder, 769 F.3d 885 (4th Cir., 2014)

In this matter, Mrs. Wu has 1 conviction for prostitution. The other conviction is for failure to have a massage business license

As stated at the inception of this section, the conviction for failure to have a business license is a regulatory offense which is not considered a crime involving moral turpitude.

The conviction for failure to have a business license is not considered a crime involving moral turpitude because it does not involve "conduct that shocks the public conscience being inherently base, vile, or depraved, contrary to the rules of morality and the duties owed between man and man, either one's fellow man or society in general."



**MRS. WU WAS LICENSED AS A MASSAGE  
THERAPIST IN TEXAS  
HOWEVER THAT LICENSE WAS  
RECENTLY REVOKED**

Mrs. Wu was previously licensed as a massage therapist in Texas. (Ex. 6b) Shortly after August 26, 2021, Mrs. Wu received a letter from the Texas Department of Licensing & Regulation with the hearing: (Ex 6a)

**NOTICE OF MANDATORY REVOCATION OF LICENSE BY OPERATION OF LAW.**

In short, this letter states that Mrs. Wu's massage therapist license Number MT 127411 was "revoked for violation of Tex. Occ. Code Section 455.152 which provides that a person is not eligible for a license as a massage .....therapist if the person ...has been convicted of....an offense involving....prostitution. Since Respondent has been convicted of prostitution, Respondent is not eligible for a license as a massage therapist."

The Texas law, unlike Nevada's law, makes it mandatory that a person with a prostitution conviction can never receive a massage therapy license.

**Nevada law provides as follows:**

**NRS 640C.700 Grounds for refusal to issue license or for disciplinary action.**

The Board may refuse to issue a license to an applicant, or may initiate disciplinary action against a holder of a license, if the applicant or holder of the license:

1.a Has submitted false, fraudulent or misleading information to the Board or any agency of this State, any other state, a territory or possession of the United States, the District of Columbia or the Federal Government;

2.a Has violated any provision of this chapter or any regulation adopted pursuant thereto;a

3.a Has been convicted of a crime involving violence, prostitution or any other sexual offense, a crime involving any type of larceny, a crime relating to a controlled substance, a crime involving any federal or state law or regulation relating to massage therapy, reflexology or structural integration or a substantially similar business, or a crime involving moral turpitude;

4.a Has engaged in or solicited sexual activity during the course of practicing massage,a reflexology or structural integration on a person, with or without the consent of the person, including, without limitation, if the applicant or holder of the license:

(a)aMade sexual advances toward the person;a

(b)aRequested sexual favors from the person; ora

(c)aMassaged, touched or applied any instrument to the breasts of the person unless the persona has signed a written consent form provided by the Board;



The Texas law does not allow any discretion and absolutely bars a person with a prostitution conviction from qualifying for a massage therapist license.

The law provides as follows:

A criminal history is not necessarily disqualifying ([dshs.state.tx.us / massage / mt\\_aquestions](http://dshs.state.tx.us/massage/mt_aquestions)). However, an individual **will be disqualified** if he or she has been **convicted of prostitution** or another sexually related crime or, during the prior five years, has

been convicted of a felony or a misdemeanor considered to involve 'moral turpitude'. Individuals can also be disqualified based on recent violations of Texas occupational code. The licensing agency notes that other convictions could result in disqualification if,

in the judgment of the agency, licensure would pose a threat to the public. Individuals who are not sure they will qualify based on criminal history can have their history evaluated before they enter an educational program ([dshs.state.tx.us / plc\\_cheval](http://dshs.state.tx.us/plc_cheval)). There is

a \$50 fee for this service. If the history is not disqualifying, the individual will be issued a letter to this effect.

### 1. Unreviewable Denial of Certification

Convictions of certain crimes present an unreasonable risk to patients. Therefore, any NCBTMB applicants with a history of any felony or misdemeanor crime set forth below **shall be denied certification in all cases.**

- 1.a **Crimes involving prostitution**, sexual or physical abuse, and sexual misconduct.a
- 2.a Serious crimes of violence against persons, including but not limited to, murder, attempted murder, manslaughter (not including involuntary manslaughter) kidnapping, arson, rape, and assault and/or battery with a dangerous weapon.a
- 3.a Applicants currently on work release or on parole.a
- 4.a Felonies in which applicants are currently on probation.a
- 5.a Felonies involving illegal drugs and/or controlled substances, including unlawful possession or distribution or intent to distribute unlawfully, all substances set forth in Schedules I through V of the Uniform Controlled Substances Act, as amended.a
- 6.a Felonies involving serious crimes against property, such as grand larceny, robbery, burglary, embezzlement or fraud.a

### 2. Reviewable Denial of Certification

Any applicant who has a history which falls into the following categories may be denied certification except for circumstances where the applicant can show by clear and convincing evidence that their certification will not endanger public safety.

- 1.a Misdemeanors involving illegal drugs and/or controlled substances, including all substances set forth in Schedules I through V of the Uniform Controlled Substances Act, as amended.a
- 2.a Crimes involving (but not limited to) driving while under the influence or ability impaired after a 3<sup>rd</sup> conviction.a



- 3.e Misdemeanor crimes against property, such as larceny, burglary, robbery, embezzlement or fraud.e
- 4.e Misdemeanors involving assault and/or battery (without a dangerous weapon)e

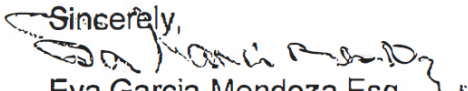
**3. Possible Denial of Certification**

Applicants with convictions that do not include any of the conditions set forth above may be denied certification after careful consideration of the following factors:

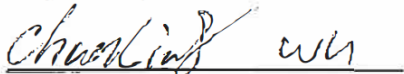
- 1.e The seriousness of the crime;e
- 2.e Whether the crime was violent in nature;e
- 3.e Whether the applicant has multiple convictions;e
- 4.e Whether the crime involved a minor, the elderly or a person of diminished capacity;e
- 5.e How much time has elapsed since the crime was committed;e
- 6.e Whether the crime relates to patient care;e
- 7.e Whether the applicant was truthful and not misleading in explaining the terms and circumstances of their felony convictione

**CONCLUSION**

For the above-stated reasons, Ms. Wu respectfully requests that you exercise your discretion and grant her a Nevada Massage Therapy License

Sincerely,  
  
Eva Garcia Mendoza Esq.

Chunling Wu, having read the foregoing letter from my attorney Eva Garcia Mendoza hereby states that as to the facts stated herein that they are true and correct to the best of her knowledge and belief.

  
Chunling Wu



**Attachments:**

- 1. Court records for the Texas arrest and conviction
- 2. Court records for the Los Angeles arrest and conviction
- 3. Copy of Massage Therapist License from Texas Department of Licensing.

**NSBMT**

OCT 08 2021

**RECEIVED**

**EXHIBIT 3**



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

NO. 3CA17772

PAGE NO. 1  
CURRENT DATE 11/08/16

THE PEOPLE OF THE STATE OF CALIFORNIA VS.  
DEFENDANT 01: CHUNLING WU  
LAW ENFORCEMENT AGENCY EFFECTING ARREST: LAPD - NORTHEAST AREA

BAIL DATE	APPEARANCE DATE	AMOUNT OF BAIL	DATE POSTED	RECEIPT OR BOND NO.	SURETY COMPANY	REGISTER NUMBER
-----------	-----------------	----------------	-------------	---------------------	----------------	-----------------

CASE FILED ON 09/17/13.

COMPLAINT FILED, DECLARED OR SWORN TO CHARGING DEFENDANT WITH HAVING COMMITTED, ON OR ABOUT 08/29/13 IN THE COUNTY OF LOS ANGELES, THE FOLLOWING OFFENSE(S) OF:

COUNT 01: 647(B) PC  
NEXT SCHEDULED EVENT:

09/19/13 830 AM ARRAIGNMENT DIST EAST LOS ANGELES CTHOUS DEPT 002

ON 09/19/13 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR ARRAIGNMENT

PARTIES: UPINDER S. KALRA (JUDGE) JENNIFER BACON (CLERK)  
DIANA WHITESEL (REP) HENRICO T. BAUTISTA (CA)

DEFENDANT DEMANDS COUNSEL.

COURT REFERS DEFENDANT TO THE PUBLIC DEFENDER.

PUBLIC DEFENDER APPOINTED, KATHERINE O. STEWART - P.D.

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY KATHERINE O. STEWART DEPUTY PUBLIC DEFENDER

YINING LIU, OFFICIAL COURT INTERPRETER, PRESENT AND SWORN TO ASSIST AS CHINESE-MANDRIN INTERPRETER.

DEFENDANT ADVISED OF THE FOLLOWING RIGHTS VIA VIDEO CASSETTE:

DEFENDANT ARRAIGNED AND ADVISED OF THE FOLLOWING RIGHTS AT MASS ADVISEMENT: SPEEDY PUBLIC TRIAL, TRIAL WITHIN 30/45 DAYS, RIGHT TO REMAIN SILENT, SUBPOENA POWER OF COURT, CONFRONTATION AND CROSS EXAMINATION, JURY TRIAL, COURT TRIAL, RIGHT TO ATTORNEY, SELF-REPRESENTATION, REASONABLE BAIL, CITIZENSHIP, EFFECT OF PRIORS PLEAS AVAILABLE, PROBATION.

A COPY OF THE COMPLAINT AND THE ARREST REPORT GIVEN TO DEFENDANTS COUNSEL. THE DEFENDANT IS ADVISED OF FINANCIAL RESPONSIBILITY.

DEFENDANT PLEADS NOT GUILTY TO COUNT 01, 647(B) PC.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.  
PRETRIAL HEARING SET FOR 10-11-13 IN DEPARTMENT 2 AT 8:30 A.M.

OWN RECOGNIZANCE RELEASE AGREEMENT FILED.

TCIS ENTRY BY SAIDA LOPEZ.

NEXT SCHEDULED EVENT:

10/11/13 830 AM PRETRIAL HEARING DIST EAST LOS ANGELES CTHOUS DEPT 002

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 10/11/13 AT 830 AM IN EAST LOS ANGELES CTHOUS DEPT 002

CASE CALLED FOR PRETRIAL HEARING

PARTIES: UPINDER S. KALRA (JUDGE) JENNIFER BACON (CLERK)  
JULIE VAZQUEZ (REP) HENRICO T. BAUTISTA (CA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY KATHERINE O. STEWART DEPUTY PUBLIC DEFENDER



Fr 3

CASE NO. 3CA17772  
DEF NO. 01

PAGE NO. 3  
DATE PRINTED 11/08/16

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY J. BASKERVILLE DEPUTY PUBLIC DEFENDER  
AMANDA WONG, OFFICIAL COURT INTERPRETER, PRESENT AS CHINESE-MANDRN INTERPRETER.

OATH ON FILE.

MATTER TRAILED FOR JURY TRIAL BY THE PEOPLE, OVER THE DEFENSE OBJECTION TO NOVEMBER 21, 2013 IN DEPARTMENT 40 AT 8:30AM AS 9 OF 10.

COURT ORDERS AND FINDINGS:

-THE COURT ORDERS THE DEFENDANT TO APPEAR ON THE NEXT COURT DATE.A

NEXT SCHEDULED EVENT:

11/21/13 830 AM JURY TRIAL DIST CRIM JUSTICE CTR (LAC) DEPT 040  
DAY 09 OF 10

CUSTODY STATUS: DEFENDANT REMAINS ON OWN RECOGNIZANCE

ON 11/21/13 AT 830 AM IN CRIM JUSTICE CTR (LAC) DEPT 040

CASE CALLED FOR JURY TRIAL

PARTIES: HENRY BARELA (JUDGE) DIANE LOPEZ (CLERK)  
MARTHA RODRIGUEZ (REP) JACQUELYN LAWSON (CA)

DEFENDANT IS PRESENT IN COURT, AND REPRESENTED BY 106432 PRIVATE COUNSEL PETE DENG, OFFICIAL COURT INTERPRETER, PRESENT AS CHINESE-MANDRN INTERPRETER.  
OATH ON FILE.

ON PEOPLES MOTION, COURT ORDERS COMPLAINT AMENDED BY INTERLINEATION TO ADD VIOLATION 103.205(B) LAM MISD AS COUNT 02.

DEFENDANT ADVISED OF AND PERSONALLY AND EXPLICITLY WAIVES THE FOLLOWING RIGHTS: WRITTEN ADVISEMENT OF RIGHTS AND WAIVERS FILED, INCORPORATED BY REFERENCE  
KLIN

TRIAL BY COURT AND TRIAL BY JURY

CONFRONTATION AND CROSS-EXAMINATION OF WITNESSES;  
SUBPOENA OF WITNESSES INTO COURT TO TESTIFY IN YOUR DEFENSE;  
AGAINST SELF-INCRIMINATION;

DEFENDANT ADVISED OF THE FOLLOWING:

THE NATURE OF THE CHARGES AGAINST HIM, THE ELEMENTS OF THE OFFENSE IN THE COMPLAINT, AND POSSIBLE DEFENSES TO SUCH CHARGES;  
THE POSSIBLE CONSEQUENCES OF A PLEA OF GUILTY OR NOLO CONTENDERE, INCLUDING THE MAXIMUM PENALTY AND ADMINISTRATIVE SANCTIONS AND THE POSSIBLE LEGAL

EFFECTS AND MAXIMUM PENALTIES INCIDENT TO SUBSEQUENT CONVICTIONS FOR THE SAME OR SIMILAR OFFENSES;

THE EFFECTS OF PROBATION;

IF YOU ARE NOT A CITIZEN, YOU ARE HEREBY ADVISED THAT A CONVICTION OF THE OFFENSE FOR WHICH YOU HAVE BEEN CHARGED WILL HAVE THE CONSEQUENCES OF DEPORTATION, EXCLUSION FROM ADMISSION TO THE UNITED STATES, OR DENIAL OF NATURALIZATION PURSUANT TO THE LAWS OF THE UNITED STATES.

COUNSEL FOR THE DEFENDANT JOINS IN THE WAIVERS AND CONCURS IN THE PLEA.

COURT FINDS THAT EACH SUCH WAIVER IS KNOWINGLY, UNDERSTANDINGLY, AND EXPLICITLY MADE;

THE DEFENDANT WITH THE COURTS APPROVAL, PLEADS NOLO CONTENDERE TO COUNT 02 A VIOLATION OF SECTION 103.205(B) LAM. THE COURT FINDS THE DEFENDANT GUILTY.

COUNT(02) : DISPOSTION CONVICTED

COURT ORDERS AND FINDINGS:

-TAHL WAIVER IS ORDERED FILED.A

NSBMT

OCT 08 2021

RECEIVED

CASE NO. 3CA17772  
JEF NO. 01

PAGE NO. 5  
DATE PRINTED 11/08/16

COMMUNITY LABOR.

FINES AND FEES PAID IN FULL ON 11-21-13.

AIDS EDUCATION AND TEST RESULTS PROVIDED. RESULTS ON FILE.

NO FURTHER APPEARANCES.

\*\*ENTRY MADE BY C.WINDMUELLER ON 02-21-14 PER NOTES IN FILE\*\*  
NEXT SCHEDULED EVENT:  
PROBATION IN EFFECT

11/08/16

I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT COPY OF THE ELECTRONIC DOCKET  
ON FILE IN THIS OFFICE AS OF THE ABOVE DATE.  
SHERRI R. CARTER, EXECUTIVE OFFICER/CLERK OF SUPERIOR COURT, COUNTY OF LOS  
ANGELES, STATE OF CALIFORNIA

BY R. Carter, DEPUTY



**NSBMT**

OCT 08 2021

**RECEIVED**

**EXHIBIT 4**

# Massage Therapy – LAMC 103.205

The City of Los Angeles requires massage therapist and massage day spas to obtain a permit with the city before providing massage services or engaging in the operation of a massage parlor. Routine sting operations are conducted by undercover vice officers regarding the practice and procedures established in massage parlors. Arrests for prostitution, human trafficking, business and professions code violations, and escorting charges may arise from the operation of an unlicensed massage parlor. LAMC 103.205 and LAMC 103.205.1 is a misdemeanor charge that can affect your immigration status, employment, and criminal record. Reference below are the Los Angeles Municipal Code sections for 103.205 and 103.205.1.

## LAMC SEC. 103.205 MESSAGE STANDARDS.

The City of Los Angeles recognizes that the practice of massage is therapeutic and the therapist must have a basic knowledge of anatomy, physiology and an understanding of the relationship between the structure and the function of the tissues being treated and the total function of the body. The City also recognizes that the practice of massage without sufficient training and standards can be dangerous to the public. Therefore, the purpose and intent of this Ordinance is to regulate massage establishments and massage therapy practitioners in order to protect and promote the public health, safety and welfare by:

- 1.e Providing appropriate standards for education and training of massage therapists.e
- 2.e Providing a clean, sanitary, healthy and safe environment in which massage therapy is offered to the public.e
- 3.e Recognizing massage therapy as a legitimate business occupation and promoting the public confidence therein.e

(a) Definitions. Unless the context or subject matter clearly indicates that a different meaning is intended, the following words and phrases shall have the following meanings when used in this section.

(1) "Board" means the Board of Police Commissioners.e

(2) "Massage Therapy" means any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, or stimulating the external parts of the body with the hands or other parts of the body, or any other type system for treating or manipulating the human body with or without the aid of any mechanical or electrical apparatus or appliances, or with or without supplementary aids such as

NSBMT

OCT 08 2021

RECEIVED

Ex k

rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations commonly used in this practice.

(3) "Massage Business" means the activity or providing, for any form of consideration or gratuity, facilities for: massage therapy, administration of fomentation, massage, electric or magnetic treatment, or alcohol rub; or any other type system for treating or manipulating the human body.

(4) "Off-Premises Massage" means activity of providing massage services, or massage facilities as defined herein at a location other than premises licensed by a permit from the Board.

(5) "Massage Therapist" means any person who, for any form of consideration whatsoever, gives or administers to another person a "massage" as defined in this section.

(6) "Permit" means the permit required to be obtained from the Board for the operation of a Massage business, an Off-Premises Massage business, or for performing the activities of a Massage Therapist, with or without an off-premise endorsement.

(7) "Health Department" means the County of Los Angeles Department of Health Services.

(b) On-Premises Massage Business – Permit Required. (Amended by Ord. No. 175,167, Eff. 5/20/03.) No person shall engage in, promote, advertise, conduct, or carry on, in or upon any premises within the City of Los Angeles, the operation of a massage business without a permit duly issued by the Board pursuant to this subsection for each business location. This required permit shall be in addition to any business tax license required by ordinance.

(1) Application for Permit. Permit applications shall be made in accordance with Chapter X, Article 3, Division 3 of this Code.

(2) Additional Requirements. In addition to those requirements specified in Chapter X, Article 3, Division 3 of this Code, each applicant for a Massage permit shall furnish the following information to the Board:

(i) Each residence and business address of the applicant for the five years immediately preceding the date the application, and in the inclusive dates of each address

(ii) Written proof that the applicant is at least 18 years of age.



(iii) Applicant's height, weight, color of eyes and hair.

(iv) Three photographs of applicant, of a size specified by the Board, taken within the six months immediately preceding the date of application.

(v) Applicant's business, occupation and employment history for the five years immediately preceding the date of application.

(vi) The permit history of the applicant: whether the person has ever had a license or permit issued by any agency or board, City, County or State revoked or suspended, or has had any professional or vocational license or permit revoked or suspended, and the reason for the revocation or suspension.

(vii) Any other identification and information as may be required by the Board.

(viii) If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation or Charter, together with the State and date of incorporation and names and residence addresses of each of its current officers and directors, and each stockholder holding more than five percent of the stock of the corporation. If the applicant is a partnership, the application shall set forth the name and residence addresses of each of the partners, including limited partnership, and it shall furnish a copy of its certificate of limited partnership as filed with the County Clerk. If one or more of the partners is a corporation, the provisions of this subsection pertaining to corporation applicants shall apply. The applicant corporation or partnership shall designate a responsible managing officer. This person shall complete and sign all application forms required for an individual applicant under this ordinance, but only one application fee shall be charged. A change application shall be filed to change the responsible managing officer but no additional inspection shall be necessary. The corporation's or partnership's responsible managing officer must at all times meet all of the requirements set forth by this section or the corporation or partnership permit shall be suspended until a responsible managing officer who does meet all these requirements is designated. If no person is named within 90 days, the corporation or partnership permit is deemed cancelled and a new initial application for permit must be filed.

(ix) The name and address of the Owner and Lessor of the Real Property upon or in which the business is to be conducted, and a copy of the deed, lease or rental agreements.

(x) Upon filing of the application for a Massage permit with the Office of Finance the Office of Finance shall notify the Department of Health. This department

NSBMT

OCT 08 2021

RECEIVED

an inspection to be made of the premises sought to be licensed within 20 days to ascertain if the premises are in compliance with all applicable health laws. If the premises are in compliance, the department shall issue a letter to the Office of Finance so stating, which shall be forwarded to the Board with the application. If the premises are not in compliance, the department shall issue a letter to the applicant setting forth the deficiencies and shall reinspect the premises no more than twice upon written request of the applicant. If a letter of full compliance is not issued by the department within 90 days of the date of the filing of the application, the application shall be deemed withdrawn and a new application must be filed. The Office of Finance shall not forward the application to the Board until the Health Department has issued a letter of compliance.

(xi) aAll convictions for any crime involving conduct which requires registration under any state law similar to and including California Penal Code Section 290, or of a conduct which is a violation of the provisions of any state law similar to and including a California Penal Code Sections 266i, 314, 315, 316, 318, 647(a), 647(b), or any crime involving dishonesty, fraud, deceit, or moral turpitude.a

(xii) aA complete list of the names and residence addresses of all of the proposed a massage therapists and employees practicing in the massage establishment or off-premises massage business and the name of the manager or managing employee a proposed to be principally in charge of the operation of the massage establishment a or off-premises massage business. a

(xiii) aA statement in writing by the applicant that he or she certifies under penalty of a perjury that all information contained in the application is true and correct, with the a declaration being duly dated and signed in the City a





**NSBMT**

OCT 08 2021

**RECEIVED**

**EXHIBIT 5**

THE STATE OF TEXAS  
VS.  
Chun Wu

IN THE COUNTY CRIMINAL COURT  
DALLAS OF  
DALLAS COUNTY, TEXAS

JUDGMENT ON PLEA OF NOT GUILTY BEFORE THE JURY  
PUNISHMENT BY THE JUDGE COMMUNITY SUPERVISION GRANTED BY JUDGE

JUDGE PRESIDING: NEIL PASK **APRIL TERM 2005**  
**DATE OF JUDGMENT: 3/17/05**

ATTORNEY FOR STATE: KEVIN HARRIS ATTORNEY FOR DEFENDANT: JOHN HENDRIK

OFFENSE CONVICTED OF: FROST  
**CLASS B MISDEMEANOR**

CHARGING INSTRUMENT: INFORMATION/INDICTMENT PLEA: NOT GUILTY

JURY VERDICT: GUILTY FOREMAN:

DATE SENTENCE IMPOSED: COSTS: YES/NO

PUNISHMENT AND PLACE OF CONFINEMENT: 90 DAYS CONFINEMENT IN THE DALLAS COUNTY JAIL AND A FINE OF \$ 400.00

DATE TO COMMENCE:

CREDIT FOR TIME SERVED: FINE PROBATED: YES/NO

TX.C.C.P. COUNSELING FEE, IF APPLICABLE: \$           , NOT TO EXCEED \$500

TERMS OF COMMUNITY SUPERVISION: 12 MONTHS

**NSBMT**

RESTITUTION/REPARATION: YES/NO  
IF YES, NAME OF VICTIM:  
ADDRESS OF VICTIM OR AGENCY TO COLLECT PAYMENTS:

**OCT 08 2021**

AFFIRMATIVE FINDING OF FAMILY VIOLENCE, IF APPLICABLE: YES/NO

**RECEIVED**

CASE TO RUN CUMULATIVE/CONCURRENT WITH ALL OTHER CASES

On this day, set forth above, the above styled and numbered cause was called to trial in the State of Texas, and Defendant appeared, and through the above named attorney, and announced ready for trial. Defendant appeared in person in open court. Where Defendant was not represented by counsel, Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel.

Prior to the commencement of trial, the Defendant filed a sworn affidavit stating that defendant had never before been convicted of a felony offense. Evidence was presented to the Judge on the issue of punishment and the Judge assessed the sentence as stated above. The Judge finds that the ends of justice and the best interests of the public as well as the Defendant will be served by suspending the imposition of the judgment and placing the Defendant on community supervision.

In the event that a presentence investigation was required by statute, said presentence investigation was done according to the applicable statute. If a presentence report was made, the Defendant authorized, in writing, the Judge to inspect the report. Where the Defendant requested that a presentence investigation not be made the Judge agreed to that request.

It is, therefore, ordered and decreed by the Judge that said Defendant be punished as shown above on the date as shown above, and that pursuant to the Judge's finding, the sentence is hereby suspended for the period of time set out above. It is further ordered that the Defendant pay the fine, unless probated, as stated above, court costs, expansion of legal services provided by the court appointed attorney or public defender in this cause, if any, and restitution or reparation, if any, as set forth above and in the attached conditions of community supervision, if any. The Judge finds that the Defendant has the financial resources to ensure that Defendant be offset said costs in the amount ordered.

It is further ordered, adjudged and decreed by the Judge that the imposition of sentence is hereby suspended for a period of time as shown above. The Defendant is hereby placed on community supervision for a period of time as shown above and subject to the terms and conditions of community supervision imposed this day by law and by Judge and served upon the Defendant.

Conditions of community supervision attached hereto are incorporated for all purposes as a part of the Judgment. Said conditions of community supervision include the terms of any fee payment pursuant to the Texas Code of Criminal Procedure, if applicable.

Following the disposition of this cause, the Defendant's fingerprint was placed upon a Certificate of Fingerprint. Said certificate is attached hereto and is incorporated by reference as a part of this judgment.

Community supervision expires on the 17 day of MARCH, ~~2006~~

Signed and entered this 17 day of MARCH, ~~2005~~

  
Judge, County Criminal Court  
Dallas County, Texas  
  
TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE

THE STATE OF TEXAS  
v.s.

IN THE COUNTY CRIMINAL COURT 2  
DALLAS COUNTY, TEXAS

CHUN WU  
DEFENDANT

SID p07291080 TRN - 9077280987 TRSp-A001

- On this the 17 day of MARCH, 2005 the Defendant has been placed on community supervision for a period of 12 MONTHS for the above offense. It is therefore ORDERED that the Defendant:
- 1  Commit no offense against the laws of this state or of any other state or the United States;
  - 2  Avoid injurious or vicious habits;
  - 3  Avoid persons or places of disreputable or harmful character;
  - 4  Work faithfully at suitable employment;
  - 5  Support all dependents.
  - 6  Remain within a specified place, to wit [x] Dallas or [ ] County, Texas, and do not move therefrom without leave of the Court; notify the Court of any change of address;
  - 7  Pay  fine and / or  costs totaling \_\_\_\_\_ as follows:  
 to the clerk of the court not later than \_\_\_\_\_ day of \_\_\_\_\_,  to the Collections Department;
  - 8  Report immediately in person to DCCSCD and then  less than once each thirty days in person as instructed by that department; Permit the community supervision officer to visit at defendant's home, place of employment or as required by the court;
  - 8a  Unsupervised Probationers will report immediately to DCCSCD for orientation.
  - 9  Pay a supervisory fee of:  \$ \_\_\_\_\_  \$25  \$40  \$60 per month to the DCCSCD;  or waived for good cause shown;
  - 10  Perform 24 hours of community service through  DCCSCD;  Road and Bridge; or  Volunteer Center and pay a \$50.00 fee for administrative duties required by the placement;  \_\_\_\_\_; must complete 16 hours a month;  complete all hours by \_\_\_\_\_ or  community service waived for good cause shown.
  - 11  Reimburse Dallas County, Texas for compensation paid for court-appointed attorney or public defender in this matter in the total sum of \$ \_\_\_\_\_ payable through  clerk of the court or  the collections department.
  - 12  Pay restitution or reparation through DCCSCD in the sum of \$ \_\_\_\_\_ total restitution.  
 Pay total not later than \_\_\_\_\_ or  pay \$ \_\_\_\_\_ per month with first payment due \_\_\_\_\_
  - 13  Make contribution in the amount of \$ \_\_\_\_\_ to the  Dallas Area Crime Stoppers, Inc.  women do \_\_\_\_\_ pay through  clerk of the Court or  the Collections Department or before \_\_\_\_\_
  - 14  Submit to periodic analysis as directed by the DCCSCD and receive no positive results for illegal substances and / or alcohol.
  - 15  Complete an  Adult Literacy Program  Life Skills  Brain Train  GED or High School Diploma not later than \_\_\_\_\_
  - 16  Submit to Mental Health Evaluation / Treatment Program, to wit: \_\_\_\_\_
  - 17  Successfully complete  YDDP  Anger Management Program  Anti-Theft Program by \_\_\_\_\_
  - 18  Have no contact with the complainant during the term of community supervision.
  - 19  Successfully complete (BIPP) Batterers Intervention Prevention Program as directed by DCCSCD before orientation to begin on \_\_\_\_\_ at 4:15 p.m. or at  \_\_\_\_\_
  - 20  Forfeit weapon to law enforcement agency office holding the weapon.
  - 21  Successfully complete the Weapons Education Safety & Training (WEST) Program through DCCSCD.
  - 22  Successfully complete a State approved  DWI  Repeat Offenders  Drug offenders Education Program; within  180 days from the date community supervision is granted; or  not later than \_\_\_\_\_
  - 23  Attend a  Victim Impact Panel  Repeat Offenders Victim Impact Panel, within  180 days  \_\_\_\_\_ days from the date community supervision is granted.
  - 24  Submit to alcohol and/or drug abuse evaluation/treatment program as directed by the community supervision officer of this court, to wit:  CATS  \_\_\_\_\_ as directed by DCCSCD.
  - 25  Attend  Court Referral Information Program (CRIP)  \_\_\_\_\_ time per \_\_\_\_\_ for a period of \_\_\_\_\_ months.
  - 26  Must comply with:  May not drive or operate a motor vehicle unless the vehicle has been equipped with a deep lung breath analysis mechanism within 30 days from this date, with a BAC calibration of  .030 or  \_\_\_\_\_ and have no violations from the operation of said mechanism.  Do not drive without valid drivers license.  Do not consume alcohol during probationary period.
  - 27  Serve \_\_\_\_\_ days in the Dallas County Jail as a condition of community supervision beginning on \_\_\_\_\_ time may be served on  weekends  work release or  electronic monitoring and pay a fee of \$3.00 per day to the DCCSCD  \$3.00 fee waived
  - 28  Submit to sex offender evaluation by \_\_\_\_\_ and treatment as determined by court or DCCSCD.
  - 29  register as sex offender within 7 days from date community supervision is granted.
  - 30  Pay \$ \_\_\_\_\_ per month in child support, thru DCCSCD.
  - 31  Maintain financial responsibility Sec. 601 Texas Transportation Code  Do not operate motor vehicle while license suspended.
  - 32  Submit DNA sample.
  - 33  Supervision in this case may cease when Defendant has completed: \_\_\_\_\_
  - 34  Other: \_\_\_\_\_
  - 35  DV VIP or  \_\_\_\_\_



The defendant is hereby advised that under the laws of this State, the Judge shall determine the terms and condition of defendant's community supervision, and may at any time during the period of community supervision alter or modify the condition of community supervision. The Judge also has the authority at any time during the period of community supervision to revoke the community supervision when a preponderance of the evidence establishes a violation of one or more of the conditions set for above.

The clerk Of the said court furnished the defendant with a copy of the terms and conditions of community supervis

ion. SIGNED AND ENTERED THIS THE 17 DAY OF MARCH, 2005

CYNTHIA FIGUEROA CALHOUN, COUNTY CLERK  
DALLAS COUNTY, TEXAS

By \_\_\_\_\_, Deputy

FORM M-210 REVISED 11-7-2003

Signature of Defendant



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

AH

DEFENDANT Wu, Chun Lin A F 02241966 CHARGE PROST

AKA:

ADDRESS LOCATION DSO

FILING AGENC TXDPD0000 DATE FILED April 22, 2004 COURT

COMPLAINANT Igo, M MB0452488 BY: [Signature]

C/C

SERVICE NO. 256793N ARREST NO. 04016129 I. D. NO.

**AFFIDAVIT**

In the Name and by the Authority of the State of Texas.

PERSONALLY APPEARED before me the undersigned authority this affiant, who after being by me duly sworn, deposes and says your Affiant has good reason to believe and does believe that one

Wu, Chun Lin

hereinafter styled Defendant, heretofore, on or about the 9th day of April A.D., 2004

in the County of Dallas and State of Texas, did unlawfully

then and there knowingly offer to and agree with M. IGO, hereinafter styled complainant, to engage in sexual conduct, to-wit: SEXUAL INTERCOURSE, with complainant for a fee,



Against the peace and dignity of the state.

Sworn to and subscribed before me this the

26 day of Apr, A.D., 2004 [Signature]

Assistant Criminal District Attorney of Dallas County, Texas

} [Signature] Affiant.

PINK



TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE

SERVICE#: 0256793N ARREST#: 04-016129

AFFIDAVIT FOR ARREST WARRANT COUNTY OF DALLAS STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE UNDERSIGNED AFFIANT O, AFTER BEING DULY SWORN BY ME, ON OATH STATED: MY NAME IS W. CHUN LIN AND I AM A PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS. I, THE AFFIANT, HAVE GOOD REASON AND DO BELIEVE THAT ON OR ABOUT 09 APRIL 2004 ONE WU, CHUN, LIN, DID THEN AND THERE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS COMMIT THE OFFENSE(S) OF:

PROSTITUTION MS 43.02 0256793N M04-52488

AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND INFORMATION:

IGO, MICHAEL T #6042, A FELLOW PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, WHO PERSONALLY PARTICIPATED IN THE INVESTIGATION OF THESE ALLEGED OFFENSE(S), PROVIDING THIS INFORMATION TO AFFIANT, AND WHOSE INFORMATION AFFIANT BELIEVES TO BE CREDIBLE.

ON APRIL 09, 2004 AT ABOUT 1100 A.M. OFFICER(S) IGO, MICHAEL T # 6042 AND BRYANT, LOWELL G # 6131 PERSONALLY OBSERVED THE SUSPECT INVOLVED IN SUSPICIOUS BEHAVIOR DESCRIBED AS AT 5590 SPRINGVALLEY ROAD DALLAS, DALLAS COUNTY, TEXAS.

CHARGE DESCRIPTION: PROSTITUTION

OFFICER IGO, MICHAEL T #6042 BECAME ENGAGED IN A CONVERSATION WITH THE SUSPECT AT 5590 SPRINGVALLEYA102 DALLAS, DALLAS COUNTY, TEXAS, A CONDO. DURING THE CONVERSATION THE SUSPECT KNOWINGLY AGREED TO ENGAGE IN SEXUAL CONDUCT SEXUAL INTERCOURSE WITH SAID OFFICER FOR A FEE PAID DIRECTLY TO THE SUSPECT BY THE OFFICER. THIS OFFER OR AGREEMENT WAS MADE AT THE LOCATION LISTED ABOVE SAID LOCATION BEING: A PRIVATE PREMISES CONDOMINIUM. SUSPECT WAS PLACED UNDER ARREST.

TRIPS AND JISS CHECK REVEALED NO PRIOR CONVICTIONS.

[Signature] WHEREFORE AFFIANT REQUESTS THAT AN ARREST WARRANT BE ISSUED FOR THE ABOVE ACCUSED INDIVIDUAL IN ACCORDANCE WITH THE LAW.  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME ON  
DATE: April 9, 2004

[Signature]  
MAGISTRATE

\*\*\*\*\*

NSBMT  
OCT 08 2021  
RECEIVED

TRUE AND CORRECT COPY OF ORIGINAL FILED IN DALLAS COUNTY CLERK'S OFFICE

ORDER DISCHARGING COMMUNITY SUPERVISION

VOL. 91 PAGE 331

THE STATE OF TEXAS

IN THE COUNTY CRIMINAL COURT

VS.

2

OF

EACH DEFENDANT  
NAMED BELOW

DALLAS COUNTY, TEXAS

ON THIS 17TH DAY OF SEPTEMBER, 2011, THE JUDGE HAVING REVIEWED ALL PROCEEDINGS IN THE FOLLOWING CAUSES, IN EACH OF WHICH THE DEFENDANT THEREIN WAS HERETOFORE PLACED ON COMMUNITY SUPERVISION UNDER THE CODE OF CRIMINAL PROCEDURE OF THE STATE OF TEXAS, AND;

IT APPEARING TO THE JUDGE THAT EACH DEFENDANT HAS PAID ALL FINES AND COSTS ASSESSED AND HAS OTHERWISE COMPLIED WITH THE TERMS AND CONDITIONS OF COMMUNITY SUPERVISION IN SAID CAUSE; AND IT FURTHER APPEARING THAT THE PERIOD OF SUPERVISION HAS EXPIRED IN EACH CAUSE AND THAT THE DEFENDANT THEREIN IS ENTITLED TO DISCHARGE FROM SAME.

IT IS THEREFORE CONSIDERED, ORDERED AND JUDGED THAT EACH DEFENDANT IS HEREBY DISCHARGED FROM COMMUNITY SUPERVISION AS OF THE RESPECTIVE DAY AND YEAR LISTED FOR THE CAUSE.

CASE NUMBER	DEFENDANT	OFFENSE	DATE DISCHARGED
04-51427-B	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 GUERRERO, JUAN CARLO THEFT 50 ENTERED AS OF THIS DAY		09/17/11
04-52250-B	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 MANQUEROS, OILBERTO DWI ENTERED AS OF THIS DAY		09/17/11
04-52364-B	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 NEAVE, REYMUNDO LIRA DWI 2ND ENTERED AS OF THIS DAY		09/17/11
04-52377-BF	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 CARVER, BRUCE DANIEL DWI ENTERED AS OF THIS DAY		09/17/11
04-52488-BF	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 WU, CHUN LIN PROST ENTERED AS OF THIS DAY		09/17/11
04-52883-B	ENTERED NUNC PRO TUNC SEPTEMBER 17, 2011 FRANCO, ARTURO PEREZ DWI ENTERED AS OF THIS DAY.		09/17/11

JUDGE PRESIDING



TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DALLAS  
COUNTY CLERK'S OFFICE

**NSBMT**  
OCT 08 2021  
**RECEIVED**

**EXHIBIT 6**



# TEXAS DEPARTMENT OF LICENSING & REGULATION

Enforcement Division • PO Box 12157 • Austin, Texas 78711 • (512) 539-5600 • Fax (512) 539-5698

[www.tdlr.texas.gov](http://www.tdlr.texas.gov)

## NOTICE OF MANDATORY REVOCATION OF LICENSE BY OPERATION OF LAW

August 26, 2021

CHUNLING WU

Re: Chunling Wu (Respondent); TDLR Case Number MAS20210012400

Dear Ms. Wu:

On or about March 22, 2017, Respondent was issued Massage Therapist License Number MT127411. On April 6, 2021, Respondent renewed that license. However, the Department has discovered that Respondent is ineligible for a license due to Respondent's criminal history and that Respondent's license should never have been issued or renewed. Therefore, the Respondent's license has been revoked by operation of law and it cannot be renewed.

(a) On or about March 17, 2005, in Cause Number MB0452488-B, in County Criminal Court, Dallas County, Texas, Respondent was convicted of the offense of prostitution.

(b) TEX. OCC. CODE §455.152 provides that a person is not eligible for a license as a massage establishment, massage school, massage therapist, or massage therapy instructor if the person is an individual and has been convicted of, entered a plea of nolo contendere or guilty to, or received deferred adjudication for an offense involving human trafficking, public indecency, such as prostitution, or another sexual offense. Since Respondent has been convicted of prostitution, Respondent is not eligible for a license as a massage therapist.

(c) TEX. OCC. CODE §455.251(b) provides that a license holder's license shall be revoked if the person is convicted of, enters a plea of nolo contendere or guilty to, or receives deferred adjudication for an offense involving prostitution or another sexual offense.

(d) Accordingly, Respondent was not eligible to receive Massage Therapist License Number MT127411 at the time it was issued, and that license is hereby revoked by operation of law.



Ex 6 a



If, within thirty (30) days from the date of this letter, the Respondent provides the Department of Licensing and Regulation (TDLR) with evidence that Chunling Wu was not convicted, did not enter a plea of nolo contendere or guilty, and did not receive deferred adjudication for an offense involving human trafficking, public indecency, such as prostitution, or another sexual offense, TDLR will re-examine the evidence and re-consider the status of the license.

TEX. OCC. CODE §51.354 provides that the Respondent is entitled to a hearing before the State Office of Administrative Hearings (SOAH) on this matter if, within thirty (30) days from the date of this letter, the Respondent provides the Department a written request for a hearing. a written request for a hearing by mail to Vickie Butler, Enforcement Division, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711-2157, by facsimile to Vickie Butler at fax number (512) 539-5698, or by email to Vickie Butler at Vickie.butler@tdlr.texas.gov. A request for hearing must either be mailed to or faxed to the above mailing address, fax number, or email address and must include the TDLR Case Number listed on the front page of this letter. The date of filing shall be determined by the file stamp affixed by the Department. **Please note this proposed revocation will become final at the end of this 30-day period if you fail to make a timely written request for a hearing as specified herein. If this revocation becomes final and you still wish to seek a license with the Department, you will be required to submit a new application.**

Before requesting a hearing, the Respondent should know about the following recent results after hearings based on the same statutes involved in this case:

- a SOAH Docket #: 452-19-1089: In 2009, the Respondent pled guilty to and was placed on a deferred adjudication for prostitution, and the Department of State Health Services (DSHS) granted the Respondent a massage therapist license soon after. Regulation of the massage therapy occupation was transferred to TDLR in 2017. In 2018, TDLR proposed to revoke and deny renewal of the license based on the prostitution plea and deferred adjudication, despite DSHS having granted the license and the time that had passed. The SOAH administrative law judge agreed that TDLR had no choice but to revoke and deny renewal. On October 3, 2019, the Commission of Licensing and Regulation (Commission) officially revoked the license and denied the renewal, based on TEX. OCC. CODE §455.152 and TEX. OCC CODE §455.251(b)(1).a
- a SOAH Docket #: 452-19-5143: In 2007, DSHS granted the Respondent a massage therapist license. In 2008, the Respondent pled guilty to and was placed on deferred adjudication for prostitution. In spite of the new criminal history, DSHS renewed the Respondent's license multiple times before regulation of the massage therapy occupation was transferred to TDLR in 2017. In 2018, TDLR proposed to revoke the license based on the prostitution plea and deferred adjudication, despite DSHS having granted the license and the time that had passed. The SOAH administrative law judge agreed that TDLR had no choice but to revoke. On February 20, 2020, the Commission officially revoked the license, based on a TEX. OCC. CODE §455.152 and TEX. OCC CODE §455.251(b)(1).

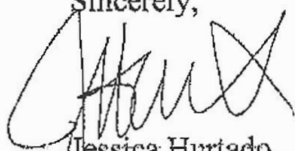


- SOAH Docket #: 452-20-1757: In 2008, the Respondent pled nolo contendere to and was placed on deferred adjudication for prostitution. In 2016, DSHS granted the Respondent a massage therapist license despite the criminal history. In 2017, regulation of the massage therapy occupation was transferred to TDLR. In 2018, TDLR proposed to revoke the license based on the prostitution plea and deferred adjudication, despite DSHS having granted the license and the time that had passed. The SOAH administrative law judge agreed that TDLR had no choice but to revoke. On December 8, 2020, the Commission voted to revoke the license, based on TEX. OCC. CODE §455.152 and TEX. OCC. CODE §455.251(b)(1).

You may confirm the details of the above cases and review which arguments against license revocation or denial have already been considered and rejected by searching for the above cases on SOAH's website (<http://www.soah.texas.gov/>). If you have difficulty accessing the online case files, you may call SOAH staff for assistance at (512) 475-4993.

Any questions regarding this case should be directed to Vickie Butler, Legal Assistant, Enforcement Division at (512) 539-5587 or e-mail at [Vickie.butler@tdlr.texas.gov](mailto:Vickie.butler@tdlr.texas.gov).

Sincerely,



Jessica Hurtado  
Prosecutor  
State Bar No. 24068806

JH/vb

I certify that true and correct copies of the foregoing Notice of Mandatory Revocation by Operation of Law have been sent by U.S. certified mail, return receipt requested

(# 9214 89 019403 8847 9222 96)

to Chunling Wu, at the address indicated on the first page of this document,  
on this 26<sup>th</sup> day of August, 2021.

P Moran

**NSBMT**  
OCT 08 2021  
**RECEIVED**

TEXAS DEPARTMENT OF LICENSING  
AND REGULATION  
P.O. Box 12057  
Austin, Texas 78711-2057  
1-800-803-9202 (512) 463-6599  
[www.tdlr.texas.gov](http://www.tdlr.texas.gov)



MASSAGE THERAPIST  
CHUNLING WU

License Number: MT127411

License Expires: February 28, 2021

If you cut around the border of the license it will fit in  
a standard 5" x 7" frame.

**NOTE:** You may wish to laminate the pocket identification  
card to preserve it.

www.tdlr.texas.gov  
1-800-803-9202 (512) 463-6599  
Austin, Texas 78711-2057  
P.O. Box 12057  
TEXAS DEPARTMENT OF LICENSING AND REGULATION  
The person named on the reverse is licensed by the

CHUNLING WU



*Mike Arismendez*  
Chair

*Thomas F. Butler*  
Vice Chair



*Gerald R. Callas, M.D., F.A.S.A.*  
*Helen Callier*  
*Rick Figueroa*  
*Gary F. Wesson, D.D.S., M.S.*  
*Deborah A. Yurco*

*Licensed Massage Therapist*

**CHUNLING WU**

License Number: MT127411

Attach a  
Current  
Photograph  
Here

The person named above is licensed by the Texas Department of Licensing and Regulation.

License Expires: February 28, 2021

Brian E. Francis  
Executive Director

Ex 66