# BEFORE THE NEVADA STATE BOARD OF MASSAGE THERAPY

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In the Matter of: YUNPING BOWLYOU,

Licensed Massage Therapist Nevada License No. NVMT.1831

Respondent.

Case No. NVMT-C-25001

COMPLAINT AND NOTICE OF HEARING

The Nevada State Board of Massage Therapy (Board), by and through its Executive Director, Elisabeth Barnard, hereby notifies YUNPING BOWLYOU ("Respondent") of an administrative hearing, which is to be held pursuant to Chapters 233B, 241, 622, and 622A of the Nevada Revised Statutes (NRS) and 640C of the Nevada Revised Statutes (NRS) and the Nevada Administrative Code (NAC). The purpose of the hearing is to consider the allegations stated below and to determine if the Respondent should be subject to an administrative penalty as set forth in NRS 640C.710, if the stated allegations are proven at the hearing by the evidence presented.

Respondent is currently and at all times mentioned herein, licensed as a massage therapist in the State of Nevada and is therefore, subject to the jurisdiction of the Board and the provisions of NRS Chapter 640C.

#### IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

### **ALLEGED FACTS**

- 1. On or about January 13, 2024, Respondent, while employed with Eastern Spa Massage, located at 4225 E. Eastern Ave., Las Vegas, NV 89119, was arrested and charged with discharging a firearm into an occupied structure and two counts of assault with a deadly weapon. (Case Report No. LLV240100063757).
- 2. Specifically, on that day, you got into an altercation with a male customer who was demanding a refund for a massage that had been performed by another employee of the spa (Xiaoyan Li).

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- 3. During the argument, the male customer took your cellphone and refused to give it back until he was given the refund. In response, you went to your office, retrieved a black handgun, pointed the firearm at the male customer as he began to walk outside and discharged it. The shot missed the customer and instead hit a parked vehicle outside of the business.
- 4. Based upon these facts, you were found to have "willfully, unlawfully and intentionally" discharged a firearm at an occupied structure and placed another person in reasonable apprehension of immediate bodily harm with a deadly weapon.
- Further investigation revealed that a vehicle owned by Fairway Auto Sales and Rental
   (Chrysler 200) had been damaged during the shooting incident.
- 6. While unrelated to the incident at issue, a police search of the premises in which you worked also revealed a "bag of condoms", indicating a high probability that prostitution activities were or had been conducted within the business.
- 7. The above charges were at issue in Las Vegas Justice Court Case No: 24-CR-004661. You resolved that case on or about May 3, 2024 by pleading no contest to a reduced charge of disturbing the peace. As part of that plea agreement, you agreed to take a gun safety course, forfeit the firearm used in the incident, a suspended jail sentence of 180 days, and to stay out of trouble for at least 6 months. All conditions of the plea were met and the matter was officially closed on October 31, 2024.

#### VIOLATIONS OF LAW

#### COUNT ONE

8. Engaging in unethical and/or unprofessional conduct as per NRS 640C.700(9).

#### COUNT TWO

9. Endangering the safety of the general public, clients and/or co-workers by making actual or implied threats of violence or carrying out an act of violence as per NAC 640C.410(1)(b)(20).

#### PRAYER FOR RELIEF

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

1. That the Board conduct a hearing on this complaint as provided by statute, and after

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

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

THE HEARING WILL TAKE PLACE on March 12, 2025, commencing at 9:00 a.m. or as soon thereafter, at 1755 E Plumb Ln., Suite 254, Reno, NV 89502. The hearing may also be attended virtually via Zoom. The Zoom information is as follows:

https://us06web.zoom.us/j/87362552149?pwd=pB7Fo192avA9nNgx3MsfZnoagpwQRe.1

Meeting ID: 873 6255 2149 Passcode: 838718

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

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

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

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

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

If you require the services of an interpreter, one will be provided for you at no charge. Please notify our office by calling (775) 687-9955 or emailing nvmassgebd@lmt.nv.gov by Wednesday, March 5, 2025, of your request.

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

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 case should be made by contacting Senior Deputy Attorney General Todd M. Weiss Esq. at 702-486-3103

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

Dated this 19th day of February, 2025.

NEVADA STATE BOARD OF MASSAGE THERAPY

ELISABETH BARNARD, Executive Director

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 19, 2025, I deposited for mailing at Reno, Nevada, via Certified U.S. Mail, with return receipt and postage prepaid, a true and correct copy of the foregoing COMPLAINT AND NOTICE OF HEARING, properly addressed as follows:

Yunping Bowlyou 9375 Lindell Rd. Las Vegas, NV 89139

Chesnoff & Schonfeld Richard Schonfeld, Esq. 520 S Fourth St. Las Vegas, NV 89101

NEVADA STATE BOARD OF MASSAGE THERAPY

Employee

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Governor Joe Lombardo

Executive Director

Elisabeth Barnard



## Nevada State Board of Massage Therapy

January 30, 2025

Yunping Bowlyou 9375 Lindell Rd. Las Vegas, NV 89139

Re: Investigation of Complaint

Dear Ms. Bowlyou:

The Nevada State Board of Massage Therapy ("Board") has become aware that you may have discharged a firearm at a customer in a massage facility. The foregoing conduct may violate provisions of NRS or NAC chapter 640C and may be grounds for disciplinary action against your license as a massage therapist in Nevada pursuant to NRS 640C.700(9), NAC 640C.410(2)(20) and/or (28).

Pursuant to NRS 233B.127(3), this letter is to notify you of the allegations and offer you the opportunity to respond. Please respond no later than 10 days from the date of this letter.

Due to the potential for possible action against your license as a massage therapist, you need to be aware of the following: (1) you have the right to consult with an attorney before you make any response to the allegations, or at any time during the course of an investigation however, it is not mandatory that you have an attorney represent you in any matters before the Board; (2) disciplinary action against you may affect your license as a massage therapist issued by the Board or any other state; and (3) in the event that there is formal disciplinary action taken by the Board, you may be charged for all financial costs related to investigation, settlement, and/or formal hearing of the complaint pursuant to NRS 622.400.

If you are represented by legal counsel, please have them send a letter of representation to our office as soon as possible.

If you have any questions, I can be reached at (775) 224-8653.

Cordially.

Christy Brunner

Compliance Investigator

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