



LAW OFFICES OF  
**STEVEN J. PARSONS**  
10091 PARK RUN DR STE 200  
LAS VEGAS, NV 89145-8868

STEVEN J. PARSONS

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CANDICE BENSON, PARALEGAL

TEL: (702) 384-9900  
MOBILE: (702) 355-9900  
FAX: (702) 384-5900  
[INFO@SJPLAWYER.COM](mailto:INFO@SJPLAWYER.COM)

Monday, June 6, 2022

by email – [sjanderson@lmt.nv.gov](mailto:sjanderson@lmt.nv.gov)

Sandra J. Anderson, Executive Director  
NEVADA STATE BOARD OF MASSAGE THERAPY  
1755 E Plumb Ln Ste 252  
Reno, NV 89502-3656

Re: My client: **Michael W. Jackson**, NVMT 4748  
Petition for reconsideration of Order for Michael W. Jackson  
Case Number: NVMT-C-21079

Dear Ms. Anderson:

As you know from my correspondence, I've been retained to represent Michael W. Jackson, of Las Vegas. Mr. Jackson holds Board of Massage Therapy license no. 4748.

Generally, this letter is my client's respectful Petition for reconsideration of the Board's April 10, 2022 Order resulting from a defaulted hearing on March 30, 2022. Mr. Jackson denies any impropriety and violations of his license or applicable standards of the profession. Mr. Jackson has diligently served his profession for many years without any complaint nor discipline. We will defend his actions in the referenced incident upon a hearing.

The Board's default Order results from Mr. Jackson's inability to log back-in to the Zoom conference after being called away by his employer shortly before the Board was to commence the meeting. However, Mr. Jackson's failure to appear at the time set for the hearing on March 30, 2022 is excusable and reasonable given the circumstances he faced.

In summary, the witness against Mr. Jackson appeared on March 30<sup>th</sup> and told her story of the incident. The Board accepted the facts of the complaint as true and imposed its Order. The Order contains penalties, fines and reimbursement of costs that are severe. These very significant impacts on Mr. Jackson and his family should be determined upon the conclusion a fair hearing by the Board of competent testimony of the facts of the incident, and not by default.

Mr. Jackson came to me expressing his failure to timely reconnect, conceding it would result in the need for Ms. Andruss to appear, yet again. No one welcomes that extra imposition on her. However, without doing so manifestly serves to work a forfeiture of Mr.

Sandra J. Anderson, Executive Director  
Nevada State Board of Massage Therapy  
Re: My client: Michael W. Jackson, NVMT 4748  
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Agenda Item 17, Board's calendar for June 8, 2022  
Monday, June 6, 2022  
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Jackson's right to a hearing on her complaint.

Mr. Jackson's inability to manage technology unrelated to either of his professions led to his inability and failure to reconnect a few minutes after the Board hearing commenced.

Mr. Jackson is a lifelong dyslexic and a person with other learning disabilities and processing deficits. First diagnosed in elementary school in Amarillo, Texas more than 45 years ago, Mr. Jackson has used various modes of adapting and deflection in dealing with his deficits. As a union carpenter at the Bellagio Hotel he has well-masked his inability, but sometimes it becomes a barrier to his tasks at hand. Some of the email messages and other correspondence in this matter were done by his wife. However, no such assistance was available on March 30<sup>th</sup> in his trying to log-in and stay connected in the Zoom hearing.

Despite his best efforts to remain on the March 30<sup>th</sup> Zoom-call with which he connected well before the appointed time, the connection was lost during a brief absence from his private workplace when he was called away by his new boss. Upon returning after the brief meeting, Mr. Jackson was not able to restore the connection he had. Unlike other Zoom-invites, the connect info supplied him by the Board listed only a lengthy and complicated web-address which Mr. Jackson repeatedly tried to manually enter. Probably at an ever feverish pace, Mr. Jackson was apparently unable to again type in the correct address or otherwise couldn't reestablish the connection. Unlike other Zoom-invites, alternate phone numbers to call-in were not provided. His wife suggested his email seeking assistance later that afternoon.

Mr. Jackson meant no disrespect nor harm for the Board or Ms. Andruss. He and I look forward to the Board's ongoing cooperation in getting the matter of the complaint against him considered in a contested hearing and with all evidence available being considered. We remain fully cooperative.

Sincerely,

LAW OFFICES OF STEVEN J. PARSONS

/s/  
STEVEN J. PARSONS

SJP:ms

c: client