

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND
REGULATION

BEFORE THE SOUTH CAROLINA COSMETOLOGY BOARD

JANUARY 9, 2012

BOARD MEMBERS:

ROSANNE KINLEY, CHAIRMAN

MELANIE THOMPSON, VICE CHAIRMAN

KATHERINE WEBB

DELORIS GILMER

SELENA BROWN

DEAN GRIGG, ADVICE COUNSEL

This meeting held at the South Carolina Department of Labor, Licensing and Regulation, The Kingstree Building, 110 Centerview Drive, Columbia, South Carolina, reported by Cecelia P. Englert, Verbatim Court Reporter and Notary Public in and for the State of South Carolina; said meeting being held on the 9th day of January, 2012, scheduled for 10:00 a.m. and commencing at 10:07 a.m.

1 MS. KINLEY: Meeting called to
2 order. Public notice of this meeting was properly
3 posted at the South Carolina Board of Cosmetology
4 Office, Synergy Business Park, Kingstree Building
5 and provided to all requesting persons,
6 organizations and news media in compliance with
7 Section 30-4-80 of the South Carolina Freedom of
8 Information Act. May we all stand for Pledge of
9 Allegiance.

10 (Board stands for the Pledge.)

11 MS. KINLEY: Rules of the meeting.
12 Again, I don't have them. Byron, if we could make
13 a note that the rules of the meeting need to be in
14 the packet. Basically, don't speak out of line,
15 don't show out, no more than three minutes on any
16 one subject. Introduction of board members and all
17 other persons attending. We'll start in the back
18 left corner, which I see Chesley has reclaimed a
19 seat.

20 MS. PHILLIPS: Come on now; don't
21 call me out.

22 COURT REPORTER: Before we start, I
23 really need for y'all to speak loud. If I can't
24 even hear you here, then I'm not getting it, okay?

25 MS. PHILLIPS: Chesley Phillips,

1 Nail, Skin and Hair of America.

2 MS. LARGE: Colleen Large, S.C.

3 Aesthetics Association.

4 MS. DANIELS: Kathryn Holmes-

5 Daniels.

6 MR. NGUYEN: Son T. Nguyen.

7 MS. CURTIS: Janice Curtis.

8 MS. BELLAMY: Fran Bellamy.

9 MS. BAXLEY: Kristen Baxley.

10 MS. BELLAMY: Paige Bellamy.

11 MS. SINGLETON: Samesha Singleton.

12 MR. NGUYEN: Tamy Nguyen.

13 MS. SMITH: Gloria Smith. South

14 Carolina Association of Cosmetology Schools.

15 MS. SHELTON; Kate Shelton, USC

16 Continuing Education.

17 MR. ROBINSON: George Robinson,

18 Regency Beauty Institute.

19 MR. MAYERS: Shawn Mayers,

20 Lacy Schools of Cosmetology.

21 MR. LACY: Jay Lacy, Palmetto

22 Professional.

23 MR. ROBINSON: Doug Robinson,

24 president of ACSP.

25 MR. BELLS: Scott Bells, Palmetto

1 Schools.

2 MS. TAYLOR: Matteah Taylor, staff.

3 MS. BAILEY-GLOVER: Roz Bailey-

4 Glover, LLR.

5 MR. RAY: Byron Ray, LLR staff.

6 MR. ANDREWS: Investigator, DeLeon

7 Andrews.

8 MR. HARLEY: Douglas Harley.

9 MR. BROWN: Wayne Brown.

10 MR. LEE: Raymond Lee, investigator,

11 LLR.

12 MR. BLACKMON: Ronnie Blackmon,

13 inspections.

14 MR. BEAVER: Roger Beaver,

15 inspections.

16

17 MR. BARR: George Barr,

18 inspections.

19 MR. KITTS: Kenneth Kitts,

20 inspections.

21 MR. KYZER: Jim Kyzer, inspector.

22 MR. BRYAN: Dwayne Bryan,

23 inspections.

24 MR. KNOTTS: Jimmy Knotts,

25 inspector.

1 MR. HALL: Larry Hall, inspector.

2 MS. WEBB: Kathy Webb, board member.

3 MS. BROWN: Selena Brown, board

4 member.

5 MS. THOMPSON: Melanie Thompson,

6 board member.

7 MS. KINLEY: Rosanne Kinley, board

8 member.

9 MR. GRIGG: Dean Grigg, advice

10 counsel.

11 MS. GILMER: Deloris Gilmer, board

12 member.

13 MS. KINLEY: Did we get everyone in

14 the whole room? State your name for the record,

15 please. Full name.

16 MR. TRUONG: Tuyen Truong.

17 MR. BELDING: David E. Belding.

18 MR. PHAM: Long Phi Pham.

19 COURT REPORTER: Maybe they could

20 sign in.

21 MS. DUONG: Kim Duong.

22 MR. JAMISON: Todd Jamison.

23 MS. DUONG: D-U-O-N-G is the last

24 name.

25 MS. KINLEY: What's your name?

1 MS. THOMPSON: Amy Lee Thompson.
2 MS. GILLIYARD: Syana Gilliyard.
3 MR. VU: Hoag Vu.
4 MR. FISHER: Karl Fisher.
5 MS. WEATHERS: Jasmine Weathers.
6 MS. MIDDLETON: Jasmine Middleton.
7 COURT REPORTER: Make sure they've
8 signed in.
9 MR. GRIGG: Have y'all signed in?
10 COURT REPORTER: Make sure it's
11 printed, so I can read it.
12 MR. GRIGG: Print your name.
13 COURT REPORTER: I'm sorry. Y'all
14 want it right. I'm just doing it
15 for you.
16 MS. KINLEY: Absolutely, Ciel. We
17 greatly appreciate it. Thank you. And anyone else
18 in the room that hasn't signed in, be sure at some
19 point that you do sign in, legibly.
20 Excused absence, Cindy Rodgers is not with us
21 today. She had a death in the family, so if
22 everyone will remember her in their thoughts and
23 prayers.
24 We've been busy since we last saw y'all.
25 Approval of the November 12th, 13 and 14, 2011

1 minutes; approval of November 28th, 2011, December
2 5th, 2011 and December 7th, 2011 teleconference
3 minutes.

4 MS. THOMPSON: Madam Chair, I have
5 corrections on -- I'm not certain if it's on every
6 single packet. Should I just start at the
7 beginning before we --

8 MS. KINLEY: Sure. Why would yours
9 be wrong and mine not?

10 MS. THOMPSON: Because mine are
11 special. November 14th, Line 68 and 69, I made the
12 motion to approve the agenda "with any deviations
13 deemed necessary" needs to be added there.

14 On Line 136 and 137, I'm just unclear. I need
15 clarification on the way that that is stated. I'm
16 sure that the verbatim transcript is probably
17 clear, or maybe it's not. But I didn't quite
18 understand what that meant.

19 Lines 255 and 259, I believe that is supposed
20 to say "scalp," S-C-A-L-P.

21 MS. KINLEY: Yes.

22 MS. THOMPSON: And Line 265, it's
23 "Hair Heirs," H-E-I-R-S.

24 Line 547, I think it's just a typo. "Too many
25 inconsistencies" instead of "inconsistent."

1 MS. KINLEY: I'm sorry, what was
2 that number again?

3 MS. THOMPSON: Five forty-seven.

4 MS. KINLEY: Five, forty-seven,
5 okay.

6 MS. THOMPSON: Line 613, it's just
7 another typo. It says, "Let me, Ms. Kinlaw."

8 MS. WEBB: Sorry, 613?

9 MS. THOMPSON: Yes. Those are all
10 the corrections I had for November 14th. I'll make
11 a motion to approve the minutes, pending those
12 corrections.

13 MS. WEBB: Second.

14 MS. KINLEY: Have a motion and a
15 second to approve November 14 minutes, pending
16 those corrections. Any further discussion?

17 (NO RESPONSE.)

18 MS. KINLEY: Hearing none, all in
19 favor, signify by saying aye.

20 BOARD MEMBERS: Aye.

21 MS. KINLEY: Opposed? Motion
22 carries. Moving on to the November 28 minutes.

23 MS. THOMPSON: Unless someone else
24 found something, I make a motion to approve the
25 November 28th minutes.

1 MS. KINLEY: Anyone have anything?
2 Do I have a second?

3 MS. GILMER: Second.

4 MS. KINLEY: Have a motion and a
5 second for approval of the November 28th telephone
6 conference meeting. Any further discussion?

7 (NO RESPONSE.)

8 MS. KINLEY: Hearing none, all in
9 favor signify by saying aye.

10 MS. THOMPSON: Aye.

11 MS. KINLEY: Opposed? Motion
12 carries. December 5th?

13 MS. THOMPSON: December 5th, madam
14 chair, on Line 92, it's Mr. Grigg, instead of
15 Gregg.

16 MR. GRIGG: Thank you.

17 MS. THOMPSON: You're welcome. Line
18 124, it's just another typo. I think the word
19 "know" was left out. It says, "Ms. Seigling know
20 that the case." Those are all the corrections I
21 found for December the 5th.

22 MS. KINLEY: Anyone else?

23 (NO RESPONSE.)

24 MS. THOMPSON: Make a motion to
25 approve the minutes for December 5th, pending those

1 corrections.

2 MS. GILMER: Second.

3 MS. KINLEY: Motion's been made and
4 seconded. Any further discussion?

5 (NO RESPONSE.)

6 MS. KINLEY: Hearing none, all in
7 favor?

8 BOARD MEMBERS: Aye.

9 MS. KINLEY: Opposed? Motion
10 carries. December 7.

11 MS. THOMPSON: Make a motion to
12 approve December 7th minutes.

13 MS. WEBB: Second.

14 MS. KINLEY: Motion and a second.
15 Any discussion?

16 (NO RESPONSE.)

17 MS. KINLEY: Hearing none, all in
18 favor, signify by saying aye.

19 BOARD MEMBERS: Aye.

20 MS. KINLEY: Opposed? Motion
21 carries. Apparently, I threw y'all when I didn't
22 say "signify."

23 MS. THOMPSON: You didn't throw me.

24 MS. KINLEY: Approval of agenda?

25 MS. THOMPSON: Make a motion to

1 approve the agenda, with any deviations deemed
2 necessary.

3 MS. GILMER: Second.

4 MS. KINLEY: Have a motion and a
5 second. Any further discussion?

6 (NO RESPONSE.)

7 MS. KINLEY: Hearing none, all in
8 favor, signify by saying aye.

9 BOARD MEMBERS: Aye.

10 MS. KINLEY: Opposed? Motion
11 carries. Well, I hope everyone had a safe and sane
12 holiday. All I can say is my, what a difference a
13 year makes. So much has happened within this
14 agency within the last 12 months that at this
15 point, it is almost prophetic to point out that
16 exactly one year ago today, this state and the
17 eastern seaboard was buried in a snow blizzard.

18 We'll take a two minute break real quick.

19 (Off the record.)

20 MS. KINLEY: Sorry for that delay.
21 Apparently, we were not being broadcast. I'm going
22 to go back to my chairman's remarks, and I'm just
23 going to start from the beginning. And I
24 apologize.

25 MS. DICKERT: You're good.

1 MS. KINLEY: We're good? Thank you.
2 Thank you, Sandy, very, very much. One thing I did
3 fail to mention before we got started. I meant to
4 mention this during approval of excused absences.
5 Also, if everyone would remember Shirley Wider; she
6 lost a family member this past week and is being
7 buried today. It was very unexpected, so our
8 hearts go out to Shirley, if everyone would
9 remember her. I'm sure she would appreciate a card
10 from anyone here. She will be here with us
11 tomorrow, though, she promised me.

12 Well, again, I hope everyone had a safe and
13 sane holiday. What a difference a year makes. If
14 everyone will remember, that exactly a year ago
15 today, the south, Columbia and the eastern seaboard
16 was buried in a snow blizzard. I'm beginning to
17 think that this might have been a sign then of
18 things to come for 2011. While it was a white
19 wonderland, beautiful to behold, it was also
20 extremely destructive, almost a sign from above.
21 Although we can't read into things, sometimes
22 experiences can be very reflective.

23 I can honestly say, this has been a very busy
24 two months since we last saw you. For those of you
25 who were not here at the November meeting, I want

1 you to know you missed a record-breaker 12-hour
2 meeting. We walked in here at 8:30 in the morning;
3 we walked out of LLR at nine o'clock that night,
4 many of us with two or three hour drive before we
5 got home that night.

6 Because of these agendas that seem to be
7 getting longer and longer instead of shorter, even
8 though I keep getting remarks from the public
9 saying "Well, you need to do this; you need to do
10 that." We have tried to streamline. We've given a
11 list of areas that we believe don't have to
12 necessarily come before the board. So we have. We
13 have done everything imaginable to make these
14 meetings more efficient and to stay within a
15 livable time line.

16 At this point, we have decided that these may
17 have to go to being a two-day meeting or even a
18 monthly meeting. Again, I've had suggestions
19 submitted to me through various parties, and I just
20 want everyone to realize and appreciate that this
21 board serves in a voluntary capacity. I'm not sure
22 that that fact is understood. Yes, we get mileage,
23 and yes, the state pays for our rooms. But other
24 than a \$35 stipend and a \$25 meal allowance, it is
25 a totally voluntary position. And that's okay. We

1 knew that going into this. Of course, we were all
2 lied to as to how much time would be involved in
3 serving on this board. And I'm sure it wasn't
4 intentional, but, you know, I think all of us were
5 told when we were first approached to serve on the
6 board, "Oh, you only meet --

7 MS. THOMPSON: You've got a
8 meeting --

9 MS. KINLEY: -- once every two
10 months."

11 MS. THOMPSON: -- every other month.
12 That's all you have to do.

13 MS. KINLEY: That's all you have to
14 do. If y'all saw the emails or the phone calls
15 that are made daily -- bless Byron's heart.
16 There's some days I'm on the phone to him five
17 times a day, and that's okay. But again,
18 voluntary.

19 We're all dedicated to this board and the
20 state and we recognize, certainly, we're not doing
21 it for the money. Nor do we do it for the license
22 plate that's on the back of our vehicles, that we
23 pay for. It isn't given to us. We do it because
24 we're all extremely devoted to this profession and
25 this industry. But honestly, 12 hours is brutal,

1 and I promise you, it won't happen again.

2 That being said, I would like to take this
3 opportunity to thank those of you sitting out there
4 in the audience who hung with us the entire 12
5 hours. Chesley, Colleen, you're the real heroes of
6 this industry. One by one, everyone else sitting
7 beside of you got up and left, but you stayed with
8 us till the very bitter end. And for that, I
9 applaud you and I'm sure the rest of the board
10 applauds you also. I want to say thank you for
11 your dedication to this industry well beyond
12 anyone's expectations. I honestly can say, if I
13 had been sitting where you're sitting, I probably
14 would have been getting up and leaving too, knowing
15 that we had drives home. So thank you.

16 As I said, the past eight weeks have been very
17 busy. On November 29th, I did the final school
18 inspection for the Institute of Nail Artistry in
19 Greenville. This was probably one of the longest
20 approval processes -- George can attest to that --
21 that I've encountered. But I'm pleased to say, I
22 believe that it was worth the wait. I do believe
23 this school is going to be an outstanding school,
24 and I wish Ms. Hernandez much success.

25 On November 18th, Director Templeton met with

1 the LCI Subcommittee. Among many issues brought up
2 that day, the one that this industry needs to be
3 aware of was initial discussion of privatization or
4 deregulation of the cosmetology industry. Because
5 of this information, the All Industry Council held
6 their first meeting that had been held in several
7 years. This was followed by a meeting that my
8 senator, Senator Kevin Bryant, held for me in
9 Anderson, due to the fact that I was not able to
10 attend the regularly-scheduled LCI Subcommittee
11 meeting here in Columbia. There was another most
12 recent meeting held, again here in Columbia, on
13 December 21st. Lovely, the week of Christmas.

14 LLR has proposed deregulation of a number of
15 professions, once of which is cosmetology. This
16 board has discussed and, of course, are against any
17 form of deregulation and will continue to fight any
18 effort to do so. A bill of this exact nature was
19 filed in New Hampshire. It was just overwhelmingly
20 killed last week. The bill was stating the same
21 things I'm hearing here in South Carolina, that the
22 license just prevents competition, doesn't protect
23 the public. I'm sorry, and excuse my language, but
24 that's total crap. I honestly don't know why
25 cosmetology always seems to be the one targeted

1 whenever a governor decides that they want to
2 impress constituents and reduce the size of
3 government.

4 As I told my senator, reducing the size of
5 government sounds wonderful. I don't think anyone
6 in here would disagree with that. But it's great
7 until one of your loved ones is harmed when they go
8 into a salon to receive something as simple as what
9 they think is a pedicure or a chemical service of
10 any sort, and they come out harmed, or even killed.

11 Many of the veterans seated in here today know
12 and remember David Bagwell, our former board member
13 and former chair of this board. I'd like to state
14 for the record that serving on the board alongside
15 of David was a mixed bag of emotions. While he and
16 I differed on many issues, I have nothing but huge
17 respect for David. He undoubtedly is one of the
18 most intelligent men I've ever had the pleasure of
19 knowing. David has had several debilitating
20 strokes, strokes that have affected his body, but
21 certainly not his mind. He has written a letter to
22 Governor Haley and Director Templeton. He
23 forwarded it to me this last week and asked that I
24 read it and make it a part of the record. So if
25 you will allow me to read David's letter for the

1 record.

2 "Dear Governor Haley: While I understand that
3 Catherine Templeton is your appointment to head the
4 Labor, Licensing and Regulations Department, herein
5 after referred to as LL and R, I have read her
6 report to you dated December 19th, 2011 and feel
7 compelled to respond. I was first licensed as a
8 cosmetologist in 1962, and after three strokes, I
9 had to retire. I have not, however, lost my
10 interest in, nor my passion for cosmetology.

11 I was appointed to the Cosmetology Board by
12 Governor Riley, Governor Beasley, Governor Hodges
13 and Governor Sanford. During my almost 50-year
14 career as a professional cosmetologist, I've had
15 the honor to be elected by the board as their
16 chairman on several occasions. I also served on
17 the national board of the National Interstate
18 Council of State Boards of Cosmetology. In 1996, I
19 was inducted by the industry as a member of the
20 National Cosmetology Hall of Fame, serving as a
21 member alongside the Vidal Sassoon, John Paul
22 Mitchell and others. You can well-imagine that the
23 cosmetology profession is close to my heart and I
24 feel as if I am qualified to comment on the
25 director's remarks.

1 The director's report includes cosmetology,
2 barbering, real estate agents, vacation timeshares,
3 builders, foresters, geologists, soil advisors, LP
4 gas regulators, auctioneers and the environmental
5 certification board. While the director's report
6 has no summary and no formal recommendations, we
7 are left to sift through the report and pick and
8 choose those, what may or may not be
9 recommendations.

10 While the cosmetologists and barbers seem to
11 be included together in the director's report, I
12 feel qualified to discuss only the cosmetology
13 profession. These two professions, cosmetology and
14 barbering, should not, in my opinion, be lumped
15 together with the others in the director's report
16 because there is one huge difference: We lay our
17 hands on the members of the consuming public in the
18 performance of the service we provide to them.

19 The state owes the members of the consuming
20 public that the practitioner has at least a minimum
21 degree of competence, measured by the state. This
22 is not the time to let the buyer beware. We do
23 more than just haircuts. If the cosmetologist uses
24 the wrong straightening product on the wrong
25 client, it isn't like using the wrong fertilizer on

1 a tree in the forest or calling out an incorrect
2 number as an auctioneer. The client could be left
3 with severe burns on the scalp and serious hair
4 breakage that would take months to repair, if ever.
5 The burns could lead to permanent baldness. Let
6 the buyer beware, indeed.

7 The last sentence of the very first paragraph
8 of the director's report states: 'Weighing the
9 relatively low risk of harm and even lower
10 likelihood of prevention by the state against the
11 high cost of the program begs the question of
12 whether the state regulation of cosmetology and
13 barbers is a wise investment by the taxpayer.' The
14 license for a cosmetologist is \$15 per year. Not
15 only is this enough money to fund the program, but
16 there are sufficient funds left over to add to the
17 state treasury. The high cost of the program is
18 completely funded by the license fee. If the
19 consumer -- it cost the consumer nothing. They
20 have no investment at all. The fact that the
21 director admits the even lower likelihood of
22 prevention by the state, whose fault is that? This
23 begs the question of why isn't the Department of LL
24 and R and the board enforcing the law? I find it
25 difficult to believe that the director included

1 this admission in writing in a report to the
2 governor.

3 As to the lookup opportunity afforded the
4 public, I'll guess that the director of LL and R
5 did not find her hair dresser by the lookup method.
6 Most people select their cosmetologist by their
7 reputation in the community. If the member of the
8 public sees someone's hair that they that they
9 like, they ask that person 'Who does your hair?'
10 They certainly don't go to a lookup opportunity
11 provided at SCGov.com. In the last sentence the
12 director states, 'The paltry number of inquiries in
13 both fields suggests consumers enter into millions
14 of barber and cosmetology transactions a year
15 without regard to state licensure.' It is not
16 without regard to state licensure. It is without
17 regard to the paltry lookup feature. At least the
18 director got the numbers correct. It is certainly
19 in the millions of transactions per year that state
20 licensure is very important to the consumer. That
21 is why the license has a picture of the licensee
22 and is displayed in a conspicuous place.

23 In the third paragraph, the director admits
24 that DHEC can do a better job of enforcing the
25 cosmetology statues than LLR is doing. If LLR

1 can't do their job, I would agree that some other
2 agency should do the enforcement of the law. In
3 1985 when I was appointed to the board the first
4 time, the Board of Cosmetology was a free,
5 standalone board and were responsible only to the
6 governor and the legislature. This worked out very
7 well, until the legislature put in another level of
8 government, the legislative boondoggle that has
9 become known as LL and R. The director in her
10 report admitted the LLR can't do their job. I
11 agree. But it should not be turned over to DHEC.
12 The board should once again become a standalone
13 board, responsible only to the governor. It wasn't
14 broken to begin with.

15 In 1976, I was elected national president of
16 the largest professional association of
17 cosmetologists in the world, 72,000 members. This
18 association has in place a national certification
19 program that could be ready to go in 30 days. The
20 program certifies cosmetologists, barbers, nail
21 techs and aestheticians. The Association of
22 Cosmetology Salon Professionals is willing and able
23 to carry out such a program, as the director
24 suggests. Of the 20-page report, only seven
25 paragraphs concern both barbers and cosmetologists.

1 This seems to put things in perspective.

2 In summary, the report of the director is
3 important to begin a dialogue with the governor and
4 the industry, and hopefully something good will
5 come out of it to further protect the health and
6 welfare of the consuming public. After all, the
7 few amounts of complaints shows that the scheme
8 must be working. Let's get together and see if we
9 can't find ways to help improve the scheme.

10 Recommendations below. Sincerely, David E.
11 Bagwell. CC: The Honorable W. Greg Ryberg,
12 myself, South Carolina State Board of Cosmetology
13 Chair, Catherine Templeton, Director LLR.

14 Recommendations. If you are really interested
15 in protecting the public, you might want to
16 consider the following:

17 No. 1: Increase the hours required to 2,000
18 instead of 1,500. Some of the better schools in
19 the state have this requirement and they are better
20 able to prepare their students. The student is
21 better able to protect the public, they have no
22 trouble passing the exams, and they get good paying
23 jobs because of their increased training.

24 No. 2: Many kids know that they want to be a
25 cosmetologist or a nail tech at an early age. They

1 look up the requirement. They find they only need
2 a tenth grade education. So after the tenth grade,
3 they enroll in cosmetology or nail tech schools.
4 Why bother to get a high school education if it's
5 not required? This may be one small reason that
6 South Carolina has such an appalling dropout rate.

7 No. 3: DHEC isn't the answer. Since the
8 director has admitted in her report that the LLR
9 can't do their job, return the cosmetology board to
10 an independent, free standing board and give them
11 the authority to enforce the law. Make the board
12 only responsible to the governor, not to LLR.

13 No. 4: Require all cosmetologists,
14 aestheticians and nail techs to take at least six
15 hours of continuing education yearly. When you are
16 a young cosmetologist, you attend manufacturer's
17 classes, association classes and many educational
18 events. When you get older, you stop taking the
19 classes and you really need them, just to keep up
20 with the new techniques and new equipment. You
21 really don't know it all just because you have been
22 in the business a long time. Things change too
23 fast. And in order to protect the health and
24 welfare of the public, all licensees should be
25 required to take continuing education."

1 Thank you for affording me the opportunity to
2 read Mr. Bagwell's letter. I'll make sure this
3 gets in the appropriate hands. And that concludes
4 the chairman's remarks.

5 Mr. Ray, administrator's remarks.

6 MR. RAY: Madam Chair, board
7 members, I've passed out to each one of you your
8 instructions for the State of South Carolina, State
9 Ethic's Commission. It's time to apply for the
10 2012 State Economic Entrance Report. Each file
11 will have to do it electronically. There are no
12 exceptions. They no longer allow paper files any
13 longer. I think that I had everyone on the list
14 except Kathy. The instructions tell you how to do
15 it the first time -- user account. Reports have to
16 be in by April 15th of 2012. Please be reminded
17 that, you know, if you go over that time they can
18 charge as much as a hundred dollars a day. Ask
19 that you, you know, just kind of let me know if you
20 have completed yours, try to keep a tally. If you
21 have any questions, feel free to give us a call or
22 call the State Ethics Commission directly.

23 I also wanted to mention Shirley Wider,
24 staff member and Jessica DeBendetto also lost her
25 grandmother.

1 MS. KINLEY: Oh, I'm so sorry to
2 hear about that.

3 MR. RAY: And other than that, I
4 don't have anything else.

5 MS. KINLEY: Thank you for that.
6 Advisory Opinions, Office of General Counsel.

7 MR. ROGERS: We have no Advisory
8 Opinion updates for the board.

9 MS. KINLEY: Legislative Update.

10 MR. GRIGG: Do you want me to
11 comment?

12 MS. KINLEY: Please.

13 MR. GRIGG: Basically, if y'all
14 recall, we've had numerous phone conferences.
15 Meetings to get some proposed changes to ya'll's
16 regulations and whatnot. That stage of the process
17 has ended. I believe the public notice comment
18 period, or the public comment period, I should say,
19 has either just come to an end or is close to
20 coming to an end. And to my knowledge --

21 MS. KINLEY: It must have ended
22 because that's why we removed the --

23 MR. GRIGG: But see, I think we've
24 already cancelled --

25 MS. KINLEY: -- time schedule that

1 we had had allotted for today.

2 MR. GRIGG: Okay. And I thought
3 that was the case. I just did not double-check
4 that. So that's ended, which means Grant and the
5 legislative crowd are, I guess, doing their thing
6 in making sure it gets over to the legislature for
7 their consideration. So basically the long and
8 short of it is it's in the process of moving along
9 in getting over to our legislators, so that they
10 can do what it is that they do with it.

11 MS. KINLEY: Thank you. OIE Report?

12 MR. ANDREWS: I guess -- the record
13 from the last report, it included a large number of
14 cases that have been transferred to a special
15 investigator. We currently have, other than the
16 World Beauty investigations, 93 current
17 investigations, active investigations. And we've
18 closed 12 since the last board meeting.

19 MS. KINLEY: But we don't have --
20 never mind. I'll ask that later.

21 MS. WEBB: You said 12 right now?

22 MR. ANDREWS: We've closed 12, and
23 we have 93 open investigations.

24 MS. KINLEY: Inspector's Reports.

25 MR. ANDREWS: I can read that. For

1 the month of July, they had 736; month of August,
2 720; month of September, 539; month of October,
3 734; month of November, 596; month of December,
4 450, giving us a year-to-date, 3,775.

5 MS. KINLEY: I had, thanks to the
6 Bible being kept over here, and unfortunately, she
7 has spoiled us because -- I'm sorry?

8 MR. RAY: Andrew has the OGC
9 report.

10 MS. KINLEY: Sorry?

11 MR. ROGERS: May it please the
12 board. Office of General Counsel. I didn't know
13 if you wanted to hear this report.

14 MS. KINLEY: Please.

15 MR. ROGERS: The last count of the
16 year, the Office of General Counsel closed six
17 cases for the Board of Cosmetology. We currently
18 have 28 open cases. Fifteen of those are pending
19 action, 12 of those are pending consent agreements
20 or MOAs, and we have one that is a pending hearing,
21 which that hearing is scheduled for today. I do
22 have a breakdown of that to hand up to the board,
23 if you would like.

24 MS. KINLEY: Please.

25 MR. ROGERS: This spreadsheet just

1 breaks down the numbers.

2 MS. KINLEY: Okay.

3 MR. ROGERS: Thank you. That's all.

4 MS. KINLEY: Thank you. Again, I
5 had asked Melanie to compile some numbers for the
6 board, just in comparisons. At this point, I'm not
7 really sure that it's relevant because I just had
8 discussions with Ronnie and Andrew, this one
9 sitting here, as to what's going on. Because I was
10 asking where the day-to-day cases we had been
11 seeing. You know, I realize lots of things have
12 changed in the past year and we don't see cases
13 necessarily for this interim like we are used to.

14 Just as an FYI, according to our 2010 data, as
15 compared to the 2011 data, which also, in my
16 opinion, goes back to the report Ms. Templeton had
17 submitted to the General Assembly, or to the LCI,
18 rather, on the inspection process here. In 2010,
19 this board issued over \$38,000 in civil penalties,
20 as opposed to 2011, it was \$19,000. So I think we
21 need to be watching that very closely, just to make
22 sure that we're -- you know, we're all doing what
23 we can to protect the public. To me, when you see
24 that much of a discrepancy, honestly, I don't think
25 suddenly everyone out there has cleaned their act

1 up. I think we're just not -- and it's not my
2 inspector's fault by any stretch. I want that
3 known. It's his fault, no.

4 Some things changed that were brought to our
5 attention, legally and correctly. Doesn't mean
6 that this board necessarily liked it, but Dean has
7 walked us down the path to correcting the problem
8 and hopefully when the new regs come out of
9 legislature, they'll be corrected and we'll be back
10 on target. But I know these guys over here have
11 felt like they're inspecting a brick wall
12 sometimes.

13 MS. THOMPSON: Must be that same
14 brick wall we're beating our heads on.

15 MS. KINLEY: Yeah. I mean, I think
16 we're all seeing that wall. So I want to thank
17 y'all and I want y'all to not lose the fight that
18 we're going to fix the problems and we appreciate
19 y'all getting in the car every day and going out to
20 protect the public. Thank you. We appreciate it,
21 all of you. Your work is not missed by us. We
22 recognize it.

23 Old business. Don't believe we have anything
24 under old business today.

25 New business. Approval of IRC Report. We

1 don't have a report, correct?

2 MS. WEBB: Madam Chair.

3 MS. KINLEY: Yes.

4 MS. WEBB: May I ask --

5 MS. KINLEY: Certainly.

6 MS. WEBB: -- a question? With all
7 throughout the years that I have been on the board,
8 I have never seen anything come back where we have
9 made a motion to approve someone that had a SLED
10 report, to approve them, and then to give them a
11 two-year probationary period. And we've never seen
12 anything of that. Or I'm asking really for myself,
13 but I'm sure maybe the board wants to --

14 MS. THOMPSON: You're asking for the
15 submission of the SLED report, that they're
16 required?

17 MS. WEBB: Right. That they're
18 required to send back to us, SLED report. And we
19 have -- I mean, I would love to see and would
20 appreciate seeing something, that that is being
21 carried out. I mentioned that, spoke to you about
22 that probably six months ago. And I would really
23 like to see something with that, that that's been
24 taken care of and they are doing what they're
25 supposed to be doing.

1 MS. KINLEY: And in fairness, we did
2 not ask Byron that six months ago because he wasn't
3 here. But I did request it, to kind of piggyback
4 on what you're saying, at our March meeting,
5 because that was our -- our March meeting was -- I
6 believe it may have even been actually the deadline
7 day for renewal, this past year, which meant that
8 everyone that was up for renewal, there were quite
9 a few.

10 In fact, I gave a -- I gave a name-by-name
11 report to Mr. Jones to look into, to make sure that
12 those had done as -- had submitted that report as
13 required. Again, that big, black hole somewhere,
14 things disappear. I never got a response, but I
15 agree with you.

16 MS. WEBB: I just don't want that
17 being, you know, --

18 MS. KINLEY: My gut is --

19 MS. THOMPSON: If I could piggyback
20 on that, what is the established protocol for that?
21 At this point with all the changes that have
22 happened with LLR, when someone is given that
23 assignment, that they are approved for licensure,
24 pending probationary status where they have to
25 submit in 12 months, who is responsible for that at

1 that point, when this board leaves and makes that
2 decision?

3 MR. RAY: Well, legal does an order,
4 send the order, to a licensee, a reminder, "Look,
5 you have to turn this in." It comes back if, you
6 know -- the order is put on relays computer system.
7 Jessica is my compliance person. Soon as I took
8 this job, you know, it was discovered that she was
9 not seeing all -- so I touched bases with all the
10 people in the loop, and everyone that had hands-on.
11 She is now getting included. Like I said, she's
12 been out for a week.

13 MS. THOMPSON: Right.

14 MR. RAY: So she kind of puts
15 that in on our in --

16 MS. THOMPSON: Okay. So let me make
17 sure I understand this. Legal draws up the order.
18 The order is sent to the licensee. And then does
19 the licensee have to respond that they've received
20 the order?

21 MR. RAY: I can't remember if it's
22 -- remember how Jennifer sends those out.

23 MR. GRIGG: And we're talking which
24 type of order now?

25 MS. THOMPSON: That they have to

1 submit their SLED report in 12 months, at their own
2 expense.

3 MR. GRIGG: You talking about after
4 final order, and that's --

5 MS. THOMPSON: Uh-huh.

6 MR. GRIGG: -- one of the
7 requirements we've in it.

8 MS. THOMPSON: Yes. I just want to
9 know what the process is for tracking that, because
10 I understand legal draws it up. It goes to Byron;
11 Byron sends it to Jessica. Jessica enters it in
12 the relays, but then what?

13 MR. RAY: She flags it. You know,
14 she puts a flag on it. So, you know, we know that
15 come renewal time, we check all the flags. That
16 this person's not going to be opened up to renew
17 online or through --

18 MS. THOMPSON: So renewal for
19 licensure is when it's checked. There's not some
20 sort of system within the relay that at 12 months
21 it sends you notification that --

22 MR. RAY: We have that in place --

23 MR. GRIGG: That should be in place
24 as well. And then assuming they've complied with
25 the requirements of the order and they've sent the

1 stuff in, that flag can be removed --

2 MS. THOMPSON: Right.

3 MR. GRIGG: -- once they've
4 satisfied the order, so --

5 MS. THOMPSON: But if the board's
6 not seeing those SLED reports --

7 MR. RAY: I didn't know that link
8 of it. This is my first time.

9 MS. THOMPSON: Right. But it's
10 essentially what we do. I mean, we have to go
11 through them initially, to begin with. And then
12 we've seen something that leaves us not entirely
13 comfortable just shoving someone out of the nest,
14 so to speak. Yet, we're not seeing anything come
15 back that gives us that comfort, telling us that
16 they've completed that time frame, without any
17 other incident.

18 MR. RAY: And normally, staff does,
19 you know, notify me. I've received a few from the
20 Barber Board already with some additional item on
21 their SLED report.

22 MS. THOMPSON: So we're to assume
23 that since we haven't seen anything, essentially
24 that it's clean. There's nothing new, other than
25 what we've seen initially.

1 MR. RAY: Correct.

2 MS. THOMPSON: But were there to be
3 something new --

4 MR. RAY: It would definitely be
5 brought to --

6 MS. THOMPSON: -- then it would come
7 back.

8 MR. RAY: Yes, ma'am.

9 MS. THOMPSON: So at this point
10 -- previously, we can't really have a safe
11 assumption as to how many have slipped through and
12 how many have been done legitimately. But from
13 this point forward, we have a system in place that
14 is working properly and we feel confident in it.
15 Okay.

16 MR. RAY: That is correct.

17 MS. KINLEY: If I were to resubmit
18 those names that were submitted in March of this
19 past year, would you be so kind as to check them
20 for me?

21 MR. RAY: Yes, ma'am.

22 MS. KINLEY: Okay.

23 MS. THOMPSON: Madam Chair, I have
24 an addition to the agenda.

25 MS. KINLEY: Did that answer

1 everything for you, Kathy?

2 MS. WEBB: Yeah, I think so. What
3 I really kind of get to is what all we've already
4 done. And the motions that we have made may have
5 possible not been taken care of.

6 MS. THOMPSON: But on the flip side,
7 there's a possibility that they were. So we'll
8 just --

9 MS. WEBB: Right. That's right.

10 MS. THOMPSON: -- we'll go that way.

11 MS. WEBB: Okay.

12 MS. KINLEY: Yes.

13 MS. THOMPSON: I have an addition to
14 the agenda, please. And if the board would suit to
15 be so kind, I would like to make this addition now,
16 to either become A(1) or the new B. It's a
17 disciplinary hearing for a licensee. So I'd like
18 to make a motion that we add that, please.

19 MS. GILMER: Where is that?

20 MS. THOMPSON: I'm adding it. I'm
21 making a motion to add it to the agenda right now.

22 MS. WEBB: Second.

23 MS. KINLEY: Have a motion and a --
24 do you have a name?

25 MS. THOMPSON: No.

1 MS. KINLEY: Have a motion and a
2 second --

3 MR. GRIGG: Think it's Son Nguyen,
4 if I --

5 MR. ROGERS: Correct. S-O-N T.
6 Nguyen.

7 MS. KINLEY: And that wasn't the
8 same one that was on here?

9 MS. THOMPSON: It was not. So you
10 had a motion and a second. You need to call for a
11 vote.

12 MS. KINLEY: Any further discussion?
13 (NO RESPONSE.)

14 MS. KINLEY: Hearing none, all in
15 favor, signify by saying aye.

16 BOARD MEMBERS: Aye.

17 MS. KINLEY: Opposed? Motion
18 carries. I say we just go ahead and add that on
19 right now.

20 MS. THOMPSON: That's what I just
21 said.

22 MS. KINLEY: I know. But you were
23 saying either A or B.

24 MS. THOMPSON: No. I was saying
25 just what we were going to label it. Was it going

1 to be A(1)? Or was it going to be the new B?

2 MS. KINLEY: A(1).

3 MS. THOMPSON: Okay.

4 MR. ROGERS: Ma'am, if you'll give
5 me just a second to make sure that Mr. Nguyen is
6 out in the hall, make sure he's present.

7 MS. KINLEY: And, Andrew, do you
8 have information for us?

9 MR. ROGERS: Yes, ma'am, I do.

10 MS. KINLEY: Thank you.

11 MR. ROGERS: I was just letting Mr.
12 Nguyen get a seat and get settled.

13 (Off the record.)

14 MS. KINLEY: My name is Rosanne
15 Kinley and I'm the chairperson for the Board of
16 Cosmetology. The other members of the board that
17 will be hearing this case are Kathy Webb, Selena
18 Brown, Melanie Thompson and Deloris Gilmer. The
19 attorney advising the board is Dean Grigg, Esquire.
20 Does the respondent have an attorney?

21 MR. ROGERS: Do you have an
22 attorney, sir?

23 THE WITNESS: Yeah.

24 MR. ROGERS: You do?

25 THE WITNESS: No.

1 MR. ROGERS: You do not have an
2 attorney.

3 THE WITNESS: No.

4 MR. ROGERS: Ma'am, he does not have
5 an attorney. And for the record, I have a Waiver
6 of Attorney that I have for the board that I had
7 given previously to the court reporter. And if it
8 please the court, I have a copy here.

9 [PREVIOUSLY MARKED FOR
10 IDENTIFICATION AS APPLICANT'S
11 EXHIBIT NO. 1 - Waiver of Attorney
12 by Son T. Nguyen.]

13 [PREVIOUSLY MARKED FOR
14 IDENTIFICATION AS APPLICANT'S
15 EXHIBIT NO. 2 - Notice of Hearing.]

16 And for the record, I would like to point out
17 that the top of this document does have the heading
18 for this case. It is in the matter of Son T.
19 Nguyen, spelled S-O-N T N-G-U-Y-E-N. His nail
20 tech license is 64312. This is OIE Case No. 2009-
21 175.

22 MS. KINLEY: The state is
23 represented by Andrew Rogers, Assistant General
24 Counsel. This hearing will be conducted as
25 informally as is compatible with an equitable

1 presentation of both sides of the case. And in
2 compliance with the provisions of the
3 Administrative Procedures Act, the Practice Act and
4 the regulations of the board.

5 The state and the respondent may, if they
6 desire, make opening statements. Thereafter, the
7 state shall present its case. The respondent then
8 will present his case. Both parties may make
9 closing statements if they wish. The state has the
10 option of a closing statement in reply.

11 Mr. Nguyen, would you please present your
12 identification to the court reporter and be sworn
13 in, please, sir?

14 (The witness complies.)

15 COURT REPORTER: We have a
16 Massachusetts driver's license,
17 expiration date is 1/18/2014.

18 MS. KINLEY: Mr. Nguyen, if you
19 would, please, stand and be sworn in. Stand up.

20 (The witness is sworn in.)

21 MS. KINLEY: Mr. Rogers, you may
22 proceed with your case.

23 MR. ROGERS: Thank you, ma'am.
24 Before I begin with the opening statement, there's
25 another document that I would like to give to the

1 board. What I have is a Notice of Hearing. Mr.
2 Nguyen received this in the mail earlier. You
3 should have a copy of that already, sir. I've
4 previously given it to the court reporter -- it's
5 State's Exhibit 2 -- and I have a copy of that for
6 the board. This is the formal notice and charging
7 document by the state against Mr. Nguyen.

8 The first page is a Notice of Hearing and the
9 second page begins the complaint. Among the
10 allegations, and I'll summarize them for the board,
11 is that Mr. Nguyen, when he filed his licensure
12 application with the Board of Cosmetology, he
13 included as part of his application a high school
14 diploma from Illinois. It's the state's
15 contention, and the evidence will prove today, that
16 that was a fraud document, fraudulently obtained
17 and it was forged. That that is in violation of
18 the regulations and statutes that govern
19 cosmetologists.

20 That action results in a number of allegations
21 by the state, which begins on Page 2 of the
22 complaint. Simply, the state alleges that Mr.
23 Nguyen violated South Carolina Code Section 40-1-
24 110(1)(a), in that he used a false, fraudulent or
25 forged statement or document and committed a

1 fraudulent, deceitful or dishonest act or omitted a
2 material fact while obtaining licensure.

3 The next allegation is that he violated
4 Section 40-1-110(1)(c), in that he has
5 intentionally, knowingly, directly or indirectly,
6 violated or has aided or abetted in the violation
7 or a conspiracy to violate the regulations
8 governing the practice of nail tech services in
9 South Carolina.

10 Next allegation is that he violated South
11 Carolina Code Section 40-1-110(1)(d), in that he
12 has intentionally used a fraudulent statement in a
13 document connected with the practice of his
14 profession or occupation.

15 The next violation that is alleged is in
16 violation of Code Section 40-1-110(1)(f), in that
17 he has committed a dishonorable, unethical or
18 unprofessional act that is likely to deceive,
19 defraud or harm the public.

20 Further allegation is that he is in violation
21 of 40-13-110(A)(3) in that he has obtained or
22 attempt to obtain a license by fraudulent or
23 misrepresentation.

24 And the final allegation by the state against
25 the respondent is that he is in violation of 40-13-

1 110(A)(4), in that the respondent has practiced or
2 attempted to practice cosmetology by fraudulent
3 misrepresentation.

4 In order to prove these allegations by the
5 state, we will call our investigator, Mr. DeLeon
6 Andrews, and he will testify as to what he has
7 found during the course of his investigation.
8 After hearing the evidence, I feel confident that
9 the board will fine --

10 MS. KINLEY: Mr. Andrews.

11 MR. ROGERS: If it pleases the
12 board, I'm not sure of the proper procedure here.
13 But does the respondent get a chance to address --

14 MR. GRIGG: I was just about to cut
15 in, before he testifies. Right.

16 MR. ROGERS: Is there anything you
17 want to tell the board?

18 THE WITNESS: Yeah.

19 MR. ROGERS: Okay. Stand up and
20 tell them.

21 MS. KINLEY: You can come forward to
22 the podium, please, sir.

23 THE WITNESS: I want a license. I
24 need to work. Yeah.

25 MS. KINLEY: Thank you.

1 MR. GRIGG: Thank you.

2 THE WITNESS: Thank you.

3 MR. GRIGG: Now, if you want to call
4 your first witness.

5 MR. ROGERS: State's first witness
6 is Mr. DeLeon Andrews. And I understand that for
7 procedural purposes, he'll be standing at the
8 podium. And so I'll just stand over to the side
9 for my examination.

10 (The witness is sworn in.)

11 DIRECT EXAMINATION OF DELEON ANDREWS

12 BY MR. ROGERS:

13 Q. Morning, sir. Where are you currently
14 employed?

15 A. Labor, Licensing, Regulation,
16 Investigations.

17 Q. And what is your job there?

18 A. Investigating cases in the area of
19 cosmetology.

20 Q. How long have you been doing that?

21 A. For the last -- good question. I believe
22 for the last five, six years, I've been
23 investigating cosmetology.

24 Q. And just to get a broad estimate for the
25 board, could you estimate how many cases you've

1 investigated? Just a ballpark. More or less than
2 a hundred? More or less than a thousand? Where
3 would you guess?

4 A. I guess I could say probably over three,
5 four hundred cases.

6 Q. And before you were employed at LLR as an
7 investigator, did you have any opportunity to work
8 as an investigator or within the cosmetology field?

9 A. No, I did not.

10 Q. Sir, during the course of your working
11 here at LLR, did you come across a case against Son
12 T. Nguyen?

13 A. Yes, I did.

14 Q. And is that part of your job, to
15 investigate these allegations?

16 A. Yes, that's correct.

17 Q. Sir, I'm going to show you a document
18 that has previously been given to the court
19 reporter; it's State's Exhibit 3. I'd like the
20 record to reflect that I am giving the respondent a
21 copy. Sir, can you take a moment to review that
22 document?

23 MS. KINLEY: Mr. Nguyen, do you
24 object to this document being submitted as
25 evidence? Do you have any objections to this

1 document being given to us?

2 THE WITNESS: No.

3 MS. KINLEY: Thank you. I'm sorry,
4 you did not mind?

5 THE WITNESS: I didn't understand.

6 MR. GRIGG: Mr. Nguyen, have you
7 seen this document? Do you have a copy of this?

8 THE WITNESS: I see it.

9 MR. GRIGG: Do you have any
10 objection to the board members receiving it, having
11 a copy of it themselves?

12 THE WITNESS: Yes.

13 MR. GRIGG: Yes, it's okay?

14 (The witness nods head.)

15 MR. GRIGG: Okay.

16 **Q. Mr. Andrews, have you had a moment to**
17 **review that document?**

18 **A. Yes, I did.**

19 **Q. And what is this document?**

20 **A. This is the application that was in our**
21 **relays files with LLR. This is the original**
22 **application he filed to obtain a license.**

23 **Q. You said "relays files." Just for the**
24 **record to make sure it's clear, what is the relay**
25 **system?**

1 A. It holds all the information that's
2 received on licensees into a database.

3 Q. And is that how the agency maintains
4 documents for its licensees?

5 A. That's correct.

6 Q. The first page of this document, does it
7 give a name to the licensee?

8 A. Yes, it does.

9 Q. What is that name, sir?

10 A. Son T. Nguyen.

11 Q. And how is that name spelled?

12 A. S-O-N T. Nguyen, N-G-U-Y-E-N.

13 Q. And during the course of your
14 investigation, you said you reviewed this document,
15 sir?

16 A. Yes, sir. That's correct.

17 Q. Does Mr. Nguyen's signature appear on
18 this document, sir?

19 A. Yes. On Page 4.

20 Q. That the candidate's signature?

21 A. That's correct.

22 Q. What is the date next to that signature?

23 A. May 18th, 2008.

24 Q. Was it notarized?

25 A. Yes. It was notarized by Dorothy Ricks,

1 **May 18th, 2008.**

2 **Q. Is there a picture attached next to that**
3 **signature, sir?**

4 **A. That is -- yes, there is a picture**
5 **attached.**

6 **Q. Now, the picture that is on the documents**
7 **that we have here, because of the fact that it has**
8 **been photocopied, is a little derogated. But are**
9 **you familiar with this picture, sir?**

10 **A. Yes. And that was -- in -- in an**
11 **interview, he said that was his picture.**

12 **Q. Back up just a little bit. You had an**
13 **occasion to interview Mr. Nguyen?**

14 **A. Yes, I did.**

15 **Q. And when you interviewed him, did he**
16 **resemble the picture that is on his application?**

17 **A. Yes. Yes, he did.**

18 **Q. And is that gentleman that you**
19 **interviewed that resembled this picture, is he in**
20 **the hearing room today?**

21 **A. Yes, he is.**

22 **Q. Can you please identify him, please?**

23 **A. Mr. Son T. Nguyen.**

24 **Q. I'd like the record to reflect that the**
25 **witness has identified the respondent in this**

1 matter. Sir, the next few pages of this
2 application, I would like to have you look to the
3 second to last page.

4 A. Second to last.

5 Q. There are two documents attached that are
6 photocopied to this application at the bottom of
7 that page.

8 A. Yes.

9 Q. Do you recognize those documents, sir?

10 A. Yes, I do.

11 Q. And what are those two documents?

12 A. A Social Security card and his
13 Massachusetts driver's license.

14 Q. And both of those are for Mr. Son T.
15 Nguyen?

16 A. Yes, that's correct.

17 Q. And just for the record, sir, can you
18 read the number on that Massachusetts driver's
19 license?

20 A. It's S26417282.

21 Q. And when you interviewed Mr. Nguyen, did
22 he present you with a Massachusetts driver's
23 license?

24 A. I don't remember which I.D., but he did
25 present an I.D. that identified him, who he was.

1 Q. I'd like next for you to turn the page to
2 the last page of that document. Do you recognize
3 that document?

4 A. Yes, I do.

5 Q. And what is that, sir?

6 A. This is a high school diploma from a
7 Chicago Public High School.

8 Q. And who does it show as allegedly
9 graduating from that institute?

10 A. Mr. Son Nguyen.

11 Q. What was the date of that?

12 A. June 16th, 1986.

13 Q. What is the name, as written on this
14 document, for the institution that he graduated
15 from?

16 A. Chicago Public High School, Nicholas Senn
17 Metropolitan Academy High School.

18 MR. ROGERS: And just for the
19 record, ma'am, at this time, I don't
20 know if it was clear, but the state
21 would now move this document into
22 evidence, if it has not previously
23 been entered.

24 [MARKED FOR IDENTIFICATION AS
25 APPLICANT'S EXHIBIT NO. 3 -

1 Application for Examination &
2 Licensure for Son T. Nguyen.]

3 Q. Sir, could you explain to the court how
4 you started your investigation in this case?

5 A. In -- in special high school diplomas,
6 the first thing I do is go to the web and just see
7 if that high school exists. When I went to the
8 website, it had a history of the Chicago Public
9 High School with Nicholas Senn Metropolitan
10 Academy. It spoke of the school and how it had
11 changed its name at one point in time. And when I
12 read that information, it coincided with his high
13 school diploma, that the name, it was not named
14 Nicholas Senn High School at that point in time.

15 Q. I'm sorry. At which point in time?

16 A. In 1986.

17 Q. And that is when he was alleged to have
18 graduated?

19 A. That's correct.

20 Q. What was the name of that institution at
21 the time when he was supposed to have graduated?

22 A. It was just named Senn High School at
23 that time, in 1986.

24 Q. Did you speak with anyone in Illinois in
25 the school system to confirm this information?

1 A. Yes. That's when I picked up the phone
2 and called -- I called someone at that high school
3 in records, and they explained to me the history.
4 And I told them what I needed information on.

5 Q. So if I were to give you part of your
6 investigative files, would that help refresh your
7 memory?

8 A. Yes, it would.

9 Q. I'm going to give you a document that's
10 previously been entered, marked by the court
11 reporter as State's Exhibit 4. I would like for
12 you to take a moment and have you review that
13 document, sir.

14 A. Yes. This is the document.

15 Q. Was that part of your investigation?

16 A. Yes, it is.

17 Q. After reviewing that document, sir, are
18 you now more familiar with the individual that you
19 spoke to in --

20 A. Yes.

21 Q. -- Illinois?

22 A. Yes. A Mary May is who I spoke with.

23 Q. And who was Mary May?

24 A. Mary May, she was the administrative
25 assistant for Nicholas Senn High School.

1 Q. And after speaking with Mary May, were
2 you able to determine whether or not the school was
3 actually named in 1986 when the defendant -- or
4 excuse me, the respondent said to have graduated
5 that it was -- the name on the diploma says
6 Nicholas Senn Metropolitan Academy High School.
7 Did Ms. May confirm that that was the name at the
8 time of his graduation?

9 A. Yes. She confirmed it was not the name
10 of the high school at that time of his graduation.

11 Q. And what did she tell you it should have
12 been?

13 A. Senn Metropolitan Academy.

14 Q. And did she send you any type of writing
15 confirming your conversation?

16 A. Yes. She sent a letter August -- dated
17 August 10th, 2010. Can I read what it says?

18 Q. Not at this time. Hang on just a second.

19 MR. ROGERS: I'd like to record to
20 reflect I'm now showing the
21 respondent State's Exhibit 4. I've
22 previously given it to the court
23 reporter. I'd like to give this to
24 you as well.

25 MS. KINLEY: Mr. Nguyen, is it okay

1 if the --

2 MR. NGUYEN: Yes.

3 MS. KINLEY: Okay. Thank you.

4 Q. Mr. Andrews, have you had a moment to
5 review the document, sir?

6 A. Yes.

7 Q. And is that, in fact, a copy of the
8 letter that Ms. May sent you from --

9 A. This is the copy.

10 Q. And is it an accurate copy that you saw
11 in your file?

12 A. Yes, sir.

13 MR. ROGERS: The state would now
14 move this as State's Exhibit 4.

15 [MARKED FOR IDENTIFICATION AS
16 APPLICANT'S EXHIBIT NO. 4 - Document
17 from Nicholas Senn High School, in
18 Chicago, Illinois.]

19 MS. KINLEY: So entered.

20 Q. Okay. Sir, if you would now please read
21 the body of that letter to the board.

22 A. It says, "Thank you for your inquiry
23 about the 1986 diploma for Son Nguyen. After
24 reviewing the diplomas issued in 1986, the name
25 should read on the diploma 'Senn Metropolitan

1 Academy' and the graduation date for the 1986
2 diploma was June 20th, 1986. This diploma was not
3 issued from Nicholas Senn High School or the
4 Chicago Board of Education. If you have any
5 questions, please call me" and she gave her phone
6 number.

7 Q. And I would like to take a moment and
8 review the document that Mr. Nguyen filed, that he
9 claimed to be his high school diploma. Will you
10 take a second and put that on one side of your
11 podium there, and on the other side the body of the
12 letter that you just read. I want to compare these
13 two for a second. The first problem with this
14 document was that the name of the institution is
15 incorrect?

16 A. That's correct.

17 Q. And that is listed on the top of the
18 document?

19 A. That's correct.

20 Q. It currently reads what?

21 A. Nicholas Senn Metropolitan Academy High
22 School.

23 Q. And it should read?

24 A. Senn Metropolitan Academy.

25 Q. Also towards the bottom of that document

1 shows a graduation date. What does the diploma
2 show as the graduation date?

3 A. June 16th, 1986.

4 Q. And based on your investigation in this
5 case, what should it have been?

6 A. June 20th, 1986.

7 Q. Did you do any other action to further
8 your investigation in this matter?

9 A. I interviewed Mr. Nguyen.

10 Q. And when you interviewed Mr. Nguyen,
11 would you summarize that interview for us?

12 A. The course of our interview, Mr. Nguyen
13 admitted the application. He did sign the
14 application, but he -- he said the school placed
15 the fraudulent document in his application.

16 Q. Now, I want to be clear. Mr. Nguyen
17 admitted that he signed his application --

18 A. Correct.

19 Q. -- which was State's Exhibit 3.

20 A. Correct.

21 Q. So he admitted that that the signature
22 was his, I think on Page 4, was his signature.

23 A. That's correct.

24 Q. Now, when he said the school included the
25 high school diploma, was he referring to the high

1 school? Or what school was he referring to?

2 A. The cosmetology school.

3 Q. The cosmetology school that he attended?

4 A. Yes.

5 Q. Mr. Nguyen says that that school supplied
6 the document, supplied the false high school
7 diploma on his application.

8 A. Not the school where he attended
9 cosmetology. The school where he obtained his
10 application. He paid someone to fill out an
11 application for him, a school by the name of World
12 Beauty.

13 Q. Yes, sir.

14 A. And that's where Dorothy Ricks signed his
15 application. So he paid that school to fill out
16 his application, and they placed that document in
17 his file, in this application.

18 Q. And during the course of your
19 investigation and your interview of Mr. Nguyen, he
20 admitted so much to you.

21 A. That's correct.

22 Q. Did he tell you when he became -- or when
23 he entered the country?

24 A. Yes, he did.

25 Q. And when did you learn that?

1 A. 1999.

2 Q. So he entered the country in 1999, but
3 the date of graduation on his high school diploma
4 from Chicago, was that before or after 1999?

5 A. Before 1999.

6 Q. And in your experience, would it be
7 possible to graduate from an American high school
8 without being in the country?

9 A. No.

10 Q. When you conducted your interview of Mr.
11 Nguyen, I just want to be clear, were you in the
12 State of South Carolina?

13 A. Yes, I was.

14 Q. And were you face to face with Mr.
15 Nguyen?

16 A. Yes, I was.

17 Q. Did you confirm his identity at that
18 time?

19 A. Yes, I did.

20 Q. And the gentleman that you spoke to is
21 the gentleman that is seated behind you at the
22 respondent's table?

23 A. Yes, he is.

24 Q. Is there anything further in addition to
25 your investigation you think that's relevant, that

1 **the board should be aware of at this time?**

2 **A. (No audible response.)**

3 MR. ROGERS: I have no further
4 questions for the witness at this
5 time. I believe Mr. Nguyen would
6 have the opportunity to address the
7 witness before the board has any
8 questions. Sir, if you have any
9 questions for Mr. Andrews, you can
10 stand up and ask him now.

11 EXAMINATION BY MR. NGUYEN:

12 **Q. I go to school. And I got a license for a**
13 **nail tech.**

14 **A. He's presented me a license for a nail**
15 **tech in the State of Massachusetts.**

16 MR. GRIGG: Mr. Nguyen.

17 MR. NGUYEN: Yes, sir.

18 MR. GRIGG: Do you have a question
19 for Mr. Andrews? Because you'll have an
20 opportunity to speak.

21 MR. NGUYEN: Yeah, Yeah. I -- I
22 need the license. I need a job (inaudible)
23 license. I -- I -- I don't have a job now.

24 MR. GRIGG: Okay. And you'll have
25 an opportunity to tell that to the board. Right

1 now is your chance to ask Mr. Andrews questions.

2 MR. NGUYEN: I don't have a
3 question.

4 MR. GRIGG: Okay. Thank you very
5 much.

6 MS. KINLEY: Does the board have any
7 questions for Mr. Andrews?

8 MS. BROWN: What is the California
9 Nail Academy?

10 MR. ANDREWS: That was the school he
11 attended for a nail tech.

12 MS. BROWN: I'm puzzled because how
13 did World Beauty School, you know, get involved in
14 it?

15 MR. ANDREWS: Mr. Nguyen, during our
16 conversation, he paid World Beauty for that
17 application and everything.

18 MS. BROWN: Thank you.

19 MS. KINLEY: Do any of the other
20 board members have any questions for Mr. Andrews?

21 MS. THOMPSON: I do.

22 MS. KINLEY: Okay.

23 MS. THOMPSON: We've established the
24 discrepancy on the diploma and we've been told that
25 Mr. Nguyen says that World Beauty placed the

1 document in his file. But does he allege that he
2 has never seen that document before? and that World
3 Beauty just created it out of the blue? Or --

4 MR. ANDREWS: Yes. World Beauty
5 created the high school diploma out of the blue.

6 MS. THOMPSON: And according to your
7 interview with him, did he say that he had no
8 knowledge of that at all? Or had he consented to
9 that in order for licensure in South Carolina?

10 MR. ANDREWS: He consented.

11 MS. THOMPSON: So he was aware that
12 it was happening.

13 MR. ANDREWS: Correct.

14 MS. THOMPSON: But he was the one
15 not the one to actually --

16 MR. ANDREWS: Do it. Put it in
17 his application. They mailed off his application
18 and everything. And the --

19 MS. WEBB: Did he ever take any
20 classes there?

21 MR. ANDREWS: Not at World Beauty.

22 MS. WEBB: That's what I'm --

23 MS. THOMPSON: And do we know if he
24 was ever licensed in another state for nail
25 technology? Or was this going to be his first

1 license?

2 MR. ANDREWS: I -- I never went that
3 far with the investigation because I --

4 MS. THOMPSON: Okay.

5 MS. KINLEY: Anything else for Mr.
6 Andrews?

7 (NO RESPONSE.)

8 MS. KINLEY: Mr. Andrews, thank you.
9 You're excused. Mr. Rogers, you have any other
10 witnesses?

11 MR. ROGERS: The state has no more
12 witnesses. State rests.

13 MS. KINLEY: Mr. Nguyen.

14 MR. NGUYEN: Yes, ma'am.

15 MS. KINLEY: Would you like to come
16 back to the podium.

17 MR. GRIGG: Do you have any
18 witnesses or anybody that's going to speak for you?

19 MR. NGUYEN: No.

20 MR. GRIGG: Okay. You're going to
21 speak on your own behalf?

22 MR. NGUYEN: (Inaudible.)

23 MR. GRIGG: Okay.

24 MS. KINLEY: And would you like to
25 make a statement to this board on your behalf?

1 MR. NGUYEN: Yes.

2 MS. KINLEY: Go ahead.

3 MR. NGUYEN: I got two people -- two
4 people. I got a (inaudible). I need a job. I pay
5 taxes every year.

6 MS. KINLEY: Okay. Mr. Rogers.

7 MR. ROGERS: Yes, ma'am. If it
8 please the board, I do have some questions for the
9 respondent.

10 DIRECT EXAMINATION OF SON T. NGUYEN

11 BY MR. ROGERS:

12 Q. Sir, let me over here, earlier when you
13 were asking questions of Mr. Andrews, you had a
14 nail tech license from another state. Do you want
15 to show that to the board? Do you want to show
16 that as evidence to the board?

17 A. (Witness nods head.)

18 COURT REPORTER: Is that a yes?

19 THE WITNESS: Yes.

20 MR. ROGERS: Okay. If it pleases
21 the board, I'll make a copy of that on the
22 respondent's behalf. I believe it's his intention
23 to introduce that as evidence.

24 MS. KINLEY: Okay.

25 MR. GRIGG: If you will, please.

1 Q. If you can give me that, I'll make a copy
2 and give it to the board, and you'll get it back.

3 A. Yes, sir. I got license --

4 Q. And where is that license from, sir?

5 A. Massachusetts and I -- I renew one time.
6 Yeah, and on the second time, you know, --

7 Q. I'm sorry, I didn't understand that. The
8 first time you got a license in South Carolina.

9 A. Yes.

10 Q. And then you got a second license in
11 Massachusetts?

12 A. No. I renew -- the second time I renew
13 it --

14 MS. THOMPSON: Renew.

15 MR. ROGERS: I think he said he
16 renewed his license.

17 A. Yes.

18 Q. Okay. Do you live in South Carolina?

19 A. Yes. I live in South Carolina now.

20 Q. Do you practice nail tech here in South
21 Carolina?

22 A. Yes.

23 Q. So you do people's nails and their --

24 A. Yeah.

25 Q. -- toenails and everything?

1 A. Yeah, yeah.

2 Q. In what city do you work in?

3 A. Columbia and Aiken.

4 Q. Columbia and Aiken?

5 A. Yeah.

6 Q. Do you drive around between different
7 salons?

8 A. Yeah.

9 Q. And is there a particular owner that you
10 work for?

11 A. Yeah.

12 Q. And who is that owner? Her name?

13 A. Tony. In the -- in the mall in South
14 Carolina.

15 Q. Tony, in the mall of South Carolina?

16 A. Yeah.

17 Q. How long have you been doing nail tech?

18 A. A long time, over ten years.

19 Q. Did you ever go to school to learn and
20 take classes --

21 A. Yes.

22 Q. -- to be a cosmetologist?

23 A. Yeah, yeah.

24 Q. Where did you do that?

25 A. In Massachusetts.

1 **Q. In Massachusetts? Is it Massachusetts?**
2 **Or California?**

3 **A. Massachusetts.**

4 **Q. Is the name of the school California**
5 **Nails?**

6 **A. California Nail.**

7 **Q. And that school is in Massachusetts?**

8 MS. THOMPSON: Excuse me.

9 MR. ROGERS: Yes, ma'am.

10 MS. THOMPSON: This says "Cali for
11 Nails," so I think there's a little confusion.
12 It's not necessarily "California"; it's "Cali."

13 **Q. It's Cali for Nails? That was the name**
14 **of your school?**

15 **A. California Nail.**

16 **Q. And that school was in Massachusetts.**

17 **A. Yes.**

18 **Q. Can you tell us what type of classes you**
19 **took for that? What kind of classes did you take?**
20 **What did you study?**

21 **A. I -- I -- I -- I took everything, you**
22 **know.**

23 **Q. But how many hours?**

24 **A. Four hundred hour.**

25 **Q. Four hundred hours.**

1 A. Yeah.

2 Q. And did you have to take a test?

3 A. Yes.

4 Q. Did you take that test here in South
5 Carolina?

6 A. Yeah.

7 Q. When you went to World Beauty and you
8 gave them money, yes?

9 A. Yeah.

10 Q. And after you gave them money, what did
11 they do for you? What did they do for you? You
12 gave them money.

13 A. (Inaudible.)

14 Q. I'm sorry. Say that again.

15 A. I don't understand it.

16 MR. ROGERS: For the record, I'm
17 giving him his license back. And
18 I'm going to give a copy of that to
19 the court reporter. I believe it
20 should be Defense 1.

21 MR. GRIGG: Respondent's 1.

22 MR. ROGERS: Excuse me, Respondent's
23 1.

24 [MARKED FOR IDENTIFICATION AS
25 RESPONDENT'S EXHIBIT NO. 1 - Copy of

1 Son T. Nguyen's Professional
2 License.]

3 Q. You came to South Carolina and you went to
4 World Beauty, yes?

5 A. Yes.

6 Q. Was there a particular -- was there a
7 person you spoke to there?

8 A. (Nodded head.)

9 Q. What was that person's name?

10 A. I -- I -- I -- I forgot.

11 Q. Did you give that person money? Did you
12 give that person money at World Beauty? Did you
13 give him money?

14 A. (Inaudible.)

15 Q. Do you remember how much?

16 A. I don't know.

17 Q. A lot? Or a little bit?

18 A. About 2,000.

19 Q. About \$2,000, okay. When you gave that
20 person \$2,000, did they help you fill out your
21 application?

22 A. Yes.

23 Q. Let's look at your application. Again,
24 this is State's Exhibit 3. Do you remember this?
25 It's right in front of you there.

1 A. Yes.

2 Q. Okay. Is this your handwriting on the
3 first page?

4 A. Yes.

5 Q. That's your handwriting. Okay. And then
6 on Page 4, is that your signature?

7 A. Yes.

8 Q. That's your signature, okay. Did they
9 help you fill this information out?

10 A. Yes.

11 Q. And on the fifth page it says "Cali for
12 Nails Academy." That's the school you went to in
13 Massachusetts.

14 A. Yes.

15 Q. Did you ever take any classes at World
16 Beauty?

17 A. Yeah. I -- I take classes, 400 hour.

18 Q. You took classes for Cali for Nails in
19 Massachusetts. Took classes.

20 A. Yes.

21 Q. In South Carolina, did you take classes?

22 A. Yes.

23 Q. From World Beauty, did you take classes
24 there?

25 A. No.

1 Q. You did not take classes in South
2 Carolina.

3 A. No.

4 Q. On the second to last page, is that your
5 driver's license?

6 A. Yes.

7 Q. And that's your Social Security card.
8 This document here on the last page, this is a high
9 school diploma. Did you go to this high school?

10 A. Yes.

11 Q. Okay. Did you go to high school in the
12 United States?

13 A. Yes.

14 Q. When did you come to the United States?

15 A. '98.

16 Q. '98?

17 A. Yes.

18 Q. Okay. And this diploma shows that you
19 graduated in 1986.

20 A. Yeah.

21 Q. Did you create this document?

22 A. No.

23 Q. Who gave you this document?

24 A. I -- he --

25 Q. The guy from --

1 A. The guy.

2 Q. -- World Beauty.

3 A. Yes.

4 Q. You paid him money --

5 A. Yes.

6 Q. -- and he gave you that diploma.

7 A. Yes.

8 Q. And you knew that diploma was not true.

9 You knew it was not a real diploma, right?

10 A. Yeah.

11 Q. But you submitted that diploma with your
12 application to LLR and to the Board of Cosmetology.

13 Yes?

14 A. Yes.

15 Q. Yes, okay. Did you remember speaking to
16 Mr. Andrews a while ago, when he interviewed you?

17 A. (The witness nods.)

18 Q. Did you tell him that information as
19 well?

20 COURT REPORTER: I need him to say
21 "yes."

22 MR. ROGERS: Okay. I'm sorry.

23 Q. She is writing down everything that we
24 say. And so when you nod, she can't hear you. So
25 she just has to hear you say "yes" or "no."

1 A. Okay.

2 Q. And so you told Mr. Andrews that you did
3 not go to high school in the United States,
4 correct?

5 A. Yeah.

6 Q. Did you go to high school somewhere?

7 A. In Vietnam. My country.

8 Q. And so you're from Vietnam.

9 A. Yeah.

10 Q. In your home country, you went to high
11 school.

12 A. Yeah.

13 Q. And did you graduate in Vietnam?

14 A. Yeah.

15 Q. What was the name of your high school in
16 Vietnam?

17 A. I forgot. A long time ago.

18 Q. Did they give you a diploma? They give
19 you a paper, a diploma, from Vietnam?

20 A. Yeah. But I lost it, you know. I don't
21 bring here.

22 MR. ROGERS: I have no further
23 questions for him at this time.

24 Q. Thank you, sir.

25 MS. KINLEY: Mr. Nguyen, Mr. Rogers

1 just asked you -- and you may need to show him
2 again, Mr. Andrews -- this -- asked you if this was
3 your signature on Page 4. Did you sign that, to
4 your recollection?

5 MR. ANDREWS: Just for the record,
6 I'm showing him Page 4.

7 THE WITNESS: Yes.

8 MS. KINLEY: That is your signature?

9 THE WITNESS: Yeah.

10 MS. KINLEY: You're attesting that
11 you signed that. And you're also the Waiver of
12 Attorney that you just presented us, Mr. Rogers.

13 THE WITNESS: Yes, ma'am.

14 MR. ROGERS: I would like the record
15 to reflect, I'm showing him State's
16 1.

17 MS. KINLEY: And you signed that?

18 THE WITNESS: Yes.

19 MS. KINLEY: To me, those signatures
20 do not at all appear to be the same.

21 THE WITNESS: Yes.

22 MS. KINLEY: I'm sorry, I can't hear
23 you.

24 THE WITNESS: That's mine.

25 MS. KINLEY: You're saying you

1 signed both of those?

2 THE WITNESS: Yeah.

3 MR. ROGERS: Ma'am, if it helps the
4 board --

5 MS. KINLEY: Yes, sir.

6 MR. ROGERS: -- I would like to
7 refer you to the second to last page of State's
8 Exhibit 4, where it has a copy of the Massachusetts
9 driver's license. There is a signature on the
10 bottom of that document as well.

11 MS. KINLEY: Yes. None of these, in
12 my opinion, seem to match the one of the Waiver of
13 Attorney. On your original application that you
14 have --

15 THE WITNESS: Yes.

16 MS. KINLEY: -- that includes your
17 transcript from Cali for Nails Academy in
18 Massachusetts. This is where you stated that you
19 went to school. And you stated you received how
20 many hours?

21 THE WITNESS: Four hundred hours.

22 MS. KINLEY: In our bible, we have
23 that Massachusetts only requires 100 hours for
24 their nail tech program. Why would you have gone
25 four times as many hours?

1 THE WITNESS: Uh, (inaudible) --

2 MS. KINLEY: So if Massachusetts
3 only required 100 hours --

4 THE WITNESS: -- 100 hour license,
5 three more hundred, 400 hour.

6 MS. KINLEY: But why would you have
7 gone that many more hours, if you could get
8 licensed at 100 hours?

9 THE WITNESS: I go to same school,
10 you know, 400 hour.

11 MS. KINLEY: Okay. So they just
12 required more than the law.

13 THE WITNESS: Yeah, yeah.

14 MS. KINLEY: Okay. And you're
15 saying that you did not go to World Beauty School,
16 except to have them fill out your application for
17 you and to submit your application. But you did
18 not attend classes there.

19 THE WITNESS: In here?

20 MS. KINLEY: In Greenville, in South
21 Carolina.

22 THE WITNESS: No.

23 MS. KINLEY: Does the board have
24 more questions for Mr. Nguyen?

25 MS. GILMER: Mr. Nguyen, explain to

1 me, why couldn't you try and get your license from
2 Vietnam. I mean, this process seem to be going on
3 for a while. By then, you could have gotten your
4 license, your high school diploma from Vietnam.

5 THE WITNESS: Because --

6 MS. GILMER: Was going to send it to
7 you, you said? From Vietnam, your high school
8 diploma from Vietnam.

9 THE WITNESS: (Inaudible.)

10 MS. GILMER: Yeah, I know you're
11 from there. But are you trying to get your high
12 school diploma from Vietnam?

13 MS. WEBB: Where do you live?

14 THE WITNESS: What, ma'am?

15 MS. WEBB: Where do you live?

16 THE WITNESS: Right now, in Aiken,
17 South Carolina.

18 MS. WEBB: In Aiken?

19 THE WITNESS: Yes.

20 MS. KINLEY: And, I'm sorry, if you
21 could tell me again who you work for in Aiken.

22 THE WITNESS: I work in a mall,
23 Aiken Mall.

24 MS. KINLEY: What's the name of
25 the --

1 THE WITNESS: Lee Nail.
2 MS. KINLEY: Lee Nails?
3 THE WITNESS: Yes.
4 MS. KINLEY: Who owns that?
5 THE WITNESS: Tony Nguyen.
6 MS. KINLEY: Tony Nguyen?
7 THE WITNESS: Yes.
8 MS. KINLEY: Is he a relative?
9 THE WITNESS: Yes, he owns.
10 MS. KINLEY: Is he related to you?
11 Same last name?
12 THE WITNESS: Same last name. Same
13 last name and the first name Tony.
14 MS. KINLEY: Okay.
15 MS. THOMPSON: Mr. Nguyen, do you
16 still have a home in Massachusetts?
17 THE WITNESS: No, I don't.
18 MS. THOMPSON: Then why don't you
19 have a South Carolina driver's license?
20 THE WITNESS: I got two kids over
21 there, you know. I come back. (Inaudible), you
22 know, too many times. But I need the license.
23 MS. THOMPSON: So you have children
24 that reside in Massachusetts --
25 THE WITNESS: Yes.

1 MS. THOMPSON: -- but you live in
2 South Carolina.

3 THE WITNESS: Yeah.

4 MR. GRIGG: Will y'all hold on just
5 a second?

6 MS. THOMPSON: Uh-huh.

7 (Off the record.)

8 MS. KINLEY: At this point, due to
9 information that has just come to light, I am going
10 to recuse myself and turn chairman over to Ms.
11 Thompson.

12 MS. THOMPSON: So you have children
13 that live in Massachusetts.

14 THE WITNESS: Yes.

15 MS. THOMPSON: But you live in South
16 Carolina.

17 THE WITNESS: Yes.

18 MS. THOMPSON: Do you have other
19 family in Massachusetts?

20 THE WITNESS: I got a wife --

21 MS. THOMPSON: Okay. So your
22 children live with your ex-wife --

23 THE WITNESS: -- divorced.

24 MS. THOMPSON: -- in Massachusetts.
25 And tell me again why you do not have a South

1 Carolina driver's license.

2 THE WITNESS: I don't have -- I -- I
3 change -- I need to change my driver's license
4 card, you know.

5 MS. THOMPSON: How long have you
6 lived in South Carolina?

7 THE WITNESS: Just four year, five
8 year.

9 MS. THOMPSON: How many?

10 THE WITNESS: Five years.

11 MS. THOMPSON: Five years. Okay.

12 You know that it is a law that you have to get a
13 South Carolina license once you live here, right?

14 THE WITNESS: (Witness nods head.)

15 COURT REPORTER: Is that a yes? You
16 need to say "yes."

17 THE WITNESS: Yes.

18 MS. THOMPSON: Do the board members
19 have any other questions of Mr.
20 Nguyen?

21 MS. WEBB: I have one question.

22 MS. THOMPSON: Ms. Webb.

23 MS. WEBB: One more time, tell me,
24 where did you receive your nail training?

25 THE WITNESS: Uh --

1 MS. WEBB: What was the name of the
2 school that you received your nail training?

3 THE WITNESS: Nail training -- go to
4 school?

5 MS. WEBB: Yes, when you went to
6 school.

7 THE WITNESS: The California Nail
8 in Massachusetts.

9 MS. WEBB: In Massachusetts.

10 THE WITNESS: Yeah, the school.

11 MS. WEBB: California Nails.

12 THE WITNESS: Yeah.

13 MS. WEBB: Okay.

14 MS. GILMER: Madam Chair, I'd like
15 to ask him a question. Sir, is that Massachusetts
16 license current? You can actually work right now
17 in Massachusetts?

18 THE WITNESS: Yes.

19 MS. GILMER: You can?

20 THE WITNESS: Yes.

21 MS. THOMPSON: Ms. Webb, other than
22 just the information you --

23 MS. WEBB: Yes.

24 MS. THOMPSON: -- have on the
25 school, are you sufficiently --

1 MS. WEBB: Okay.

2 MS. THOMPSON: Okay. All right.

3 Thank you. Thank you, sir. You can have a seat.

4 Are there any closing arguments?

5 MR. ROGERS: Yes, ma'am, please the
6 board. This investigation in this case bring a
7 number of problems to light. And I believe based
8 on the board's questions for the state's witnesses
9 and as well as the board's questions for the
10 respondent, there are a number of different issues
11 that are problematic for licensing in the State of
12 South Carolina in regards to cosmetology, as well
13 as possibly other state and federal laws and
14 regulations.

15 I want to be very clear that the state's
16 allegations at this time are very specific, as they
17 pertain to Mr. Nguyen. And they are listed very
18 specifically in the charging document, which is the
19 complaint that the state entered as State's Exhibit
20 2. And I want to be very clear, that while there
21 are a few, relatively few facts that were brought
22 out by the state through out witness and through
23 the respondent, his answers, those facts lend
24 themselves to a number of violations.

25 The first set of violations -- I'm just going

1 to go through them for the record, to be very clear
2 about what we're talking about here -- the state
3 alleges that as a result of all the facts here, the
4 respondent submitted an application for a nail tech
5 license to the Board of Cosmetology. This
6 application contained a fraudulent affirmation that
7 he had completed high school, that was a
8 requirement for licensure, and that he included a
9 fraudulent high school diploma in his licensure
10 application. The state contends that that is a
11 direct violation of South Carolina Code 40-1-
12 110(1)(a), specifically alleging that the
13 respondent used a false, fraudulent or forged
14 statement or document or has committed a
15 fraudulent, deceitful or dishonest act or omitted a
16 material fact in obtaining licensure.

17 No. 2, respondent submitted an application for
18 a nail tech license to the board. The application
19 contained fraudulent information that he had
20 completed high school, that is required by
21 licensure, and that he also included a fraudulent
22 high school diploma. The state alleges that that
23 is a violation of 40-1-110(1)(c), in that he has
24 intentionally, knowingly, directly or indirectly,
25 violated or has aided or abetted in the violation

1 of or a conspiracy to violate the laws and
2 regulations governing the practice of nail tech
3 services in South Carolina.

4 On this point, I would like to add that the
5 respondent admitted that he gave money to an
6 individual related to World Beauty, that while that
7 individual's testimony differences there in there
8 about what exactly that individual did to aid in
9 his licensure, but he gave him approximately
10 \$2,000. The respondent gave that individual
11 \$2,000. As a result of that transaction, the
12 respondent obtained a fraudulent high school
13 diploma from Chicago. The state's contention that
14 those interactions would be a conspiracy to violate
15 the regulations.

16 Further, the state alleges that he violated
17 40-1-110(d), in that the respondent has
18 intentionally used a fraudulent statement in a
19 document connected with the practice of his
20 profession or occupation. That document being the
21 high school diploma and his application to LLR.

22 Fourth, the state alleges that the respondent
23 is in violation 40-1-110(f), in that the respondent
24 has committed a dishonorable, unethical,
25 unprofessional act that is likely to deceive,

1 defraud or harm the public. Specifically, the
2 dishonorable acts, as alleged by the state, the
3 fraudulent high school diploma, the conspiracy with
4 World Beauty and the fraudulent affirmations that
5 are on his application to LLR.

6 Fifth violation that the state alleges,
7 violation of 40-13-110(A)(3) in that the respondent
8 obtained or attempted to obtain a license by
9 fraudulent misrepresentation previously stated by
10 the facts of this fraudulent application and the
11 false high school diploma.

12 The sixth violation the state alleges is that
13 the respondent is in violation of 40-13-110(A)(4),
14 in that he has practiced or attempted to practice
15 cosmetology by fraudulent misrepresentation. Those
16 fraudulent misrepresentations being his licensure
17 application, the high school diploma and his
18 interaction conspiracy with the individual at World
19 Beauty.

20 I firmly believe that after reviewing the
21 state's evidence, after listening to the
22 respondent's testimony and his evidence, that the
23 board will find on behalf of the state. I do leave
24 all sanctions in the board's discretion.

25 MS. THOMPSON: Thank you. Mr.

1 Nguyen, do you have any comments to make, as a
2 closing statement? Do you have anything else you'd
3 like to say?

4 MR. NGUYEN: No.

5 MS. THOMPSON: No? Okay. At this
6 time, I'll entertain a motion to enter in executive
7 session, to garner legal advice.

8 MS. WEBB: Madam Chairman, I make a
9 motion to go into executive session.

10 MS. GILMER: Second.

11 MS. THOMPSON: I have a motion and a
12 second. Any further discussion? Hearing none, all
13 in favor, signify by saying aye.

14 BOARD MEMBERS: Aye.

15 MS. THOMPSON: Opposed? Motion
16 carries.

17 (Executive Session.)

18 MS. BROWN: Madam Vice Chair, I'd
19 like to come out of executive session, make a
20 motion to come out of executive session.

21 MS. GILMER: Second.

22 MS. THOMPSON: I have a motion and a
23 second to come out of executive session. Is there
24 any further discussion?

25 (NO RESPONSE.)

1 MS. THOMPSON: Hearing none, all in
2 favor, signify by saying aye.

3 BOARD MEMBERS: Aye.

4 MS. THOMPSON: Opposed? Motion
5 carries. I'd like to state for the record that no
6 motions were made, decisions or votes taken during
7 executive session. At this time, I will entertain
8 a motion from the board in regard -- excuse me?

9 MR. ROGERS: Madam Chairman, before
10 we proceed -- I understand it is the state's
11 position that the respondent has the responsibility
12 to read, speak and understand English, as part of
13 his licensure. And I have a question as far as a
14 due process legal problem, that he may or may not
15 fully understand what is happening today. I do not
16 wish to drag out these proceedings or rehash
17 anything that we have discussed. However, there is
18 a gentleman that was in attendance at the hearing.
19 He has volunteered to translate for the respondent.
20 If it is okay with the board, I would move that
21 that gentleman be allowed to come up and sit with
22 the respondent, just so that, if nothing else, he
23 is aware of the board's ruling, and can understand
24 what is happening from this juncture forward, so
25 that there's no question about in him understanding

1 the rulings and your --

2 MS. THOMPSON: I have no problem
3 with that. This individual will have to present
4 his identification and be sworn in by the court
5 reporter as well. However, I would like to ask Mr.
6 Nguyen if he has had any trouble whatsoever
7 understanding us thus far.

8 MR. ROGERS: Yes, ma'am.

9 MS. THOMPSON: And also, this
10 individual will only be used if Mr. Nguyen needs
11 him to.

12 MR. ROGERS: I understand.

13 MS. THOMPSON: Okay.

14 MR. GRIGG: Mr. Nguyen.

15 MR. NGUYEN: Yes.

16 MR. GRIGG: Have you understood the
17 purpose that you're here today? Why you're here?

18 MR. NGUYEN: Yes.

19 MR. GRIGG: And you've understood
20 the questions that have been asked by Mr. Rogers
21 and the board?

22 MR. NGUYEN: Yeah.

23 MR. GRIGG: And you've answered them
24 as honest as you can, to the best of your ability?

25 MR. NGUYEN: (No audible response.)

1 MR. GRIGG: You've got to speak --

2 MR. NGUYEN: Yes.

3 MR. GRIGG: -- so that she can --
4 okay. There is a gentleman that has offered to
5 translate the decision of the board for you. Do
6 you feel that you need that?

7 MR. NGUYEN: (Witness nods head.)

8 MR. GRIGG: You would like that
9 gentleman in here?

10 MR. NGUYEN: (Witness nods head.)

11 COURT REPORTER: Is that a yes?

12 MR. NGUYEN: Yes.

13 MR. GRIGG: Okay. And sir, what's
14 your name?

15 TRANSLATOR: Buuchi Ho Nguyen.

16 MR. GRIGG: Sir, that is very kind
17 of you to offer to assist Mr. Nguyen. But really
18 at this juncture, the board is about to make a
19 decision as to Mr. Son Nguyen's case. Your purpose
20 at this juncture would be simply if he has a
21 question regarding that ruling, you could translate
22 that for him. We're not going to get back into any
23 testimony or anything like that.

24 (The translator is sworn in.)

25 MS. THOMPSON: At this time, does

1 the board have a motion to make in regard to Mr.
2 Nguyen?

3 MS. WEBB: Yes. Madam Vice Chair,
4 we the board have found that Mr. Son Nguyen has
5 violated the Practice Act. And I'll make a motion
6 to revoke his nail license.

7 MS. THOMPSON: I have a motion to
8 revoke Mr. Nguyen's license. Do I have a second?

9 MS. BROWN: I second it.

10 MS. THOMPSON: Have a motion and a
11 second. Is there further discussion?

12 (NO RESPONSE.)

13 MS. THOMPSON: Hearing none, all in
14 favor, signify by saying aye.

15 BOARD MEMBERS: Aye.

16 MS. THOMPSON: Opposed? Motion
17 carries. Mr. Nguyen, the board has made a motion
18 and taken a vote to revoke your nail license. You
19 will receive final order from LLR, Mr. Grigg, in
20 the mail, explaining exactly what we've done today.
21 Okay? Thank you.

22 (Ms. Kinley comes back in.)

23 MS. THOMPSON: At this time, I'll
24 turn the chair back over to Rosanne Kinley.

25 *****

1 MS. KINLEY: Moving on to B.

2 MS. THOMPSON: Uh-huh, B(1).

3 MS. KINLEY: B(1), Janet Cipriani.

4 If you'd come forward, Ms. Cipriani.

5 (The witness comes forward.)

6 MS. KINLEY: Did you give your
7 identification to the court reporter and be sworn
8 in, please, ma'am.

9 (The witness is sworn in.)

10 MS. KINLEY: This hearing is called
11 to order. This is the matter of Janet Cipriani.
12 Does any board member have reason to recuse him or
13 herself from consideration of this application?
14 The purpose of this hearing is to determine whether
15 the applicant should be granted a license as a nail
16 technician. Everyone is reminded that these
17 proceedings are being recorded and that all
18 witnesses must be sworn in before they testify.
19 All remarks should be directed to the chairman.

20 Mr. Ray, is the complete application package
21 in our materials?

22 MR. RAY: Yes, Madam Chair.

23 MS. KINLEY: What questions did
24 staff have concerning this application?

25 MR. RAY: She wishes to be licensed

1 by endorsement. She's requesting that her work
2 experience be considered in lieu of the educational
3 requirement. Currently, she's licensed in New
4 Jersey with 200 hours of training at the Artistic
5 Academy.

6 MS. KINLEY: Did staff subpoena any
7 other persons to be here today to answer questions
8 we might have?

9 MR. RAY: No, ma'am.

10 MS. KINLEY: Is the applicant
11 present? Ms. Cipriani, are you represented by
12 counsel?

13 THE WITNESS: No, I'm not.

14 MS. KINLEY: Ms. Cipriani, do you
15 have any witnesses that you intend to call to
16 testify on your behalf?

17 THE WITNESS: No, I do not.

18 MS. KINLEY: Ms. Cipriani, are you
19 ready to show us why you should be granted a
20 license, despite the questions raised by staff?

21 THE WITNESS: Yes.

22 MS. KINLEY: Go ahead.

23 THE WITNESS: I submitted paperwork
24 that showed that I have been consistently employed
25 for the past 25 years. But for my previous

1 employer, I was there for 17 years. I submitted a
2 notarized document from my employer on his company
3 head letter, newsletter, and also two or three
4 years of W-2 forms.

5 MS. KINLEY: And you have been at
6 this last place of employment since 1994.

7 THE WITNESS: Correct.

8 MS. KINLEY: Board members, do you
9 have questions for Ms. Cipriani? She has submitted
10 where she is licensed in the state of New Jersey.
11 Their hour requirement is less than the 300 hours
12 that we require, but she has submitted W-2s for
13 proof of work experience.

14 MS. THOMPSON: Madam Chair, was New
15 Jersey an NIC --

16 MS. KINLEY: No.

17 MS. THOMPSON: -- state?

18 MS. BROWN: So you've been with the
19 same salon for 19 years?

20 THE WITNESS: I was with that salon
21 since 1980 -- I'm sorry, since 1994. It was 17
22 years when I left in October. In Anderson.

23 MS. KINLEY: Any other questions for
24 Ms. Cipriani, please.

25 MS. BROWN: Are we ready to make a

1 motion?

2 MS. KINLEY: If you feel that we are
3 ready to, you may.

4 Excuse me. Do you have any questions for Ms.
5 Cipriani?

6 MS. WEBB: And she's all ready to
7 take the practical? Correct.

8 MS. KINLEY: Yep.

9 MS. WEBB: I just wanted to make
10 sure that's been done.

11 MS. BROWN: I make a motion for
12 approval, based upon the testing --

13 MS. KINLEY: Approval of the
14 hours --

15 MS. BROWN: -- for the hours --

16 MS. KINLEY: -- submitted.

17 MS. BROWN: -- the hours that you
18 submitted.

19 MS. GILMER: Second.

20 MS. THOMPSON: I'm sorry. Would you
21 just clarify your motion for me, so I understand
22 exactly what you're saying?

23 MS. BROWN: I make the motion to
24 accept the hours of approval for her license. I
25 make a motion for her, to approve her work

1 experiences, based upon the years that she has been
2 employed with --

3 MS. THOMPSON: Does your motion
4 include her testing? Taking the test?

5 MS. BROWN: Yes.

6 MS. THOMPSON: Okay. Thank you. I
7 just need clarification.

8 MS. KINLEY: And I did have a
9 second?

10 MS. GILMER: Yes.

11 MS. KINLEY: Have a motion and a
12 second on the table for approval of the work
13 experience, in order for Ms. Cipriani to sit for
14 the examination. Is there any further discussion?

15 (NO RESPONSE.)

16 MS. KINLEY: Hearing none, all in
17 favor, signify by saying aye.

18 BOARD MEMBERS: Aye.

19 MS. KINLEY: Opposed? Motion
20 carries. Thank you, Ms. Cipriani. Good luck.
21 Welcome to South Carolina.

22 THE WITNESS: Thank you.

23 *****

24 MS. KINLEY: Karl Fisher. DeLeon,
25 could you step out and holler, see if Karl Fisher

1 is in the lobby? He's not one that was moved; is
2 he?

3 MR. RAY: No. He told me he'd be
4 here today.

5 MS. THOMPSON: And if I'm not
6 mistaken, this is the second time Mr. Fisher's been
7 on this agenda.

8 MS. KINLEY: I don't know.

9 MR. RAY: What was the question?

10 MS. KINLEY: She thought it was the
11 second time he had been on the agenda.

12 MR. ANDREWS: No one answered by
13 that name.

14 MR. RAY: I'm so sorry, he's coming
15 later.

16 MS. THOMPSON: He doesn't have that
17 option.

18 MR. RAY: Be here around two'ish.

19 MS. WEBB: He what?

20 MR. RAY: He's going to be here
21 around two'ish because he's coming from Atlanta.
22 On Friday, I remember we had a conversation and I
23 said, "Well, what we can do is move you to the
24 later part of the agenda." I'm sorry.

25 MS. KINLEY: I'll move this one to

1 this afternoon.

2 MR. RAY: My apologies.

3 (Off-the-record discussion.)

4 MS. THOMPSON: So at this point,
5 we're going to No. 5, Roman Numeral Five, Buuchi
6 Nguyen, who was a translator for --

7 MS. KINLEY: Oh, is it?

8 MS. THOMPSON: Yes.

9 *****

10 MS. KINLEY: Mr. Buuchi Nguyen.

11 MR. GRIGG: He's sitting right
12 outside.

13 MS. KINLEY: Mr. Nguyen, if you'll
14 stand up to the podium, please, sir. Remind you
15 that you have been sworn in.

16 THE WITNESS: Yes.

17 MS. KINLEY: This hearing is called
18 to order. This is the matter of Buuchi Nguyen.
19 Does any member of the board have reason to recuse
20 him or herself from consideration of this
21 application? The purpose of this hearing is to
22 determine whether the applicant should be granted a
23 license as a nail technician. Everyone is reminded
24 that these proceedings are being recorded and that
25 all witnesses must first be sworn before they

1 testify. All remarks should be directed to the
2 chairman.

3 Mr. Ray, is the complete application package
4 in our materials?

5 MR. RAY: Yes, ma'am.

6 MS. KINLEY: What questions did
7 staff have concerning this application?

8 MR. RAY: He was requested to meet
9 with you because he's seeking endorsement from the
10 state of Arkansas. Staff has questions concerning
11 his educational hours. He received 70 classroom
12 hours in Kansas, but was dismissed for disciplinary
13 reasons. And he received an additional 280 hours
14 from another school in Kansas. Moved to Arkansas
15 in 2010, took the NIC exam, written and practical.
16 Arkansas accepted the 350 hours from Kansas and he
17 was licensed in Arkansas.

18 MS. KINLEY: Did staff subpoena any
19 other persons to be here today to answer any
20 questions we might have?

21 MR. RAY: No, ma'am.

22 MS. KINLEY: Mr. Nguyen, do you
23 have any witnesses you intend to call to testify on
24 your behalf?

25 THE WITNESS: No.

1 MS. KINLEY: I'm sorry?

2 THE WITNESS: No.

3 MS. KINLEY: Mr. Nguyen, would you
4 like to present your case?

5 THE WITNESS: It's probably just
6 like -- I -- I called and talked to Diane and she
7 said that I had my license five years after I had
8 school in Kansas. I had -- I still have a
9 (inaudible) license in 2006. That's before I got
10 my (inaudible) Arkansas. That's why I retake the
11 NIC test and the written and the practical exam.
12 And that's how I got my license there and
13 (inaudible) Kansas.

14 MS. THOMPSON: I apologize. Could
15 you slow down for me? and let's take this from the
16 beginning, because I just heard about four
17 different states and I got lost.

18 THE WITNESS: Oh, okay.

19 MS. THOMPSON: So tell me, you
20 originally, the very first time you obtained --
21 hold on. The very first time you obtained a
22 license, what state was that license from?

23 THE WITNESS: Florida.

24 MS. THOMPSON: Florida. And what
25 year was that?

1 THE WITNESS: 2006.

2 MS. THOMPSON: Okay. And then you
3 went to school in Florida?

4 THE WITNESS: Yes, ma'am.

5 MS. THOMPSON: And obtained how many
6 hours?

7 THE WITNESS: Two hundred and fifty.

8 MS. THOMPSON: So you had 250 hours
9 in Florida in 2006. You tested in Florida and
10 received a license.

11 THE WITNESS: Yes, ma'am.

12 MS. THOMPSON: Okay. And then you
13 moved to where?

14 THE WITNESS: Moved to Arkansas.

15 MS. THOMPSON: And did you go to
16 school in Arkansas?

17 THE WITNESS: No.

18 MS. THOMPSON: No. Did you endorse
19 from Florida into Arkansas?

20 THE WITNESS: Yes, ma'am.

21 MS. THOMPSON: So you had a current
22 license in Arkansas.

23 THE WITNESS: Yes, ma'am.

24 MS. THOMPSON: Okay. What year was
25 that?

1 THE WITNESS: I don't remember.

2 Probably 2008.

3 MS. THOMPSON: So roughly, 2008.

4 THE WITNESS: Yes, I renewed the
5 license in Arkansas twice already, so -- but it --
6 it expired every two years.

7 MS. THOMPSON: Is it current? Is
8 your Arkansas license current now?

9 THE WITNESS: Yes.

10 MS. THOMPSON: Then where did Kansas
11 come into play?

12 THE WITNESS: Kansas where -- where
13 I -- where I went to school before I went to
14 Florida.

15 MS. THOMPSON: So I needed to back
16 up further. What year did you go to school in
17 Kansas?

18 THE WITNESS: 2005.

19 MS. KINLEY: What kind of school?

20 THE WITNESS: You mean the name of
21 the school?

22 MS. KINLEY: Was it a --

23 THE WITNESS: Nail school. Nail
24 school.

25 MS. KINLEY: I'm sorry, nail school?

1 THE WITNESS: Yes.

2 MS. THOMPSON: So you went to a nail
3 school in Kansas in 2005. And you obtained how
4 many hours?

5 THE WITNESS: Three hundred and
6 fifty.

7 MS. THOMPSON: And is that the
8 situation where you obtained 70 from one school and
9 two-something --

10 THE WITNESS: Two hundred eighty.

11 MS. THOMPSON: -- from another?

12 Okay. So you went to two different schools in
13 Kansas --

14 THE WITNESS: Right.

15 MS. THOMPSON: -- in 2005. And you
16 received your license in Kansas.

17 THE WITNESS: I -- I didn't receive
18 a license.

19 MS. THOMPSON: You did not receive a
20 license in Kansas. Okay. So you took those hours
21 that you obtained in Kansas, and then you moved to
22 Florida?

23 THE WITNESS: I didn't move the
24 hours. I -- I just moved to Florida. Then I went
25 to school again and retake everything.

1 MS. THOMPSON: Why did you go to
2 school again? If you went to school in Kansas in
3 2005 and you got 350 hours, why would you move to
4 Florida a year later and go to school again for an
5 additional 250 hours?

6 THE WITNESS: Back in Florida just
7 like, you know, it's not that hard, just going to,
8 you know --

9 MS. THOMPSON: But why would you do
10 that if you had already done it?

11 THE WITNESS: Because Kansas -- just
12 -- I -- I didn't know how -- I didn't know how --

13 MS. THOMPSON: So you're saying you
14 didn't know what the procedure was to endorse into
15 a state, so you just went, enrolled in school
16 again; is that correct?

17 THE WITNESS: Correct.

18 MS. THOMPSON: So that was 2005 in
19 Kansas. You went to school, but you never were
20 licensed in Kansas.

21 MS. KINLEY: Let me ask you,
22 interrupt one second. It says you did not obtain a
23 full license in Kansas. What is "not a full
24 license"?

25 MS. THOMPSON: He just told me he

1 didn't have a license.

2 MS. KINLEY: This says he didn't
3 obtain a full license. Did you get --

4 THE WITNESS: Actually, I went to
5 school in Kansas and I took the practical, but I
6 never took the -- the written.

7 MS. KINLEY: You took practical in
8 Kansas.

9 THE WITNESS: But I never took the
10 written.

11 MS. KINLEY: But no -- okay.

12 MS. THOMPSON: Why not?

13 THE WITNESS: Because in Kansas,
14 like -- there's like a certain period of time that
15 you -- if you don't take the written, you have to
16 retake everything after like 30/60 days.

17 MS. THOMPSON: Why didn't you?

18 THE WITNESS: Because I -- I -- I
19 lived in Florida.

20 MS. THOMPSON: So you mean to tell
21 me, you lived in Florida at the time you attended
22 school in Kansas.

23 THE WITNESS: No, no, no, no, no. I
24 -- I attended school in Kansas, and then I moved to
25 Florida.

1 MS. THOMPSON: No, my question was:
2 Why did you -- you said Kansas had a law where if
3 you hadn't taken the exam in 30 or 60 days, then
4 you couldn't take the exam. My question was: Why
5 didn't you go ahead and take the second part of the
6 exam within the time frame?

7 THE WITNESS: At that time, I lived
8 in Florida.

9 MS. THOMPSON: That's what I just
10 said.

11 THE WITNESS: Yeah. At time, I
12 lived in Florida -- how far Florida and Kansas.

13 MS. THOMPSON: My question again:
14 Before you moved to Florida, why did you not
15 complete the testing process in Kansas before you
16 moved to Florida?

17 THE WITNESS: Because I decide I
18 want to go to Florida before my -- my date --

19 MS. THOMPSON: How much money did
20 you spend to get your education in Kansas?

21 THE WITNESS: Like \$1600.

22 MS. THOMPSON: So you spent \$1600,
23 and then essentially did nothing with that. Then
24 you went to Florida and you spent how much more, to
25 obtain those hours in Florida?

1 THE WITNESS: Six hundred.

2 MS. THOMPSON: So \$1600 in Kansas
3 and \$600 in Florida for the same type license, both
4 nail tech curriculum.

5 MS. WEBB: And that was 2006.

6 THE WITNESS: In Florida, yes.

7 MS. THOMPSON: And you received a
8 license in Florida.

9 THE WITNESS: Correct.

10 MS. THOMPSON: Is that license
11 current?

12 THE WITNESS: No. It's -- I
13 haven't renewed it for a long, long time. So I
14 (inaudible) online and send that in and
15 (inaudible).

16 MS. THOMPSON: What year did you let
17 that license expire?

18 THE WITNESS: I don't remember.

19 MS. THOMPSON: What year did you go
20 to Arkansas?

21 THE WITNESS: 2008. I don't
22 remember.

23 MS. THOMPSON: So you went to
24 Arkansas in 2008. Did you go to school in Arkansas
25 at all?

1 THE WITNESS: No.

2 MS. THOMPSON: How did you get your
3 license in Arkansas?

4 THE WITNESS: They took the hours
5 from Florida. I re-take everything the written and
6 the practical and I passed both of that and they
7 gave me a license.

8 MS. THOMPSON: So if you endorsed
9 into Arkansas with your Florida license, when did
10 you tell me your Florida license lapsed?

11 THE WITNESS: Lapsed? Mean expired?

12 MS. THOMPSON: Expired.

13 THE WITNESS: I'd say like 2006 to
14 2008.

15 MS. THOMPSON: Is this what you do
16 for a living? You do nails for a living --

17 THE WITNESS: Yes.

18 MS. THOMPSON: -- to pay your bills?
19 So it's somewhat important to you to have your nail
20 license, correct?

21 THE WITNESS: Yes.

22 MS. THOMPSON: Then I would think
23 that you would realize and remember when you are
24 obtaining one license and it's expiring, because
25 you cannot endorse into one state with an expired

1 license from another. So you're saying that you
2 endorsed into Arkansas in 2010.

3 THE WITNESS: Yes.

4 MS. THOMPSON: Yet your Florida
5 license expired 2006. This is extremely important.
6 I need for you to take this very seriously.

7 THE WITNESS: Okay. Okay. Since
8 it's expired, that's why I didn't endorse the hours
9 from over here because I know in Kansas, it's --
10 it's still very good. So I -- I -- I did Kansas to
11 make it.

12 MS. THOMPSON: Okay. I thought you
13 just told me earlier that Kansas, you couldn't --
14 it wasn't any good because you hadn't taken the
15 second phase of the exam within 30 or 60 days.

16 THE WITNESS: That was back in 2006.

17 MS. THOMPSON: So they're going to
18 grandfather you in now in 2012 for something you
19 didn't do in 2006?

20 THE WITNESS: But they can really
21 send the hours over and stuff. But they, you know,
22 it's a lot of stuff.

23 MS. THOMPSON: I have no further
24 questions.

25 MS. WEBB: Let me just start over

1 because what I put in the first time, I want you to
2 repeat to me, tell me again. Okay. The first
3 school you went to, Kansas. Now, go from there.
4 Just do this one more time for my brain.

5 THE WITNESS: I went to Kansas in
6 2005, the school in Kansas. And I had -- and I
7 took the practical; I passed it. But I didn't
8 schedule for the theory, the written exam, and I
9 moved to Florida, okay. So I just moved to Florida
10 and didn't want to drive all the way just to take
11 the written exam. I might just spend my time here
12 and it's not that much time, just do everything
13 there. I took the test there in Florida and I got
14 my hours and I got my license.

15 Then I -- I stayed until like about two,
16 three, four months, and I moved back to -- then I
17 moved to Arkansas. Then I used -- then I endorsed
18 that over to Arkansas. Then they made me take
19 everything all over again. And I took those, the
20 written and the practical, and I passed it -- it
21 was the NIC. And they gave me my license. Then I
22 worked there for say about two years, two -- almost
23 two and a half years, some -- somewhere around
24 there. After that, -- is that clear?

25 MS. THOMPSON: Mr. Nguyen, you told

1 me earlier that you moved to Arkansas in 2008. Yet
2 the driver's license that you submitted that we
3 have on file here says that it was issued in
4 September of 2008 in Kansas.

5 THE WITNESS: It just like, I -- I
6 was raised in Kansas. I -- I go back and forth.

7 MS. THOMPSON: I was raised in North
8 Carolina, but I have a South Carolina driver's
9 license.

10 THE WITNESS: But I was raised in
11 Kansas.

12 MS. THOMPSON: My point, you live in
13 Arkansas, yet you have a Kansas driver's license.
14 I'm having difficulty following your time line.
15 And quite frankly, I'm not certain I believe it.
16 So I need for you to clarify this for me, or we're
17 going to have -- we're going to have a little
18 trouble here.

19 THE WITNESS: This is -- this is
20 what happened. It just sometimes, you know, I
21 travel a lot to do nails and sometime I stay here
22 like -- and then sometime might be stay here for
23 like two, three months, and I might go somewhere
24 else, see. So that's -- that's what happened. I
25 never got my driver's changed over to Arkansas,

1 because I don't know how long I will live there.

2 MS. THOMPSON: How many nail tech
3 licenses do you currently hold right now?

4 THE WITNESS: Two.

5 MS. THOMPSON: What states?

6 THE WITNESS: Arkansas and Florida.

7 MS. THOMPSON: Now, you just told me
8 your Florida license, you let expire.

9 THE WITNESS: I -- I don't have that
10 right now. I do have Arkansas.

11 MS. THOMPSON: You need to pay
12 attention to my questions.

13 THE WITNESS: Okay.

14 MS. THOMPSON: What current nail
15 license do you have right now?

16 THE WITNESS: Arkansas.

17 MS. THOMPSON: You are currently
18 licensed in the state of Arkansas to do nail
19 technology.

20 THE WITNESS: Correct.

21 MS. THOMPSON: And that license is
22 current.

23 THE WITNESS: Correct.

24 MS. THOMPSON: When did your Florida
25 license expire?

1 THE WITNESS: I don't remember that
2 part to be serious.

3 MS. THOMPSON: I'm being real
4 serious.

5 THE WITNESS: I know. I don't
6 remember they said that since it's been over four
7 or five years, then I have to take the test again.

8 MS. THOMPSON: So when I asked you
9 what license you currently hold and you listed
10 Florida and it's been expired four or five years, I
11 would think you would have purged that from your
12 memory bank.

13 THE WITNESS: No, no. Right now I
14 have Arkansas license; that's current. It's not --
15 it's not expired. But the Florida license has.

16 MS. WEBB: And when you were in
17 Arkansas, you took the NIC, the test, the national
18 exam.

19 THE WITNESS: Uh-huh.

20 MS. WEBB: Practical and theory.

21 THE WITNESS: Correct.

22 MS. KINLEY: I'm just having a very
23 difficult time understanding why someone would go
24 350 hours in one state, and then up and move to
25 another state and go 250 more. If they were

1 legitimate hours, Florida would have accepted, I
2 would think, the hours from Kansas and allowed you
3 to examine in Florida. I just don't see -- I mean,
4 you're sitting here flippantly saying "It's only
5 250 hours; that's not a whole lot." Two hundred
6 and fifty hours is a lot of time for me. I mean --

7 MS. THOMPSON: I'd love to have two
8 extra hours.

9 MS. KINLEY: Yeah. Just to go to
10 school to repeat something that, according to your
11 records, you had far exceeded in the state of
12 Kansas. I'm having a hard time understanding why
13 anyone would do that, if the state didn't require
14 it. And you're not giving us any evidence, saying
15 that the state of Florida required you to go back
16 to school, that they would not accept your hours in
17 Kansas. I mean, am I wrong? I mean --

18 THE WITNESS: (Inaudible.)

19 MS. KINLEY: I mean, am I wrong? I
20 mean, did they tell you -- did Florida say "Mr.
21 Nguyen, we're not accepting these hours and you
22 have to go back to school"?

23 THE WITNESS: No.

24 MS. KINLEY: Okay. All right.
25 Well, thank you for your honesty on that.

1 MS. THOMPSON: Madam Chair, I'm
2 prepared to make a motion, if the board members
3 don't have any further questions.

4 MS. KINLEY: Does anyone have any
5 other questions for Mr. Nguyen?

6 BOARD MEMBERS: No, ma'am.

7 MS. KINLEY: Do you have anything
8 else you'd like to state?

9 MR. NGUYEN: That's it.

10 MS. THOMPSON: Madam Chair, I'd like
11 to make a motion to deny Mr. Nguyen's application
12 for endorsement.

13 MS. GILMER: Second.

14 MS. KINLEY: Have a motion and a
15 second for denial of Mr. Buuchi Nguyen. Is there
16 any further discussion?

17 (NO RESPONSE.)

18 MS. KINLEY: Hearing none, all in
19 favor, signify by saying aye.

20 BOARD MEMBERS: Aye.

21 MS. KINLEY: Opposed? Motion
22 carries. Sorry, Mr. Nguyen. The board did not
23 accept your credentials.

24 *****

25 MS. KINLEY: Kieu Nguyen Nhan.

1 MS. THOMPSON: Madam Chair, if I
2 could interject. Mr. Ray, I'm not sure -- again,
3 many, many, many copies in this previous packet are
4 not legible. And it's extremely difficult for us
5 to be able to cipher through this information
6 already. So if I could once again --

7 MR. RAY: I think that's the only
8 one that's really that bad. But we'll ensure that
9 doesn't happen again.

10 MS. THOMPSON: Thank you.

11 MS. KINLEY: On the last one, there
12 was the --

13 MR. RAY: It was pretty bad.

14 MS. KINLEY: I believe it was high
15 school diploma, I couldn't make a thing --

16 MS. THOMPSON: That was the one I
17 referred to.

18 MR. RAY: Very last one?

19 MS. THOMPSON: The last gentleman
20 that we just did.

21 MS. KINLEY: If you would give your
22 identification to the court reporter and be sworn
23 in, please, ma'am.

24 (The witness is sworn in.)

25 MS. KINLEY: This hearing is called

1 to order. This is the matter of -- sorry, would
2 you pronounce your name, please, ma'am?

3 THE WITNESS: Kieu Nguyet Nhan.

4 MS. KINLEY: Thank you Ms. Nhan.

5 Does any board member have reason to recuse herself
6 from consideration of this application? The
7 purpose of this hearing is to determine whether the
8 applicant should be granted a license as a nail
9 technician. Everyone is reminded that these
10 proceedings are being recorded and that all
11 witnesses must be sworn in before they testify.
12 All remarks should be directed to the chairman.

13 Mr. Ray, is the complete application package
14 in our materials?

15 MR. RAY: Yes, Madam Chair.

16 MS. KINLEY: What questions did
17 staff have concerning this application?

18 MR. RAY: She's seeking license by
19 endorsement. She's currently licensed in
20 California.

21 MS. KINLEY: Did staff subpoena any
22 other persons to be here today to answer questions
23 we may have?

24 MR. RAY: No, ma'am.

25 MS. KINLEY: Ms. Nhan.

1 THE WITNESS: Yes.

2 MS. KINLEY: Do you have any
3 witnesses that you wish to call today to testify on
4 your behalf?

5 THE WITNESS: I want you approve for
6 me a license because I passed the license in South
7 Carolina already. But they don't give me the
8 license.

9 MS. THOMPSON: Did you bring anyone
10 else with you today that's going to speak on your
11 behalf? Is anyone else here to talk for you?

12 THE WITNESS: Yeah. Because --

13 MS. THOMPSON: No, ma'am. Do you
14 have anyone else with you that might need to speak
15 to us today? Or will you be speaking just by
16 yourself today?

17 THE WITNESS: I just -- I want my
18 aunt, yeah, she can translate some for me.

19 MS. THOMPSON: Are you having
20 difficulty understanding us?

21 THE WITNESS: Yes, a little bit.

22 MS. THOMPSON: You are.

23 THE WITNESS: Yes.

24 MS. KINLEY: Have your aunt come
25 forward, please.

1 MS. THOMPSON: Ma'am, you'll need
2 your identification to hand to the court reporter,
3 as well as being sworn in.

4 (Translator is sworn in.)

5 MS. KINLEY: I'm sorry. State your
6 name for the record.

7 TRANSLATOR: Kim Duong.

8 MS. KINLEY: Duong?

9 TRANSLATOR: Yes.

10 MR. GRIGG: Is that D-U-O-N-G?

11 TRANSLATOR: Yes, sir.

12 MS. KINLEY: And you're here today
13 to help Ms. Nhan understand our questions?

14 TRANSLATOR: Yes.

15 MS. KINLEY: Ms. Nhan, can you show
16 us why you believe that you should be granted a
17 license, despite the questions being raised by
18 staff?

19 THE WITNESS: (Inaudible.)

20 MS. THOMPSON: She needs to speak
21 up. Her translation's what's on the record.

22 MS. KINLEY: We'll just ask you some
23 questions. You went to school in California? Nail
24 school in California?

25 THE WITNESS: Yes, I did.

1 MS. KINLEY: And you graduated March
2 2011?

3 THE WITNESS: Yes, I did.

4 MS. THOMPSON: When did you move to
5 South Carolina?

6 THE WITNESS: August.

7 MS. THOMPSON: Where were you living
8 in July?

9 THE WITNESS: In July, I live in
10 Michigan.

11 MS. THOMPSON: So you graduated from
12 nail school in March from California.

13 THE WITNESS: Yes.

14 MS. THOMPSON: You moved to
15 Michigan.

16 THE WITNESS: Yes.

17 MS. THOMPSON: When?

18 THE WITNESS: April.

19 MS. THOMPSON: April?

20 THE WITNESS: Yes.

21 MS. THOMPSON: And then you moved to
22 South Carolina --

23 THE WITNESS: From August.

24 MS. THOMPSON: Why did you move so
25 much?

1 THE WITNESS: Just South Carolina is
2 -- is warmer than Michigan.

3 MS. THOMPSON: Is warmer than
4 Michigan. I agree.

5 MS. KINLEY: You actually didn't
6 live there long enough to even discover there were
7 harsh winters. On your proof of training document,
8 this particular page on your application, you did
9 not completely fill it out. Why is that? You
10 didn't sign it, as instructed. You didn't fill
11 your Social Security Number in, as instructed.

12 THE WITNESS: (Inaudible.)

13 MS. KINLEY: Why?

14 MR. RAY: Staff doesn't need Social
15 Security numbers.

16 MS. KINLEY: Well, but I mean --

17 MR. RAY: Which form was that?

18 MS. KINLEY: This one wasn't even --
19 I mean, I understand, I mean, that they redact the
20 first six numbers. But nor did she sign it.

21 THE WITNESS: The school didn't tell
22 me to sign down there.

23 MS. THOMPSON: It simply says
24 "Student's signature." You see right there? It
25 says you have to sign it. School didn't have to

1 tell you to sign it. It said "student's signature,
2 Social Security Number." Is that your proof? That
3 is your document?

4 THE WITNESS: That is my document.

5 MS. THOMPSON: There's no seal on
6 the school document, unless my copy is not legible.

7 MS. KINLEY: See, I wondered about
8 that too.

9 MS. THOMPSON: Mr. Ray, do you have
10 -- is your copy any better than mine? Is it
11 perhaps that I just can't see it? Or is there a
12 school seal on this training document?

13 MR. RAY: Mine's not any better.

14 MS. THOMPSON: Am I to understand
15 that all official transcripts coming from schools
16 have some type of official stamp, seal?

17 MR. RAY: That is my understanding.

18 MS. KINLEY: That is our
19 requirement.

20 MS. THOMPSON: Excuse me?

21 MS. KINLEY: Jessica and Matteah
22 back there, saying that that is the requirement,
23 that all schools have to have official seals on
24 them.

25 MS. THOMPSON: Right. Right.

1 MS. TAYLOR: Yes.

2 MS. THOMPSON: Right. I knew it was
3 our requirement. I was just verifying that --

4 MR. RAY: Yeah, the official
5 transcript --

6 MS. THOMPSON: -- if we knew of any
7 school that said they didn't provide that.

8 MS. KINLEY: Mr. Ray is saying it is
9 on the official transcript from the school.

10 MS. THOMPSON: That is what I was
11 referring to.

12 MS. KINLEY: Uh-huh. I understand;
13 so was I.

14 MS. THOMPSON: Yeah. I was just
15 clarifying.

16 MS. KINLEY: Is there a Social
17 Security card in here?

18 MR. RAY: There is one.

19 MS. KINLEY: Is there? Okay. I
20 look at so many of these, that I can't remember
21 when I do see them and when I don't. Okay.
22 Unsigned. And there's no -- okay, the number was
23 redacted.

24 MS. THOMPSON: Where did you live
25 before living in California?

1 THE WITNESS: In Vietnam.

2 MS. THOMPSON: So you came straight
3 from Vietnam to California. How long did you live
4 in California before you moved to Michigan?

5 THE WITNESS: I think five months.

6 I'm -- I'm come from California -- five month.

7 MS. THOMPSON: So you were in
8 California five months before going to Michigan --

9 THE WITNESS: Yes.

10 MS. THOMPSON: -- is that correct?

11 MS. KINLEY: Does the board have any
12 more questions for Ms. Nhan?

13 MS. THOMPSON: I'm sorry; I
14 apologize. Remind me again when you moved to South
15 Carolina.

16 THE WITNESS: I'm sorry?

17 MS. THOMPSON: Remind me again when
18 you said you moved to South Carolina.

19 THE WITNESS: August. 5 August.

20 MS. THOMPSON: August, okay. Do you
21 remember when you moved from Vietnam to California?
22 Do you remember the month and the year?

23 THE WITNESS: 17 November 2010.

24 MS. THOMPSON: 2010.

25 MS. KINLEY: I will say that your

1 English is much better in those few months than --

2 THE WITNESS: I practiced.

3 MS. KINLEY: Good. You should.

4 It's very important --

5 THE WITNESS: Yes.

6 MS. KINLEY: -- for the safety of
7 the public.

8 MS. WEBB: Your license in
9 California, it is valid? Is it still valid now?

10 THE WITNESS: Yeah. It's -- it's
11 still -- 2013.

12 MS. WEBB: Okay.

13 MS. GILMER: Ma'am, are you working
14 anywhere now? Or have a prospect for a job?

15 THE WITNESS: Yes.

16 MS. GILMER: Okay. You're working
17 right now?

18 THE WITNESS: Yeah. I work part
19 time.

20 MS. GILMER: Where?

21 THE WITNESS: (No response.)

22 MS. GILMER: Would you please answer
23 the question? Are you working now? And where?

24 THE WITNESS: I'm working in Silver
25 Nail.

1 MS. GILMER: And where is that
2 located?

3 THE WITNESS: (Inaudible.)

4 MS. WEBB: Madam Chair, I make a
5 motion to approve.

6 MS. BROWN: Second.

7 MS. KINLEY: Have a motion and a
8 second on the table for approval. Is there any
9 further discussion?

10 (NO RESPONSE.)

11 MS. KINLEY: Hearing none, all in
12 favor, signify by saying aye.

13 BOARD MEMBERS: Aye.

14 MS. KINLEY: Opposed? Motion
15 carries. Good luck. Just take a five minute break
16 to do this real quickly, so we can get it out.

17 MS. THOMPSON: You need a motion?

18 MS. KINLEY: We're going to take a
19 five minute break.

20 MS. WEBB: Motion for a five minute
21 break.

22 MS. GILMER: Second.

23 MS. KINLEY: All in favor, aye.

24 It is 1:30.

25 (Off the record.)

1 MS. KINLEY: Sherraunda Brealon.

2 COURT REPORTER: It's good and
3 expires 2020.

4 (The witness is sworn in.)

5 MS. KINLEY: Ms. Brealon, thank you
6 for coming today. You're here today because along
7 with your application for licensure, you had an
8 arrest record I need to talk to you about. I'm
9 going to bypass all of these 2004 misdemeanor
10 driving charges. I'd like to talk about the 2005
11 financial trans card fraud and the financial
12 identity fraud.

13 THE WITNESS: In response to that,
14 it was a case against my ex-boyfriend. He owed me
15 some money, so I took it upon myself to use his
16 debit card to -- as a way to pay me back. I know
17 at the time, you know, it was wrong. But I feel
18 like, you know, I've paid my debt. I was on
19 probation. He filed charges against me for that.

20 MS. KINLEY: So you were found --

21 THE WITNESS: Yes

22 MS. KINLEY: You pleaded guilty?

23 You were found guilty.

24 THE WITNESS: Uh-huh.

25 MS. KINLEY: And your sentence was?

1 THE WITNESS: Probation. I forgot
2 -- I forgot the length of time, but it should be on
3 there.

4 MS. KINLEY: Okay. Go ahead; I'm
5 sorry. And how much was it? How much are we
6 talking about that you used on his card?

7 THE WITNESS: It was a couple
8 hundred dollars.

9 MS. KINLEY: Okay.

10 MS. WEBB: it was what?

11 THE WITNESS: Couple hundred
12 dollars.

13 MS. KINLEY: And you completed?

14 THE WITNESS: I completed probation.

15 MS. KINLEY: And the identity theft,
16 that was related to you using his card?

17 THE WITNESS: Yes, ma'am.

18 MS. KINLEY: These others are to do
19 with --

20 THE WITNESS: Driving -- bad
21 driving.

22 MS. KINLEY: -- driving.

23 THE WITNESS: Yes, ma'am.

24 MS. KINLEY: Well, you hadn't had
25 any since 2006.

1 THE WITNESS: Yeah. I decided to
2 pay all my tickets finally.

3 MS. KINLEY: Good idea.

4 THE WITNESS: Get back on the road.

5 MS. KINLEY: Good idea. Okay. The
6 one that had concerned me prior was the credit card
7 fraud and identity fraud. Does the board have --
8 Kathy, are you okay?

9 MS. WEBB: Yeah.

10 MS. KINLEY: Does anyone have
11 questions for Ms. Brealon?

12 MS. WEBB: I do. So that was all on
13 the identity fraud, that was with your boyfriend.

14 MS. KINLEY: Yes, ma'am.

15 MS. WEBB: Okay.

16 MS. THOMPSON: How much money did he
17 owe you?

18 THE WITNESS: He owed me like \$200
19 and some change. And he kind of refused to pay me
20 back. So out of anger, that's what I did --

21 MS. THOMPSON: So you paid yourself
22 back. My question was, the amount you charged on
23 his debit card, did that equal what he owed you --

24 THE WITNESS: It was --

25 MS. THOMPSON: -- roughly?

1 THE WITNESS: -- equivalent. Yes,
2 ma'am, it was.

3 MS. WEBB: Madam Chair, I make a
4 motion to approve.

5 MS. THOMPSON: Second.

6 MS. GILMER: Second.

7 MS. KINLEY: I have a motion,
8 multiple seconds for approval of Ms. Brealon. Is
9 there any further discussion?

10 (NO RESPONSE.)

11 MS. KINLEY: Hearing none, all those
12 in favor, signify by saying aye.

13 BOARD MEMBERS: Aye.

14 MS. KINLEY: Opposed? Motion
15 carries. Good luck, Ms. Brealon. Thank you for
16 coming today.

17 MS. BREALON: All right.

18 *****

19 MS. KINLEY: John Bowen. John
20 Bowen. Jim, could you check out front for me and
21 see if John Bowen is out there?

22 MS. THOMPSON: Madam Chair, while
23 we're waiting on that, for the record, I do have
24 that this is his second time appearing on our
25 agenda. First time, he did not show.

1 MR. KYZER: No, ma'am.

2 MS. KINLEY: Thank you, Jim.

3 MS. WEBB: Madam Chair, I make a
4 motion to deny.

5 MS. GILMER: Second.

6 MS. KINLEY: Have a motion and a
7 second for denial of John Bowen. Any further
8 discussion?

9 MS. THOMPSON: Just again for the
10 record, please note this is the second time that
11 this applicant has been on our agenda and has no-
12 showed.

13 MS. KINLEY: All in favor, signify
14 by saying aye.

15 BOARD MEMBERS: Aye.

16 MS. KINLEY: Opposed? Motion
17 carries.

18 *****

19 MS. KINLEY: Paige Bellamy. If
20 you'd be sworn in, please.

21 (The witness is sworn in.)

22 MS. KINLEY: Ms. Bellamy, thank you
23 for coming today. Again, you submitted for
24 application and had a arrest record. Again, I'm
25 going to jump to the felony financial transcard

1 fraud. If you could talk to me about that, please,
2 ma'am.

3 THE WITNESS: I was very young
4 and very stupid. (Inaudible) and I found a credit
5 card and used it.

6 MS. KINLEY: Who did the credit card
7 belong to, if I might ask?

8 THE WITNESS: It was -- I worked at
9 a restaurant and it was a customer that left it. I
10 also, I bought some referenced letters. I had
11 admitted myself into a treatment center after the
12 fact and have completed. A couple of different
13 letters from --

14 MS. KINLEY: If we can back up to
15 more about the actual charge. What did you do with
16 the card?

17 THE WITNESS: We just bought things
18 to --

19 MS. KINLEY: To the amount of how
20 much money?

21 THE WITNESS: I think that it's
22 \$4,000.

23 MS. KINLEY: And you say "we."

24 THE WITNESS: Well, me. I'm sorry.

25 MS. KINLEY: You said \$4,000?

1 THE WITNESS: Uh-huh.

2 MS. KINLEY: Wow. You were
3 arrested?

4 THE WITNESS: Yes, ma'am. Probation
5 probation.

6 MS. KINLEY: You were sentenced to
7 probation?

8 THE WITNESS: Uh-huh. Pay
9 restitution.

10 MS. KINLEY: How long was your
11 probation?

12 THE WITNESS: Till I paid the
13 restitution.

14 MS. KINLEY: And has that been paid?

15 THE WITNESS: Yes.

16 MS. KINLEY: And am I to assume that
17 since that was in 2007, that in 2008, you still had
18 this drug problem?

19 THE WITNESS: Uh-huh.

20 MS. WEBB: Can you speak up a
21 little bit?

22 THE WITNESS: Oh, no, it's okay.
23 Completed the course, my treatment, in '09. It was
24 the beginning of 2010.

25 MS. KINLEY: You entered a treatment

1 program.

2 THE WITNESS: Uh-huh. I entered in
3 '08, put myself in. And then through -- I did like
4 counseling through that too. I did two different
5 programs at the same center and completed those.

6 MS. KINLEY: What was your drug of
7 choice?

8 THE WITNESS: Heroin.

9 MS. KINLEY: Do you attend NA?

10 THE WITNESS: No. No, not anymore.
11 Those were my -- I had my treatment, and then I had
12 my post-treatment, and I did all of that.

13 MS. THOMPSON: Have you had -- have
14 you had a job since you've completed your treatment
15 that would allow you access to other people's
16 credit cards?

17 THE WITNESS: Uh-huh. Yeah, I work
18 at a pub right now.

19 MS. THOMPSON: At a pub?

20 THE WITNESS: Uh-huh.

21 MS. THOMPSON: How long have you
22 worked there?

23 THE WITNESS: Almost a year.

24 MS. WEBB: How did you choose
25 cosmetology?

1 MS. BELLAMY: I've always loved
2 hair. I've always loved doing hair, I believe
3 since I was 16, as a receptionist in a couple
4 different salons. Just a passion I've always had.
5 My mother did it when she was younger.

6 MS. GILMER: Have you taken your
7 state board yet?

8 MS. BELLAMY Uh-huh. I passed,
9 graduated with honors.

10 MS. BROWN: What are your goals?
11 What are your goals, now that you've passed?

12 MS. BELLAMY: Well, hopefully to
13 obtain my license. I've been assisting the owners
14 of this salon for about nine months now. And I
15 also have girl that I study under partially. Just
16 till I get my license, I can't really do much with
17 that. So really my goal is to obtain an educator
18 license with (inaudible). And hopefully after I
19 get a certain clientele to be able to either have
20 my own salon or booth rent.

21 MS. THOMPSON: Do you feel that you
22 have kicked your habit?

23 THE WITNESS: Yes.

24 MS. THOMPSON: Like you've beaten
25 it?

1 THE WITNESS: I have a two-year old
2 child and two jobs and yes. I have a lot on my
3 plate that I cannot mess up.

4 MS. WEBB: Madam Chair, I make a
5 motion to approve.

6 MS. THOMPSON: I second it.

7 MS. BROWN: Second.

8 MS. KINLEY: Have a motion and a
9 second for approval of Paige Bellamy's licensure.
10 Is there any further discussion?

11 (NO RESPONSE.)

12 MS. KINLEY: Hearing none, all in
13 favor, signify by saying aye.

14 BOARD MEMBERS: Aye.

15 MS. KINLEY: Opposed? Motion
16 carries. Ms. Bellamy, I do wish you luck.

17 THE WITNESS: Thank you; I
18 appreciate it.

19 MS. KINLEY: You've got a lot to
20 offer. You need to make sure you hold it together.

21 THE WITNESS: Yes. Thank you.

22 MS. KINLEY: Thank you.

23 *****

24 MS. KINLEY: Drucilla Perry.

25 COURT REPORTER: That's an I.D.

1 card that expires 2016.

2 MS. KINLEY: Thank you.

3 (The witness is sworn in.)

4 MS. KINLEY: Ms. Perry, you are
5 before us today. Again, you have a SLED report. I
6 am going to jump -- actually, I take that back.
7 I've got an arrest in 2003 for financial transcard
8 fraud. I have in '05 identity fraud, forgery in
9 '06. Talk to me about all of these crimes that
10 have to do with credit cards or transactions,
11 financial issues.

12 THE WITNESS: Well, I was a mother
13 of four kids and I got addicted to some of the
14 money crimes and --

15 MS. KINLEY: Tell me what some of
16 the money crimes are. Explain this.

17 THE WITNESS: The financial
18 transaction, fraud and identity fraud and --

19 MS. KINLEY: Were these stolen
20 credit cards?

21 THE WITNESS: No, ma'am. One of
22 them was with a friend for a financial transaction
23 credit card fraud that she had. And I pumped gas
24 with the card and I was charged with that.

25 MS. KINLEY: Which one of these was

1 that?

2 THE WITNESS: That was for the
3 credit card, financial transaction credit card.

4 MS. KINLEY: Is that the one in
5 2003?

6 THE WITNESS: Yes, ma'am.

7 MS. KINLEY: So that one, you were
8 pumping gas on someone else's credit card, without
9 their permission.

10 THE WITNESS: Yes.

11 MS. KINLEY: Is that what you're
12 saying?

13 THE WITNESS: Yes, ma'am.

14 MS. THOMPSON: How did you obtain
15 that credit card?

16 THE WITNESS: A friend. A friend of
17 mine got it from work.

18 MS. KINLEY: So a friend stole it --

19 THE WITNESS: Yes, ma'am.

20 MS. KINLEY: -- and gave it to you.

21 THE WITNESS: But we were together.

22 MS. KINLEY: Okay.

23 MS. THOMPSON: But the friend that
24 was with you that used it with you, it was not her
25 credit card or his. It was stolen from someone

1 else.

2 THE WITNESS: Yes, ma'am.

3 MS. THOMPSON: Okay.

4 THE WITNESS: I knew about it.

5 MS. THOMPSON: I'm just trying to
6 make sure that I'm following you.

7 MS. KINLEY: Okay. That was in
8 2003. And then in 2005, we have a felony financial
9 identity fraud.

10 THE WITNESS: That was with -- my
11 grandfather was a contractor. He used to build
12 houses and get information, and I used some
13 information and received a credit card.

14 MS. KINLEY: And I do not mean to
15 put words in your mouth. But if I can surmise from
16 what you just said, you applied for a credit card
17 under his credentials.

18 THE WITNESS: Yes.

19 MS. KINLEY: Is that what you're --
20 and like I say, I don't mean to put words in your
21 mouth. Is that what you just --

22 THE WITNESS: Not his credentials.
23 It was a client that he had.

24 MS. KINLEY: Oh, client of your
25 grandfather's. Okay.

1 MR. GRIGG: When was that?

2 MS. KINLEY: 2005. And I'm assuming
3 that when you got that credit card, you used it?

4 THE WITNESS: I -- I used it for
5 like a hundred and some dollars, and I was
6 arrested.

7 MS. THOMPSON: So is that the
8 forgery charges?

9 THE WITNESS: No, that's not the
10 forgery.

11 MS. THOMPSON: It's not.

12 MS. KINLEY: Tell me about the
13 forgery.

14 THE WITNESS: The forgery is where I
15 wrote a couple checks and I didn't have any money
16 in the bank, so they charged me with check forgery.

17 MS. THOMPSON: Forgery? Or fraud?

18 THE WITNESS: They charged me with
19 check forgery because they said I knew there was no
20 money in the bank.

21 MS. THOMPSON: I thought that was
22 fraud.

23 MS. KINLEY: Was it a closed
24 account?

25 THE WITNESS: Yes, ma'am.

1 MS. KINLEY: Okay. It was a closed
2 account. I think that's probably the difference.

3 MR. GRIGG: 2006? Or '8?

4 MS. KINLEY: '6.

5 MR. GRIGG: '6.

6 MS. KINLEY: Uh-huh. I think it's
7 because it was on a closed account, and she knew it
8 was a closed account.

9 MS. THOMPSON: I mean, we've had
10 these type situations before and it was considered
11 fraud. But forgery is signing someone's name
12 that's not yours.

13 MS. KINLEY: And I don't even think
14 I asked you, on the 2005 felony where you obtained
15 a credit card under someone else's credentials, you
16 were arrested and convicted?

17 THE WITNESS: Yes, ma'am, I was. I
18 received probation and I completed my probation for
19 each of the charges that you're talking about. I
20 received probation. And the judge gave me a
21 treatment order because I was addicted to money
22 crimes. I completed my mental health.

23 MS. BROWN: You were addicted to
24 what?

25 THE WITNESS: Money crimes.

1 MS. KINLEY: Money crimes? Is that
2 what you're saying?

3 THE WITNESS: Yes, ma'am.

4 MS. THOMPSON: When did you complete
5 that program?

6 THE WITNESS: Back in 2006 or 2005.

7 MS. THOMPSON: So it didn't work,
8 since we have other crimes?

9 THE WITNESS: That should have been
10 my last crime.

11 MS. KINLEY: Well, you've got the
12 forgery in 2006. And then in 2008, a felony for
13 federal chartered financial institution crime for
14 the fraud.

15 MS. THOMPSON: August 29th, 2010,
16 altercation of a license for sale of fictitious
17 license.

18 MS. KINLEY: Yeah. I mean, so --

19 MS. BROWN: And then in 2011.

20 MS. KINLEY: We have other things
21 that go far beyond 2005, Ms. Perry.

22 MS. THOMPSON: Have you done an
23 additional treatment program? Or just the one
24 mental --

25 THE WITNESS: I did the mental

1 health in reference to the I.D. That was in
2 reference to Goose Creek, and that charge was
3 dropped. In reference to the other one that you
4 read off, that charge was dropped also.

5 MS. GILMER: Ma'am, when was the
6 last time you were on probation?

7 THE WITNESS: It could have been
8 2007 or 2008, I finished my probation.

9 MS. KINLEY: What is this alteration
10 of a license, sale of fictitious license in 2010?

11 THE WITNESS: That is the one that
12 where I went to Goose Creek and he dropped it.

13 MS. KINLEY: I need to know what you
14 were arrested for. What type of license were you
15 trying to alter and sale?

16 THE WITNESS: I wasn't trying to
17 sell a -- sell a license. My -- my I.D. was messed
18 up, so they charged me for that.

19 MS. KINLEY: Your I.D. was messed
20 up.

21 THE WITNESS: Yes, ma'am.

22 MS. KINLEY: Explain that.

23 THE WITNESS: My numbers were --
24 were scratched and stuff like that, so they charged
25 me for it. That's what they charged me for and I

1 went to court and they dropped it.

2 MS. THOMPSON: Help me understand
3 this. What were you doing where your I.D. was
4 presented, that then there was even a question, so
5 that they could charge you to begin with? I don't
6 understand.

7 THE WITNESS: I was presenting a
8 check at Publix.

9 MS. THOMPSON: Okay. And the Publix
10 cashier noticed some scratching on your license
11 and --

12 THE WITNESS: Yes, ma'am. And
13 she --

14 MS. THOMPSON: -- reported you.

15 THE WITNESS: Yes, ma'am.

16 MS. THOMPSON: Okay. And so they
17 charged you with that at the time. But then you
18 went to court and they found you not -- or they
19 dropped it.

20 MS. KINLEY: Well, according to
21 this, it's pending, it says.

22 MS. BROWN: Do you have a substance
23 problem?

24 THE WITNESS: No, ma'am. I've never
25 done drugs before.

1 MS. BROWN: It says that you're were
2 driving under the influence. What does that mean?

3 THE WITNESS: Believe me I've never
4 done drugs.

5 MS. WEBB: 2010.

6 MS. BROWN: Alcohol?

7 THE WITNESS: Never. Well, alcohol,
8 yes. I'll take that back; I'm sorry. I do drink
9 alcohol occasionally. But as far as me being a
10 alcoholic or anything like that, no, ma'am.

11 MS. THOMPSON: But you've driven --

12 MS. BROWN: Under the influence.
13 They have that.

14 MS. THOMPSON: And then driven under
15 suspension, because I think Ciel said you had
16 presented an I.D.

17 THE WITNESS: I have driven under
18 the suspension. But Charleston County was the one
19 who put that on my record, which they had mistakes
20 on my record. I notified Charleston County in
21 reference to the DUI that they have on my record,
22 and it hasn't got changed yet. But it was supposed
23 to have been a DUI to driving under suspension.

24 MS. THOMPSON: Still nonetheless,
25 you were in trouble, and then you violated whatever

1 probation or whatever restrictions they had placed
2 on you for -- they suspended your license for a
3 reason, and then you were driving under suspension,
4 so you violated it again. Ms. Perry, quite
5 honestly, I'm having a little difficulty
6 understanding how you would like us to believe that
7 you've been reformed, when you went through a
8 treatment program back in 2005 or '6 for these
9 money crimes that you've referred to. And yet,
10 there are still brushes with the law for many years
11 after. And not just one; we're talking multiple.
12 So help me understand what you feel is different in
13 your life.

14 THE WITNESS: I am -- well, I left
15 that life behind me. I went to school.

16 MS. THOMPSON: When? Because we got
17 2010 and stuff. So when?

18 THE WITNESS: I mean, the stuff
19 that's on my record, I mean, they was supposed to
20 -- if they dropped the charge -- I mean, that's
21 what they told me, that the charge would have been
22 off my record.

23 MS. THOMPSON: The driving under
24 suspension happened in July of 2011.

25 THE WITNESS: Yes. I -- I do have

1 driving under suspension on my record.

2 MS. THOMPSON: So there's a history
3 and a pattern here of breaking the law. Yet --

4 THE WITNESS: Yes, ma'am.

5 MS. THOMPSON: -- you so far have
6 not been able to get a handle on that. Help me
7 understand what's different now, that makes you
8 feel like you have a handle on it, when we have
9 charges as recently as July of 2011.

10 THE WITNESS: Okay. Well, I -- I --
11 I look at life differently now. I know what I --

12 MS. THOMPSON: What happened?

13 THE WITNESS: What happened? I
14 realized I have four kids to take care of.

15 MS. THOMPSON: But you had those
16 four kids back when you first started doing these
17 financial crimes. Is that not what you told us?

18 THE WITNESS: Yes. I had three kids
19 at the time. I mean, but I have changed. I mean,
20 I can't -- I can't sit here and prove to you. The
21 only thing I can say is that I have changed. I
22 have to have --

23 MS. KINLEY: Do you have a job lined
24 up?

25 THE WITNESS: Yes, ma'am, I do.

1 MS. KINLEY: Are you working now?

2 THE WITNESS: No, ma'am, I'm not.

3 MS. KINLEY: Where is your job?

4 THE WITNESS: I -- I wanted to work
5 at Luciano's.

6 MS. KINLEY: And that's where?

7 THE WITNESS: That's in Charleston.

8 MS. KINLEY: And is the owner of
9 Luciano's aware of your financial credit card fraud
10 issues?

11 THE WITNESS: Yes.

12 MS. WEBB: Do you have any
13 violations with the law of any type pending at this
14 point, that's not on here? Or --

15 THE WITNESS: The only thing I have
16 is with Goose Creek was a driving under suspension.
17 And then the thing with the I.D. was -- was -- was
18 dropped. So -- and then I have the -- the -- the
19 thing at Publix with the I.D., and that's all I
20 have.

21 MS. GILMER: Where is Luciano -- I'm
22 sorry -- located?

23 THE WITNESS: Ma'am?

24 MS. GILMER: Where is Luciano
25 located?

1 THE WITNESS: It's in Charleston.

2 MS. GILMER: Where in Charleston?

3 THE WITNESS: There's three
4 locations. There's one in -- one West Ashley in
5 Charleston, and Ashley Phosphate.

6 MS. THOMPSON: The I.D. that you
7 presented at Publix that was scratched, have you
8 since obtained a new I.D. that is unmarked up, that
9 doesn't have any scratches on it?

10 THE WITNESS: I did obtain a new
11 I.D., but I don't -- I don't have it. I don't know
12 what I did with it.

13 MS. THOMPSON: What did you present
14 to Ciel today?

15 THE WITNESS: A I.D., my -- my old
16 I.D.

17 MS. THOMPSON: The one that's
18 scratched up?

19 THE WITNESS: Yes, ma'am.

20 MS. THOMPSON: So you're still
21 carrying the I.D. that got you in trouble.

22 THE WITNESS: That's the only I.D. I
23 had. It was in my purse. I don't have my -- I
24 don't have the I.D. that I just got.

25 MS. THOMPSON: Why would you not

1 have gotten rid of that one and replaced it with
2 the new one that you said you obtained?

3 MS. KINLEY: Do you realize how
4 dangerous that could be, if it got you arrested one
5 time?

6 MS. THOMPSON: Exactly. I'm just --

7 MS. KINLEY: I mean, I'd be ripping
8 that thing up so fast into a million pieces.

9 THE WITNESS: Yeah. And it's
10 supposed to be in the trash. I had it in a old
11 purse, and it's the only thing I had to -- to come
12 to court. Well, not to court, but come here today
13 with.

14 MS. KINLEY: Yeah. But that
15 happened in 2010, Ms. Perry.

16 MS. THOMPSON: I would have left it
17 with the Publix lady and told her she could have
18 had it and gotten me a new one. We want you to
19 work. We want you to.

20 THE WITNESS: Okay.

21 MS. THOMPSON: But the problem I'm
22 having is, we have to protect the public.

23 THE WITNESS: Yes, I understand
24 that.

25 MS. THOMPSON: And so far, it

1 doesn't seem to me that you're accepting any
2 responsibility, really, for what's happened.
3 Something as simple as discarding the I.D. that got
4 you charged with a crime, you haven't done, or
5 carried the new one. I'm struggling to understand
6 that for you. And that's what I keep saying to
7 you, tell me what's changed. I need for you to
8 convince me that you're not a threat to the public.
9 And so far, you're not doing it.

10 THE WITNESS: I'm not a threat --
11 I'm not. I wish I could bring some people here
12 with me today, but I'm not a threat. My last
13 financial crime was -- you know, was in 2006. I
14 did my probation. I -- I paid the price for it. I
15 know I was wrong. I don't have any excuses here
16 today. I know what I did was wrong. And I'm just
17 asking for -- for a second chance; that's all I'm
18 asking for.

19 MS. KINLEY: And I understand that.
20 But the fact that you will be carrying that
21 identification that got you arrested upsets me.
22 Anyway. Deloris, I'm sorry. I interrupted you.

23 MS. GILMER: Madam Chair, I make a
24 motion to deny.

25 MS. THOMPSON: Second.

1 MS. KINLEY: Okay. We have a motion
2 and a second on the table to deny licensure for
3 Drucilla Perry. Is there any further discussion?

4 (NO RESPONSE.)

5 MS. KINLEY: All in favor, signify
6 by saying aye.

7 BOARD MEMBERS: Aye.

8 MS. BROWN: I should have said
9 something before we -- I'm looking at her
10 identification card on the last page, on the --

11 MR. GRIGG: We need to either finish
12 the vote that's in process or rescind the motion
13 that was made or -- but I believe we had, what, two
14 people --

15 MS. THOMPSON: We had a motion and a
16 second and then --

17 MS. KINLEY: And I called --

18 MS. THOMPSON: -- for a discussion.

19 MS. BROWN: I missed it.

20 MS. KINLEY: I had votes going on.

21 MS. BROWN: I missed --

22 MS. KINLEY: But I did not hear --
23 all in favor, signify by saying aye.

24 BOARD MEMBERS: Aye.

25 MS. KINLEY: Opposed? Motion

1 carries. I'm sorry, Ms. Perry.

2 *****

3 MS. KINLEY: Kathryn Holmes-Daniels.

4 COURT REPORTER: What about Kristen
5 Faust?

6 MS. THOMPSON: Tomorrow.

7 MS. KINLEY: I'm sorry, yeah, she's
8 on tomorrow. And then Angela Cook, which is the
9 last one under C is tomorrow.

10 COURT REPORTER: Thank you.

11 (The witness is sworn in.)

12 MS. KINLEY: Ms. Holmes-Daniels,
13 you're here today with an arrest record.

14 (Off-the-record discussion.)

15 MS. KINLEY: In 2009, can you
16 explain the fraudulent check charges, failed to
17 reappear after you were released for these,
18 apparently. Tell me about that.

19 THE WITNESS: I was arrested in 2009
20 for some check frauds that I committed back in '96,
21 1996.

22 MS. KINLEY: You were arrested in
23 '09 for things that you did in '96. But I have a
24 bunch of 1996 charges on here.

25 THE WITNESS: There was no -- I have

1 never wrote any check after that. What happened
2 is, when -- when it clicked(sic) in 1996, I moved
3 and I guess they were trying to locate me, and they
4 didn't.

5 MS. KINLEY: It's okay. Just take a
6 breath.

7 THE WITNESS: And I moved to
8 Atlanta, Georgia. And when I moved there, I
9 applied for a job. And when I applied for a job
10 with the state, the checks didn't come up, so I
11 assumed that everything was okay. For that length
12 of time, the checks never came up. The police was
13 called to my daughter house and we were all asked
14 to hand our I.D. And when I handed my I.D. and
15 they called it in to check it, it popped back up
16 that I had check frauds from back then.

17 MS. THOMPSON: Were you aware that
18 you had check fraud pending? Did you know that
19 that was --

20 THE WITNESS: I know back then that
21 I had check fraud. But throughout the years, it
22 never came up, so I thought that --

23 MS. THOMPSON: So you knew you had
24 committed it, but you did not know that there had
25 been any official charges made and that there was

1 pending trouble.

2 THE WITNESS: Yes.

3 MS. THOMPSON: The 1987 violation
4 here is many, many years ago. And I'm just
5 curious, the charge of criminal domestic violence.
6 And then we jump from something like that, that
7 seems pretty severe, to then we have lots of check
8 problems. Then we have lots of driving problems.
9 And then now we're back to some check problems,
10 so --

11 THE WITNESS: I didn't have any
12 driving problems. I should have brought you
13 another copy of my SLED background, because I
14 called to try to investigate, because I know that I
15 didn't have any driving issue, and somehow it was a
16 misprint. They don't have -- what they sent me
17 during that time, they do not have it on my
18 background right now.

19 MS. THOMPSON: Do you have a amended
20 copy of your SLED report?

21 THE WITNESS: Um --

22 MS. THOMPSON: You don't have it
23 anywhere. You don't have it at home? You said you
24 should have brought us one. How do you know that
25 there's a clean one?

1 THE WITNESS: Because I called. I
2 tried to do my own investigation because I know
3 that I didn't have any driving violation.

4 MS. THOMPSON: Okay. That's going
5 to be really important.

6 THE WITNESS: Okay. I'll get that.

7 MS. THOMPSON: Madam Chair, what I
8 would like is for us to be able to table this
9 discussion pertaining to you, give you an hour or
10 so to go make some phone calls and see if they'll
11 fax a clean one here, because that's really going
12 to influence the decision this board makes.
13 Because we have two whole pages of driving charges
14 here. If you say that they don't belong to you,
15 that's significant.

16 THE WITNESS: I have a copy and
17 there were only like four or five things on there
18 pertaining --

19 MS. THOMPSON: Ma'am, I'm looking at
20 a six-page report here. Okay. Wait a second.
21 What is your name?

22 THE WITNESS: Kathryn Holmes-
23 Daniels.

24 MS. BROWN: This is Ancrome.

25 MS. THOMPSON: Have you ever had

1 Ancrome?

2 THE WITNESS: Ancrome is my maiden
3 name.

4 MS. THOMPSON: Okay. Because on one
5 page, we have you as Kathryn Holmes-Daniels from
6 SLED, and then we have you as Kathryn Ancrome. So
7 I'm not certain --

8 THE WITNESS: Okay. On my --

9 MS. THOMPSON: -- how much that
10 plays into it.

11 THE WITNESS: -- on my SLED
12 background, it has my -- my maiden name Kathryn
13 Ancrome. It starts off with Kathryn Holmes. Then
14 it has Kathryn Ancrome. And then it has Kathryn
15 Holmes.

16 MS. THOMPSON: Where are you talking
17 about? I'm sorry.

18 THE WITNESS: On the very first one.

19 MS. THOMPSON: Oh, just your
20 identifiers. Is that --

21 THE WITNESS: Yes.

22 MS. THOMPSON: -- what you're
23 talking about? Okay. But anyway, we have
24 established that Kathryn Ancrome is the same as
25 Kathryn Holmes. So you are the same person here.

1 But there are still six pages worth of charges here
2 that you're saying some of them are not yours.
3 Traffic, driving on the wrong side of the road;
4 speeding; seatbelt violation.

5 THE WITNESS: On Page 5 of 6 of my
6 driving record, everything down there, this is what
7 I called and investigated myself personally. They
8 do not have any of this information in the system.
9 They said somehow it had to been a misprint.

10 MS. THOMPSON: That's my point.

11 THE WITNESS: Okay.

12 MS. THOMPSON: I need to see that
13 cleaned up, unless you want this attached to your
14 name. Because all I have to go on right now is
15 this paper, which has these charges attached to
16 your name. If SLED has a misprint in their system,
17 then they need to rectify it for you and we need a
18 clean report before we're able to make a decision.
19 Otherwise, you run the risk that we're going to
20 deny you, based on these allegations that you say
21 don't pertain to you.

22 THE WITNESS: And the check fraud,
23 there is ten check fraud. All of them happened
24 around the same time back in -- originally, it
25 happened in '95 during the time I was school

1 shopping for my children. But I did not go to
2 court for it until '96.

3 MS. THOMPSON: So you did go to
4 court in '96. But then you said something about
5 2009. So if you went to court --

6 THE WITNESS: I went to court.
7 Okay. When it first took place -- like I said, I
8 wrote the checks in '95. It was like August of
9 '95, when I was getting my kids prepared for
10 school. I did not get anything about the check
11 until '96. When I got the -- when -- when I got my
12 first notice in '96, I appear in court. When I
13 appear in court, they gave me until -- a -- a month
14 time to come back to court, which when I was
15 supposed to appear back in court, I was supposed to
16 have the money to pay for it, which was like five
17 hundred and some dollars. The guy said when I come
18 back to court, if I didn't have the money, that I
19 was going to go to jail, and I had to spend 30 days
20 on each one. So I did not appear in court. And
21 again, throughout the years, I thought somehow it
22 got lost in the system because it never came back
23 up. But when --

24 MS. THOMPSON: Did you move as a
25 result of these pending charges? because you --

1 THE WITNESS: Yes. I moved to
2 Atlanta, Georgia.

3 MS. THOMPSON: So you did that
4 specifically to get away from the area where you --

5 THE WITNESS: Oh, no, no.

6 MS. THOMPSON: -- committed --

7 THE WITNESS: Oh, no, no. No. I
8 moved from here to Atlanta, to get away from a
9 husband.

10 MS. THOMPSON: Okay. The grand
11 total of the fraudulent checks that you wrote, you
12 said, was roughly \$500?

13 THE WITNESS: Yes. Maybe a little
14 over 500. And 2009, the officers were called to my
15 daughter house. We had to present our I.D.. When
16 we presented our I.D., they did a background check.
17 And when they did a background check, the checks
18 came back up. When the checks came up, I asked the
19 -- I told the -- I told the officer that I thought
20 that, you know, somehow they were thrown out
21 because nobody never approached -- I was never
22 approached. And I have had government, state jobs
23 and everything, and they did SLED and --

24 MS. THOMPSON: But you knew you had
25 not gone back to your court appearance because you

1 were going to have to pay restitution per check.
2 And so you at that point made the decision not to
3 appear.

4 THE WITNESS: Yes.

5 MS. THOMPSON: So you knew that they
6 were trying to resolve this issue at one particular
7 point, because you opted not to go. You just tried
8 to tuck it away in your memory and keep right on
9 trucking till they caught you.

10 THE WITNESS: Yes.

11 MS. THOMPSON: Okay.

12 THE WITNESS: Yes. So in '96 when
13 -- when -- when they checked my background, I was
14 arrested for the checks. And I asked the officer
15 why did it never come up because I've been stopped
16 on the highway, you know, for speeding, but I got a
17 warning. I didn't get arrested, nor a ticket. And
18 he said that something about they have a lot of
19 stuff that were back-load, and they hired some
20 people to come in and enter some stuff that was
21 just sitting there, some back warrants or something
22 that was sitting there. And during that time, I
23 guess when they input it in the computer, it popped
24 back up.

25 MS. THOMPSON: They found you.

1 Okay.

2 THE WITNESS: So I got arrested for
3 that.

4 MS. THOMPSON: I mean, if you would
5 like, we can go ahead and proceed with a vote now,
6 based on this report. But I'm just telling you, if
7 it were me, I would want a decision to be made on
8 an accurate report, especially if it's going to be
9 a lot less lengthy than this one.

10 THE WITNESS: Okay.

11 MS. THOMPSON: So it's entirely up
12 to you. If you would like to be given an hour or
13 so to try to get a clean one, I will be happy to
14 make the motion to table this. If you want us to
15 go ahead and proceed --

16 THE WITNESS: No.

17 MS. THOMPSON: Okay. At this time,
18 Madam Chair, I'd like to make a motion that we
19 table this till later on in the agenda, to give Ms.
20 Holmes the opportunity to get an accurate SLED
21 report.

22 MS. BROWN: Second.

23 MS. KINLEY: Have a motion and a
24 second to table until later on the agenda. Any
25 further discussion?

1 (NO RESPONSE.)

2 MS. KINLEY: Hearing none, all in
3 favor, signify by saying aye.

4 BOARD MEMBERS: Aye.

5 MS. KINLEY: Opposed? Motion
6 carries.

7 MS. THOMPSON: Ms. Holmes, just to
8 give you an idea, no later than four o'clock.

9 THE WITNESS: Okay.

10 MS. THOMPSON: Okay. That gives you
11 almost two hours, okay?

12 (Off the record discussion.)

13 MS. KINLEY: Latoya Weathers.

14 COURT REPORTER: That's good till
15 2020.

16 (The witness is sworn in.)

17 MS. KINLEY: Ms. Weathers, thank you
18 for coming. Could you please tell me about in
19 2005, you were charged with a felony of grand
20 larceny.

21 THE WITNESS: I was working at a gas
22 station and needed some money to pay my rent, and I
23 took it. And they asked me about it and I didn't
24 lie about it. So instead of locking me up, I
25 turned myself in, and they just gave me a court

1 date to come into court. And when I went to court,
2 they gave me probation for cooperating with them,
3 whatever.

4 MS. KINLEY: How much money was it?

5 THE WITNESS: Seven hundred and some
6 change.

7 MS. KINLEY: So you were -- you pled
8 guilty to it.

9 THE WITNESS: Yes, ma'am.

10 MS. KINLEY: And they sentenced you
11 to --

12 THE WITNESS: Probation.

13 MS. KINLEY: Five year's probation.

14 THE WITNESS: And I served two, for
15 the restitution. I paid off the restitution.

16 MS. THOMPSON: What year again?

17 MS. KINLEY: 2005.

18 MS. THOMPSON: And then we have it
19 again in 2006?

20 MS. KINLEY: No. That was where it
21 was settled. It was the same one. That's where it
22 was disposed. Disposition is what I'm trying to
23 say.

24 MS. GILMER: When did it --

25 THE WITNESS: 2010.

1 MS. GILMER: -- 2010.

2 THE WITNESS: And I also have some
3 medical records from my school.

4 MS. KINLEY: In 2010, giving false
5 information.

6 THE WITNESS: I had had an emergency
7 where I didn't have my license. I had emergency,
8 so I just -- I'm not trying to make excuses,
9 because I did it. And they pulled me over and they
10 asked me did I have my driver's license. I told
11 them, "Yes," but I didn't told them that it was
12 suspended.

13 MS. THOMPSON: Why was it suspended?

14 THE WITNESS: For probation.

15 MS. THOMPSON: I'm sorry?

16 THE WITNESS: For my probation.

17 MS. THOMPSON: So for probation for
18 grand larceny, they suspended your driver's
19 license?

20 THE WITNESS: Yes, ma'am. It was
21 suspended.

22 MS. THOMPSON: Okay. I noticed it
23 said "not DUI" --

24 THE WITNESS: Till I got off
25 probation.

1 MS. THOMPSON: -- but I wasn't sure.

2 MS. WEBB: For five years? Or --

3 THE WITNESS: No. I was only on
4 probation for two years.

5 MS. THOMPSON: So you had an
6 emergency. You were driving with a suspended
7 license.

8 THE WITNESS: Yes, ma'am.

9 MS. THOMPSON: Okay. So that was
10 giving the false information.

11 THE WITNESS: Uh-huh.

12 MS. THOMPSON: What happened with
13 that?

14 THE WITNESS: I went to court and I
15 just had to pay a fine.

16 MS. THOMPSON: How much?

17 MS. DUHART: Four hundred and
18 thirty dollars.

19 THE WITNESS: Like 430.

20 MS. THOMPSON: Where did that voice
21 come from? How much from the voice from beyond
22 say?

23 MR. DUHART: I paid --

24 MS. KINLEY: Well, he paid it.

25 MR. GRIGG: Let's get him to swear

1 in.

2 MS. KINLEY: Who is this?

3 THE WITNESS: That's my fiancé.

4 MS. KINLEY: Mr. Fiancé, can you
5 come forward?

6 MR. DUHART: Yes, ma'am.

7 MS. THOMPSON: We're just going to
8 need you to state your name for the record and be
9 sworn in --

10 MS. KINLEY: Be sworn in.

11 MS. THOMPSON: Just to be part of --

12 MS. KINLEY: -- just to say that
13 again, that you paid it.

14 (Mr. Duhart is sworn in.)

15 MS. KINLEY: Okay. In that booming
16 voice of yours again. What was that?

17 MR. GRIGG: What's his name?

18 MS. KINLEY: I'm sorry, your name
19 again?

20 MR. DUHART: Anthony Duhart. It was
21 \$430.

22 MS. THOMPSON: Four hundred and
23 thirty dollars, to the penny. Okay. So do you
24 have your license back?

25 THE WITNESS: Yes, ma'am.

1 MS. THOMPSON: Do you have a job
2 lined up?

3 THE WITNESS: Yes. I have two. I
4 have two offers. I work already at Sunoco, and I
5 have two job offers for a salon. But they
6 (inaudible).

7 MS. THOMPSON: Two offers? How did
8 you get so lucky to get two?

9 THE WITNESS: Being at the school
10 actually helped me, and then I knew one of the
11 girls that got a salon.

12 MS. KINLEY: Okay. Backing up just
13 one second. When you were -- when you took the
14 money, where did you say you were working?

15 THE WITNESS: At Anglers. That
16 was a gas station.

17 MS. THOMPSON: And you needed rent;
18 is that what you said? You took the money because
19 you needed to pay your rent --

20 THE WITNESS: Yes.

21 MS. THOMPSON: -- at the time. And
22 you've been on probation and you paid restitution.

23 THE WITNESS: Yeah.

24 MS. THOMPSON: Okay. And as part of
25 that, went along with your probation, was your

1 suspended driver's license.

2 THE WITNESS: Yes, ma'am. And
3 probation for two years -- restitution. I paid off
4 my restitution.

5 MS. THOMPSON: Okay.

6 MS. KINLEY: And so Sonoco knows
7 about this charge.

8 THE WITNESS: Yes, ma'am. I -- I
9 was loyal to everybody.

10 MS. KINLEY: Good for you. Good for
11 you.

12 MS. THOMPSON: I make a motion to
13 approve.

14 MS. WEBB: Second.

15 MS. GILMER: I second.

16 MS. KINLEY: Have a motion and
17 multiple seconds for approval of licensure for
18 Latoya Weathers. Is there any further discussion?

19 (NO RESPONSE.)

20 MS. KINLEY: Hearing none, all in
21 favor, signify by saying aye.

22 BOARD MEMBERS: Aye.

23 MS. KINLEY: Opposed? Good luck.

24 THE WITNESS: Thank you.

25 MS. KINLEY: Let them battle for

1 your work there. You got two offers, go for it.
2 Good luck.

3 THE WITNESS: Thank you.

4 MS. THOMPSON: You're very welcome.

5 *****

6 MS. KINLEY: Kristen Baxley.

7 (The witness is sworn in.)

8 THE WITNESS: Hello.

9 MS. KINLEY: Hey, Ms. Baxley. Tell
10 me about this 2005 felony arrest, financial
11 transaction card theft.

12 THE WITNESS: 2005, okay. My mother
13 had passed away. And my grandmother was living in
14 the home with us. And I was paying the bills with
15 her debit card, off of her account. And I took it
16 and decided to buy myself some extra stuff after I
17 paid the bills, which was not a very smart move,
18 but --

19 MS. THOMPSON: How much stuff?

20 THE WITNESS: It was probably about
21 \$500. It -- it was over time, because I had been
22 paying the bills and I just had the card. And but
23 I did -- I paid her all back before I even got in
24 trouble. She ended up showing my uncle her bank
25 statement, and he decided that he was going to call

1 the cop. So they came and arrested me and I did
2 two weeks in jail, because I had already paid it
3 back. So by the time I went to court, the judge
4 was like, "Well, since you paid her the money that
5 you took from her, they were just going to say that
6 that was time served.

7 MS. THOMPSON: So this was your
8 first offense. And before --

9 THE WITNESS: Yes.

10 MS. THOMPSON: -- you ever got in
11 trouble, you had paid back the money. And yet you
12 still served jail time.

13 THE WITNESS: No, no. I -- when he
14 had gone to the court or went to the police and
15 showed them her bank statement, I wasn't living
16 with them anymore because I already knew that I was
17 in trouble, and I didn't want to go home. So I was
18 trying to come up with the money to give my
19 grandmother back, before I had to go turn myself
20 in. So that's what I did.

21 MS. THOMPSON: And this was first
22 offense.

23 THE WITNESS: Yes. It was my first
24 offense.

25 MS. KINLEY: And how old were you at

1 the time?

2 THE WITNESS: I had just turned 18.
3 Took the warrant out on my birthday.

4 MS. THOMPSON: And did you say your
5 -- did you say your mother passed away?

6 THE WITNESS: She did, when I was
7 17. That's why I had -- is because --

8 MS. KINLEY: And so then we go to
9 2007, where we have a felony of manufacturing or
10 possession of controlled substances, well, other
11 substances, cocaine.

12 THE WITNESS: I was living with a
13 boyfriend in West Ashley. And my neighbor had
14 asked me if I could get any marijuana, and I told
15 her, "Sure, I could get her some." Well,
16 apparently, she was working with the police. So
17 when I sold her the marijuana, it was an undercover
18 cop.

19 MS. THOMPSON: Okay. Now, why you
20 say "sure"? I mean, had you already been--

21 THE WITNESS: She was -- she --

22 MS. THOMPSON: -- distributing?

23 THE WITNESS: -- used to come over
24 to my house and smoke weed. So I just assumed that
25 that's why she wanted it.

1 MS. THOMPSON: You said she used to
2 come to your house and smoke weed. And then --

3 THE WITNESS: Yes, ma'am.

4 MS. THOMPSON: -- you found out she
5 was --

6 THE WITNESS: I didn't find out
7 until after I had been arrested.

8 MS. THOMPSON: Did you say she was
9 working for the police? Or just with --

10 THE WITNESS: I just --

11 MS. THOMPSON: -- the police?

12 THE WITNESS: -- assumed that she
13 was working for them because she came to me and
14 asked me for -- for the marijuana. And so I just
15 assumed that. She was living next door to me. I
16 had no idea, though, after the fact, after I was
17 arrested.

18 MS. KINLEY: She asked you if you
19 could get marijuana.

20 THE WITNESS: Right. Right.

21 MS. KINLEY: And you said, "Sure."

22 THE WITNESS: Yes. And so
23 apparently, they had followed me when I went to go
24 and get that and -- and I brought it to her. And
25 they had all of that on --

1 MS. KINLEY: And it was marijuana?

2 THE WITNESS: Yes, it was. And when
3 the police actually came into -- because that day,
4 I wasn't arrested, after I handed her the -- the
5 marijuana. It was a couple of days later. They
6 came and took -- put me under arrest. They took
7 the keys that I had on me to my apartment and
8 served me with a warrant, and went in there and
9 searched my apartment. Then when they went in
10 there, they found bags with residue of cocaine. So
11 in order to try to get me to testify to where I got
12 the drugs from, they wanted to put an extra charge.
13 Which that didn't end up sticking. When I went to
14 court I up pleading to like simple possession of
15 marijuana. And I got six month's probation. It
16 was supposed to be dropped. I don't even know why
17 that is on there.

18 MS. THOMPSON: Where did the cocaine
19 residue come from? How does that come into this
20 picture?

21 THE WITNESS: My -- my boyfriend was
22 -- was doing. I -- I don't -- I don't do cocaine.
23 I did smoke weed. That was my drug --

24 MS. THOMPSON: But you took the rap
25 for him?

1 THE WITNESS: It was in my apartment
2 and my name was on the lease and not his.

3 MS. THOMPSON: But even still, if
4 that was his stuff, you --

5 THE WITNESS: Well, I told them that
6 it wasn't mine, but they weren't really interested
7 in that. They were more interested in where I got
8 the drugs from and whatever they could do to get me
9 to tell on somebody, is -- is where they were
10 coming from. So they just put that charge on me.
11 But like I said, it did not -- it didn't stick.
12 And when I went to court, I pled up to simple
13 possession of marijuana.

14 MS. KINLEY: And then a fraudulent
15 check in 2007.

16 THE WITNESS: That was also when I
17 was living with my boyfriend and --

18 MS. THOMPSON: Same boyfriend?

19 THE WITNESS: Yes, it was. Yes, it
20 was him. And -- and we didn't have a lot of food
21 to eat when I was living with him. So I would
22 write checks to Pizza Hut or the Chinese
23 restaurant, or whoever really would accept them, so
24 that we could get something to eat. When I did go
25 to court for that, I had to pay every bit of it

1 back. I was given three months.

2 MS. KINLEY: How much?

3 THE WITNESS: Fifteen hundred
4 dollars. I had to pay that, plus a court -- the
5 court costs and the -- the check fees itself, and
6 it totaled up to about \$1500 that I had to pay
7 back.

8 MS. KINLEY: Okay. And 2007 was
9 your last arrest?

10 THE WITNESS: Yes. Thank you.

11 MS. KINLEY: You going to keep it
12 that way?

13 THE WITNESS: Yes, ma'am. I -- I do
14 not want to go back to jail. When they arrested me
15 for that other stuff, I had to sit -- and that
16 cured me.

17 MS. KINLEY: I would hope so.

18 MS. THOMPSON: Do you have a job
19 waiting on you?

20 THE WITNESS: Yes. I just recently
21 moved to Conway, and I went to school in
22 Charleston. And my brother-in-law's wife is
23 actually getting ready to open up a salon, and
24 she's been in the business for almost ten years.
25 So I feel like I could probably learn a lot from

1 her. And -- but she mostly likes to do haircuts
2 and styles like that. And I figure between the two
3 of us, we could probably bring in all sorts of
4 diversity, as far as clientele goes, because I'd
5 like to do, you know, relaxers and braids and
6 extensions and things like that.

7 MS. THOMPSON: You said brother-in-
8 law. Are you married now?

9 THE WITNESS: Yes. I have someone
10 else different, and he's sweet. I've been with him
11 for four years.

12 MS. THOMPSON: So not the person who
13 got you in trouble.

14 THE WITNESS: No, no, no, no. I --
15 I don't talk to him anymore.

16 MS. GILMER: Madam Chair, I make a
17 motion to approve.

18 MS. THOMPSON: Second.

19 MS. KINLEY: Have a motion and a
20 second for approval of Kristen Baxley for
21 licensure. Any further discussion?

22 (NO RESPONSE.)

23 MS. KINLEY: Hearing none, all in
24 favor, signify by saying aye.

25 BOARD MEMBERS: Aye.

1 MS. KINLEY: Opposed? Motion

2 carries. Good luck.

3 THE WITNESS: Thank you so much.

4 MS. KINLEY: Thank you. Stay out of
5 trouble.

6 THE WITNESS: Yes, ma'am.

7 *****

8 MS. KINLEY: We're going to back up
9 on the agenda, approval for Karl Fisher. He was on
10 the agenda for this morning. He called and said it
11 would be two o'clock. Well, Mr. Ray discussed with
12 him last week and he said he'd be here at two
13 o'clock. We called for him at ten after two; he
14 was not present. It is now 2:30. Do I have any
15 motions?

16 MS. THOMPSON: Make a motion to
17 deny.

18 MS. GILMER: Second.

19 MS. KINLEY: Have a motion and a
20 second. Selena seconded. Is there any further
21 discussion?

22 (NO RESPONSE.)

23 MS. KINLEY: Hearing none, all in
24 favor, signify by saying aye.

25 BOARD MEMBERS: Aye.

1 MS. BROWN: Deloris seconded it.

2 MS. KINLEY: Sorry. Opposed?

3 Motion carries.

4 *****

5 MS. KINLEY: Tamy Ngoc Nguyen.

6 COURT REPORTER: Madam Chair, this
7 is good until 2016.

8 (The witness is sworn in.)

9 MS. KINLEY: Mr. Nguyen.

10 THE WITNESS: Yes.

11 MS. KINLEY: We asked you to come
12 here today because on your application and
13 submitted documents, your name appears differently
14 throughout the process. And if you'll give me just
15 one second.

16 (BRIEF PAUSE.)

17 MS. KINLEY: We've got it on here
18 several times where it's with a "Y" and sometimes
19 without.

20 MS. THOMPSON: What is the proper
21 spelling of your name? How do you spell your name?

22 THE WITNESS: How I spell my name?

23 MS. THOMPSON: Yes.

24 THE WITNESS: Tam.

25 MS. THOMPSON: Spell that for me,

1 please.

2 THE WITNESS: T-A-M.

3 MS. THOMPSON: T-A-M.

4 THE WITNESS: Yes. I changed my
5 name to Tamy -- Y.

6 MS. THOMPSON: So you added a Y.

7 THE WITNESS: Yes.

8 MS. THOMPSON: So you were born T-A-
9 M.

10 THE WITNESS: Right.

11 MS. THOMPSON: And when you became a
12 citizen, you became T-A-M-Y.

13 THE WITNESS: Right.

14 MS. THOMPSON: Do you have official
15 documentation of that, where that was done legally?

16 THE WITNESS: I have citizenship.

17 My Social Security --

18 MS. WEBB: Can you speak up, please?

19 THE WITNESS: My Social Security --

20 MS. THOMPSON: What year did you do
21 that?

22 THE WITNESS: That's a long time --
23 become citizen.

24 MS. THOMPSON: When did that happen,
25 just approximately?

1 THE WITNESS: (Inaudible.)

2 MS. THOMPSON: So you became a
3 citizen and then you were issued a Social Security
4 card? Is that the progression of events? Is that
5 how it happened?

6 THE WITNESS: Social Security card
7 is --

8 MS. THOMPSON: Exactly. That's what
9 I'm curious about.

10 THE WITNESS: So when I become
11 citizen, they changed my name. So -- so I --

12 MS. THOMPSON: Okay. So this
13 document I have here --

14 THE WITNESS: Social Security --
15 Tam --

16 MS. THOMPSON: I'm sorry? What did
17 you do about a month ago?

18 THE WITNESS: Social Security,
19 changed the name.

20 MS. THOMPSON: Do you have a new
21 card with the Y on there?

22 THE WITNESS: Yeah, yeah.

23 MS. THOMPSON: Do I have that?

24 MS. KINLEY: Uh-huh.

25 MS. THOMPSON: I'm so sorry. I must

1 have that.

2 MS. KINLEY: Uh-huh.

3 MS. THOMPSON: So the Certificate of
4 Naturalization is date-stamped December 15th of
5 1993. And there's the Tamy here. Is that when you
6 officially changed from Tam to Tamy?

7 THE WITNESS: Yes.

8 MS. THOMPSON: Can I just ask you
9 why you did that? That seems awfully confusing.
10 Why did you do that?

11 THE WITNESS: (Inaudible.)

12 MS. THOMPSON: So you just got the
13 opportunity to pick your name.

14 THE WITNESS: Yeah.

15 MS. THOMPSON: Okay.

16 THE WITNESS: (Inaudible.)

17 MS. THOMPSON: Okay.

18 THE WITNESS: (Inaudible.)

19 MS. KINLEY: So help me out here.

20 THE WITNESS: Yes.

21 MS. KINLEY: If in 1993 when you
22 became a citizen, you changed it with an I. Excuse
23 me, a Y. Not a I, a Y. But yet when you filled
24 out this application, you put it with a Y. And
25 when you filled out the Affidavit of Eligibility,

1 which is dated January 5th of 2011. What's today.

2 MS. THOMPSON: January 10th.

3 MS. THOMPSON: We're '12. We're
4 '12.

5 MS. KINLEY: We're in '12. Sorry.

6 MS. THOMPSON: So why did you do
7 that? You wrote without a Y.

8 MS. KINLEY: Yeah.

9 MS. THOMPSON: If you changed it --

10 THE WITNESS: Maybe I forgot.

11 Confusing, forgot -- change for the Y.

12 MS. KINLEY: Talking a long time
13 that you had changed it, according to your
14 testimony.

15 THE WITNESS: (Inaudible) last year.
16 I think last year, I put (inaudible). When they
17 call me (inaudible), something like that, and they
18 call me to the wrong -- I changed the name. So we
19 changed the name (inaudible) test. Each year, each
20 year expired. So I (inaudible) right now --

21 MS. THOMPSON: But this is -- I
22 understand what --

23 THE WITNESS: That's why they want
24 me --

25 MS. THOMPSON: I understand what

1 you're saying. But I'm confused. You went through
2 the process to become a citizen. And I'm assuming
3 that that was an involved process. And then you
4 took the opportunity to change your name during
5 that process. Again, I would assume that that's a
6 pretty significant day, that you would remember
7 that happening. And you were given the option and
8 you took advantage of the option to change your
9 name to whatever you would like it to be. I would
10 think that that would stick out pretty dominantly
11 in your memory. Yet on these documents ten years
12 later, you seem to flip and flop between Tam and
13 Tamy. If you legally changed your name, then Tam
14 no longer exists. Tamy does. So I'm having a hard
15 time understanding how you would just forget
16 something like that.

17 And then here on this documentation from
18 Texas, it still has you as Tam, and that happened
19 after the 1993 citizenship. So if I go to the DMV
20 to get my driver's license and they put my name
21 incorrectly, I'm going to make them fix it. Why
22 have you allowed these documents to continue to
23 be --

24 THE WITNESS: I -- I can't think
25 about that -- Tamy or, you know, Tam (inaudible)

1 lay off, you know, year and a half ago.

2 MS. THOMPSON: I'm sorry, I didn't

3 -- I'm sorry. Say that again. You got laid off.

4 You worked where?

5 THE WITNESS: Webco.

6 MS. THOMPSON: Webco?

7 THE WITNESS: Yeah, Webco.

8 MS. THOMPSON: Okay. Where is that?

9 THE WITNESS: At Spartanburg.

10 MS. THOMPSON: Spartanburg, okay.

11 THE WITNESS: Yeah, Spartanburg.

12 I think my name Tam. My name's still Tam.

13 MS. THOMPSON: Well is your name

14 still Tam?

15 THE WITNESS: Yes.

16 MS. THOMPSON: So did you legally

17 change your name? or not?

18 THE WITNESS: I -- I legally change

19 my name right now. Social Security, I just changed

20 it about a month ago.

21 MS. THOMPSON: So back when you were

22 saying your name was Tamy, that process was not

23 legal yet. It has just now become legal; is that

24 what you said?

25 THE WITNESS: No. Now it's Tamy.

1 MS. THOMPSON: When did it become
2 Tamy, legally?

3 THE WITNESS: Legally, I think just
4 about --

5 MS. THOMPSON: Mr. Nguyen, I'm
6 really trying to understand.

7 THE WITNESS: Last year --

8 MS. KINLEY: Okay. When you got
9 this new Social Security card with the spelling
10 different --

11 THE WITNESS: Tamy. I got old and
12 new.

13 MS. KINLEY: No, no, no. I see
14 that. We got you old; we got you new.

15 THE WITNESS: Yes.

16 MS. KINLEY: What did you submit to
17 the Social Security Department to get them to
18 change your name?

19 THE WITNESS: I called one -- agent
20 up here to check my application. And they say, you
21 know, you have to make sure you name, document your
22 name, everything (inaudible). So that's why, you
23 know, they -- I think about -- I think about my
24 Social Security -- not change yet.

25 MS. KINLEY: You told them that --

1 okay.

2 THE WITNESS: You know, I think
3 about Social Security, I not change it yet. So all
4 Social Security, you know, I --

5 MS. THOMPSON: I don't think that
6 that's legally an option for you. I mean, can you
7 -- Dean, could you -- if I decide today I want to
8 be Sandy instead of Melanie, I mean, I can convince
9 my friends to call me that. But when we're talking
10 Social Security card --

11 MR. GRIGG: I mean, as far as what-
12 all documentation that they would need, I -- I've
13 got no earthly idea. I know that they wouldn't
14 just take your word for it.

15 MS. THOMPSON: Okay. But what he
16 said is, I think, that pretty much picking and
17 choosing who's going to call him Tam and who's
18 going to call him Tamy. Am I understanding that
19 correctly?

20 MR. GRIGG: That's what I heard.

21 MS. THOMPSON: As far as you know,
22 is that legal?

23 MR. GRIGG: Legal?

24 MS. THOMPSON: Yeah.

25 MR. GRIGG: I mean, he can pick and

1 choose who's going to call him that, but --

2 MS. THOMPSON: Right. But so far as
3 your --

4 MR. GRIGG: -- as far as legal
5 documentation --

6 MS. THOMPSON: Yeah. Your driver's
7 license, your Social Security --

8 MR. GRIGG: -- he would have had to
9 present something to the Social Security Department
10 to get this new card. I mean, I don't know what.
11 I've never tried to do it, so I don't know what--all
12 they require.

13 MS. THOMPSON: Okay. I had to do
14 that when I got married. I had to take a marriage
15 certificate.

16 MR. RAY: -- some court order.

17 MS. THOMPSON: Birth certificate.

18 MR. GRIGG: I mean, I would imagine
19 he probably had to submit his naturalization
20 papers.

21 MS. KINLEY: And you said that this
22 is --

23 MS. THOMPSON: But that's
24 handwritten. The name is even handwritten on that.

25 MS. KINLEY: Yeah. But it says

1 "signature.

2 MR. GRIGG: That is an issue.

3 MS. KINLEY: It does say "signature"
4 underneath there.

5 MS. THOMPSON: What do you mean,
6 signature?

7 MS. KINLEY: Underneath his name,
8 where it says to sign it.

9 MS. THOMPSON: Right here?

10 MS. KINLEY: Yes. Doesn't that say
11 to sign it?

12 MS. WEBB: Complete and signature of
13 holder.

14 MS. THOMPSON: Complete and true
15 signature of holder.

16 MS. KINLEY: Yeah. So that means
17 that -- because I looked at that.

18 MS. THOMPSON: Okay.

19 MR. GRIGG: See what-all they
20 require.

21 MS. THOMPSON: But it's typed.
22 Okay. Here it's typed. Wouldn't the Citizenship
23 Department need something to take you from Tam to
24 Tamy, even if by choice? I know people petition to
25 change their names all the time.

1 MS. KINLEY: And I'm looking.

2 MS. THOMPSON: When you lived in
3 Texas and you obtained your license in Texas, this
4 was after you had become a citizen, correct?
5 Texas, it says you were issued enrollment in school
6 in 2005, and then you dropped out of school in 2006
7 in the manicurist curriculum. Okay. But at that
8 time, that was after you had gotten your
9 citizenship; is that correct?

10 THE WITNESS: (Inaudible.)

11 MS. THOMPSON: Okay. The
12 citizenship papers say 1993. This is 2006. When
13 did you live in Texas?

14 THE WITNESS: I tell you --

15 MS. THOMPSON: Okay. But when did
16 you live in Texas?

17 THE WITNESS: The time, you know, I
18 -- 2001 or '2.

19 MS. THOMPSON: Did you live in Texas
20 twice? Did you move from Texas somewhere, and then
21 go back to Texas?

22 THE WITNESS: Yes, yes.

23 MS. THOMPSON: Okay. When did you
24 do that?

25 THE WITNESS: (Inaudible.)

1 MS. THOMPSON: I need you to help me
2 understand this. I want to help you get a license.
3 But until you help me understand this, I can't do
4 that.

5 THE WITNESS: (Inaudible.)

6 MS. THOMPSON: How long have you
7 lived in the United States?

8 THE WITNESS: 1979, '80.

9 MS. THOMPSON: Okay. And you moved
10 to the United States from where?

11 THE WITNESS: United States when I
12 came -- I came Iowa. Iowa --

13 MS. THOMPSON: No, no. You moved
14 from -- where did you live before you moved into
15 the United States?

16 THE WITNESS: Massachusetts.

17 MS. THOMPSON: So far I've heard --

18 MS. KINLEY: Where were you born?

19 MS. THOMPSON: -- Texas,
20 Massachusetts, Iowa and South Carolina.

21 THE WITNESS: I was born Vietnam.

22 MS. THOMPSON: Okay.

23 MS. KINLEY: And you moved to the
24 United States from Vietnam?

25 THE WITNESS: Yeah. We -- from my

1 country.

2 MS. KINLEY: That's what we needed
3 to know.

4 MS. THOMPSON: And that was --

5 THE WITNESS: 1979-80.

6 MS. THOMPSON: -- 1979? Is that
7 what you said?

8 MS. KINLEY: He said '79/'80.

9 MS. THOMPSON: '79/'80.

10 THE WITNESS: Yes, '79.

11 MS. THOMPSON: And then in 1993, you
12 got your citizenship --

13 THE WITNESS: Right.

14 MS. THOMPSON: -- according to the
15 documentation you provided.

16 THE WITNESS: Right.

17 MS. THOMPSON: That's correct.

18 THE WITNESS: Yes.

19 MS. THOMPSON: But then in 2005, you
20 were in school in Texas.

21 THE WITNESS: Yes.

22 MS. THOMPSON: But you registered in
23 school under the name Tam.

24 THE WITNESS: Right.

25 MS. THOMPSON: But in 1993, you

1 changed your name to Tamy.

2 THE WITNESS: Right.

3 MS. THOMPSON: Why? Why did you
4 register as Tam?

5 THE WITNESS: Because -- I don't
6 know why either.

7 MS. KINLEY: Well, you created a lot
8 of confusion for yourself by flip-flopping back and
9 forth with the spellings of your name. I mean, I
10 believe you are -- Tam was Tamy. But we have to
11 have consistency in our documentations. People
12 misspell my name all the time, but that's -- my
13 legal documents all have my name correctly spelled,
14 and I know how to spell my name. So --

15 MS. THOMPSON: Madam Chair, I make a
16 motion to deny.

17 MS. WEBB: Second.

18 MS. KINLEY: Have a motion and a
19 second. Discussion.

20 MS. BROWN: Okay. You know, I
21 understand the change the name. But everything
22 else in here seems to be in order. I see that, you
23 know, many times they misspell people's names, but
24 he chose to add a Y, he said, when he was
25 naturalized. So his document has T-A-M-Y. But I

1 think, I guess, just inconsistency is that his
2 actual name is Tam, T-A-M. And it doesn't seem
3 that it's done in fraud, you know, to confuse
4 people. I think it's confusing to us because we're
5 looking at a document that has -- first it says
6 everything else is T-A-M-Y.

7 MS. KINLEY: I think it's confusing
8 to himself.

9 MS. BROWN: Yeah. I think he said
10 that when he became naturalized, they gave him a
11 choice, whether he wanted to change his name. So
12 he said he'd add a Y, because he was given that
13 choice --

14 MS. THOMPSON: But then after that
15 he's --

16 MS. BROWN: -- as a citizen.

17 MS. THOMPSON: -- written it several
18 times without.

19 MS. BROWN: So, you know, I can
20 understand that the confusion, if you've been named
21 one thing your whole life, and then you suddenly,
22 you know, change and you put a letter behind that
23 name. I mean, I can understand that. So I don't
24 feel -- I really don't think that that should keep
25 him from being approved.

1 MS. KINLEY: Okay. We have a
2 motion.

3 MS. THOMPSON: Motion and a second.
4 We just need to call for the vote.

5 MS. KINLEY: Yeah.

6 MS. BROWN: I don't know how to do
7 that.

8 MS. THOMPSON: You'll vote
9 whether --

10 MS. KINLEY: You'll vote your
11 conscience.

12 MS. THOMPSON: -- in favor of the
13 motion or not.

14 MS. KINLEY: You'll vote your
15 conscience.

16 MS. BROWN: Okay.

17 MS. KINLEY: We do have a motion and
18 a second on the table for a denial. So all in
19 favor of denial, signify by saying aye.

20 BOARD MEMBERS: Aye.

21 MS. KINLEY: All against?

22 MS. BROWN: Nay.

23 MS. KINLEY: Ms. Webb, did you vote?

24 MS. WEBB: Yes.

25 MS. KINLEY: I'm sorry, it was?

1 MS. WEBB: I second it.

2 MS. THOMPSON: But you voted in
3 favor of denial.

4 MS. WEBB: Denial.

5 MS. KINLEY: Okay. Motion carries.
6 I'm sorry, Mr. Nguyen. There was too much
7 confusion on the name spell, so at this time, we
8 have denied this application. You can speak with
9 staff and they'll give you a further explanation of
10 that later. Okay? Thank you.

11 MS. THOMPSON: Madam Chair, I make a
12 motion that we take a 20 minute break in order to
13 eat lunch and allow everyone else to go eat.

14 MS. WEBB: Second.

15 MS. THOMPSON: We have a motion and
16 a second to take a 20 minute break.

17 MS. KINLEY: All in favor, signify
18 by saying aye.

19 BOARD MEMBERS: Aye.

20 MS. KINLEY: Opposed? Motion
21 carries. We're going to take time for everyone to
22 grab some lunch real quick.

23 (Lunch break.)

24 MS. KINLEY: Call this meeting back
25 to order. Don't know what we've done to offend

1 everyone, but they're dropping like flies out of
2 here. Next on our agenda, Thuy T. Nguyen. One
3 more time. Jim, would you walk out there and just
4 yell, Thuy T. Nguyen, just so we can be sure.

5 MS. THOMPSON: T-H-U-Y. Please
6 spell it, just to be certain.

7 MR. KYZER: No, ma'am.

8 MS. KINLEY: Entertain a motion?

9 MS. THOMPSON: Make a motion to
10 deny.

11 MS. GILMER: Second.

12 MS. KINLEY: Have a motion and a
13 second for denial of Thuy T. Nguyen. Any further
14 discussion?

15 (NO RESPONSE.)

16 MS. KINLEY: Hearing none, all in
17 favor, signify by saying aye.

18 BOARD MEMBERS: Aye.

19 MS. KINLEY: Opposed? Motion
20 carries.

21 *****

22 MS. KINLEY: Approval of licensure
23 with identification questions. Somebody want to
24 help me out? Hensix Quang Nguyen.

25 MS. THOMPSON: Make a motion to

1 deny.

2 MS. WEBB: Second.

3 MS. KINLEY: Have a motion and a
4 second for denial. Any further discussion?

5 (NO RESPONSE.)

6 MS. KINLEY: Hearing none, all in
7 favor, signify by saying aye.

8 BOARD MEMBERS: Aye.

9 MS. KINLEY: Opposed? Motion
10 carries.

11 *****

12 MS. KINLEY: Approval of salon
13 license, Duy Thanh Nguyen, L'Amour Nails.

14 MR. KYZER : Madam Chairman, if the
15 board would just indulge me just a minute. I'm an
16 investigator.

17 MS. KINLEY: Oh, okay. Certainly,
18 Jim.

19 COURT REPORTER: Who did you just
20 call? Duy Thanh Nguyen, L'Amour
21 Nails?

22 MS. KINLEY: Uh-huh.

23 MS. THOMPSON: G.

24 COURT REPORTER: Okay. This is not
25 him.

1 MR. BELDING: If it please the
2 board, as a preliminary matter, I cautioned Mr.
3 Rogers, Andrew Rogers, and asked. Mr. Nguyen, the
4 applicant/owner is in Vietnam and has been there
5 for over a month.

6 MR. GRIGG: Sir, can you tell us
7 your name?

8 MR. BELDING: Oh, yes. I'm David
9 Belding, B-E-L-D-I-N-G. And I was the attorney and
10 actually helped complete the application.

11 MR. GRIGG: For Mr. Nguyen and
12 L'Amour Nails?

13 MR. BELDING: Correct.

14 MR. GRIGG: Okay. Thank you. I
15 didn't mean to interrupt you.

16 MR. BELDING: Oh, no.

17 MR. GRIGG: Go ahead.

18 MR. BELDING: I think it's important
19 to know who everybody is. I'm the guy without the
20 name plate.

21 MS. KINLEY: I don't want to go
22 "Hey, you."

23 MR. BELDING: Yeah. But I have the
24 manager here, and he has his identification. He's
25 listed on the application. This is Long Phi Pham.

1 MS. WEBB: Spell that.

2 MR. BELDING: Okay. L-O-N-G P-H-I
3 P-H-A-M.

4 MS. KINLEY: Thank you.

5 MS. THOMPSON: He's the manager. Is
6 he any relation to the owner?

7 MR. BELDING: No.

8 MS. KINLEY: And I'm sorry, I do
9 apologize for having a piece of candy in my mouth
10 too. Mr. Nguyen, did you say why he was not here
11 today?

12 MR. BELDING: He's been in Vietnam
13 for almost two months, since before we had notice
14 of the hearing. I know it sounds kind of unusual,
15 but the explanation from all the Vietnamese clients
16 I've got is it takes 25 hours to get there. And
17 when they go, they stay a while.

18 MS. KINLEY: Yes.

19 MR. BELDING: They don't go for
20 the weekend.

21 MS. KINLEY: It's not as unusual as
22 it initially sounded.

23 MR. BELDING: Okay. Yeah.

24 MS. KINLEY: Oh, DeLeon, you are
25 here. So has everyone been sworn in?

1 COURT REPORTER: I don't need to
2 swear the attorney in. That
3 gentlemen, I do need to swear you
4 in.

5 MR. BELDING: And let me ask you, I
6 don't know at the pleasure of the board, I don't
7 mind being sworn in either, in terms of just to
8 give a little background information. Or you can
9 let me do it, which I represent that I'm telling
10 the truth.

11 MR. GRIGG: Yeah. You don't have to
12 be sworn in.

13 MR. BELDING: Okay. I like that
14 even better.

15 (Long Phi Pham is sworn in.)

16 MS. KINLEY: So Mr. Belding.

17 MR. BELDING: Yes, ma'am.

18 MS. KINLEY: Who is Truong Qu
19 Tran?

20 MR. BELDING: He's my original
21 Vietnamese client. He is not associated with this
22 business and really hasn't been for a long time. I
23 got him on Social Security Disability this year.
24 He's fully retired. He went around and set up a
25 number of nail shops in the '90s, and then turned

1 them over to friends from Vietnam to run. And he
2 didn't take any compensation whatsoever, which I
3 told him he should have done, but he didn't.

4 MS. THOMPSON: And so I see here on
5 this Voluntary Surrender where you sign to accept
6 on behalf of your client --

7 MR. BELDING: Right.

8 MS. THOMPSON: -- in June of 2011.

9 MR. BELDING: Right.

10 MS. THOMPSON: So when did he
11 actually stop having anything to do with any
12 particular salon?

13 MR. BELDING: Probably about six to
14 eight years before that.

15 MS. THOMPSON: So why would he have
16 been -- why would he have been served and you had
17 to accept that on his behalf?

18 MR. BELDING: He didn't know that he
19 was still listed as the owner. And I don't know --
20 pleasure of the board, I don't know how -- it's
21 easier just to ask him questions or you want a two
22 minute introduction?

23 MS. THOMPSON: I think that you need
24 to tell us what you're doing.

25 MR. GRIGG: And I think that's -- I

1 think that's part of what I was trying to make sure
2 we're all on the same page on. My understanding --
3 and please, somebody correct me if I'm wrong. But
4 my understanding, so the board understands, is
5 what's being presented today is an application for
6 licensure for L'Amour Nails. There are apparently
7 -- and I believe the letter that was sent to Mr.
8 Nguyen states some of it. And my understanding is
9 there is an investigation that is going on
10 involving some allegations with maybe some of the
11 same people with the same group or whatever. We're
12 not going forward on that stuff today, from what
13 I'm understanding. So I think that's where we're
14 all a little confused is trying to make sure we
15 know exactly what we're here for. So with that
16 being said, we're going to treat this as an
17 application hearing. And, I mean, you can operate
18 that like you would any application.

19 MS. THOMPSON: So according to the
20 agenda, it's "approval of salon license." Okay?
21 And so that's what we're doing.

22 MR. GRIGG: That's what you're here
23 on today.

24 MS. THOMPSON: Approval of salon
25 license. But all of this information --

1 MR. BELDING: I can give you -- just
2 going to give the history of --

3 MR. GRIGG: And that's fine. We're
4 just trying to figure out -- because the letter
5 that is before the board, the letter that was sent
6 to Mr. Nguyen actually states an allegation, an
7 unlicensed practice allegation. So I know I was
8 confused as to whether we're taking all of that
9 under consideration today or not. And so the
10 history side of it will be fine. But we'll not
11 issue a decision on the discipline at this time;
12 that will be later.

13 MS. KINLEY: Okay. Mr. Kyzer, if
14 you can give us the history of the salon license.

15 MR. KYZER: Yes, ma'am. May it
16 please the board, if I just remain here at my desk,
17 with all my paperwork.

18 MS. KINLEY: Certainly.

19 MR. KYZER: And I'm sure I'll talk
20 loud enough for everybody to hear me. This is in
21 reference to Glamour Nails, which is located at
22 1671 Springdale Road in Camden, South Carolina.
23 I'm the inspector for that area. And I go in and
24 check for license violations and sanitation
25 violations, as required by the State Board of

1 Cosmetology.

2 On January the 14th, 2011, I entered the salon
3 to do an inspection. A female which was working on
4 a client ran out the back door at that time. That
5 is 40-13-110, that's allowing unlicensed practice
6 for the owner, Truong Tran. That was the first
7 time, okay?

8 MS. KINLEY: And that was in January
9 '11.

10 MR. KYZER: Underlying factor here
11 is that -- I'm not trying to be mean; just putting
12 it for the record -- Long Phi Pham was the manager
13 at that time. I went back again. At that time, I
14 issued a cease and desist for them not to do that
15 anymore, not to have any unlicensed practice, to
16 the owner and also to the female, which was named
17 Lauren at that time. We did have a hearing on
18 March the 7th of '11. My \$500 fine was upheld at
19 that time, and also recommended a legal class where
20 they could understand the license procedure a
21 little bit more, and that was upheld.

22 I went back in on May the 13th of 2011. This
23 time, here again, manager was Long Phi Pham. And
24 three unlicensed persons at that time was working
25 in the salon. Well, you're now seeing a pattern of

1 unlicensed practice here. That was a \$1500 fine.

2 MS. KINLEY: And that was, again,
3 what date was that?

4 MR. KYZER: May the 13th.

5 MS. KINLEY: May 13th.

6 MR. KYZER: Yes, ma'am.

7 MS. KINLEY: Thank you.

8 MR. KYZER: Shortly thereafter, I
9 went in (inaudible). That was three persons
10 unlicensed for a \$1500 fine. They were in
11 violation of the cease and desist, which I issued
12 on January the 14th, which was a \$500 fine. And
13 also, they were on probation at that time from the
14 January 14th issue of the \$500 fine. That was
15 \$3,000 in total fines for that salon. Here again,
16 I recommended a legal class again. Hopefully, that
17 would get the point across. But we still had
18 problems with the salon having unlicensed practice.

19 Myself and Investigator DeLeon went in shortly
20 thereafter on June the 17th, which is shortly after
21 the May thing. At that time, there was another
22 unlicensed person working in the salon. Here
23 again, the manager was Long Phi Pham, which is the
24 underlying factor here. And one person's working
25 unlicensed. She had no South Carolina individual

1 license. At that time, she was using a male
2 license and had her picture on it, working in the
3 salon.

4 MS. WEBB: This is the third time,
5 excuse me. The third time that you --

6 MR. KYZER: Yes, ma'am. This is the
7 third time. This is what I call the pattern.

8 MS. THOMPSON: Mr. Kyzer, could I
9 ask one quick question, please. I heard you say
10 that you recommended a legal class twice. Do we
11 have any idea if the legal class has been taken
12 yet?

13 MR. KYZER: Not being mean here, I
14 think this administration has done away with the
15 legal class.

16 MS. THOMPSON: They can't do that.

17 MS. KINLEY: Excuse me?

18 MS. THOMPSON: The board has to vote
19 on that. But as far as you know, we don't know
20 about a legal --

21 MR. KYZER: No class has been taken.
22 Yes, ma'am.

23 MS. THOMPSON: And one other
24 clarification, please, you said that one of the
25 first times you went in --

1 MR. KYZER: January 14th.

2 MS. THOMPSON: -- the manager was
3 there, which is the Mr. Pham.

4 MR. KYZER: Long Phi Pham.

5 MS. THOMPSON: But then there was
6 another -- did you say Trang?

7 MS. KINLEY: Yeah, unlicensed. The
8 one who was unlicensed, what was his name?

9 MR. KYZER: Right.

10 MS. THOMPSON: I wrote it down. Now
11 I've lost my paper. It was at the very beginning.
12 I think it was the first time you went to the
13 salon. It was a Trang something, the name of the
14 person.

15 MS. WEBB: Could you spell that too?

16 MR. KYZER: Yes, I have it here
17 somewhere. It is right here, I think.

18 MS. THOMPSON: It was right at the
19 beginning, toward the beginning of your report.

20 MR. KYZER: Lauren was the name of
21 the first person that ran out the back door.

22 MS. THOMPSON: Uh-huh. But the
23 owner that was there.

24 MR. KYZER: That was the only one
25 there unlicensed at that time.

1 MS. THOMPSON: Right. But the owner
2 that you stated was there.

3 MR. KYZER: The owner was not there,
4 no.

5 MS. THOMPSON: Okay. Then maybe it
6 was the next one. It was something Trang, Tran
7 something. What was that name?

8 MR. KYZER: Truong Tran was the
9 owner of the salon of Glamour Nails. I've never
10 seen him. He's just listed as the owner on the.

11 MS. THOMPSON: Okay. That's where I
12 had gotten -- that's what I was trying to get
13 clarification on. I misunderstood.

14 MS. WEBB: Spell that, to be sure.

15 MR. KYZER: T-R-U-O-N-G T-R-A-N.

16 MS. WEBB: Okay. Thank you so much.

17 MR. KYZER: Truong Tran.

18 MS. THOMPSON: I apologize for
19 getting you off track. I just needed to make sure
20 that I was understanding what you were saying,
21 okay.

22 MR. KYZER: Yes, ma'am. Now, after
23 the third time of going in and catching them with
24 unlicensed practice with three people at one time
25 and with the lady using a male's license with her

1 picture on it, then they contacted Mr. Belding here
2 to try to straighten out the problem, I guess.
3 And then they wanted to change the name to L'Amour
4 Nails, which we didn't have any problem with at
5 LLR. And I was asked to go out and check to see if
6 they were making any progress with that, with the
7 understanding that we've had so many problems with
8 Long Phi Pham being the manager, that he not be the
9 manager. And I have that from legals, that I have
10 an application that they sent in and he is listed
11 as the manager here. And Ms. Lynn Rogers, the lead
12 counsel here, and I'm sure Mr. Belding can confirm
13 this, that he cannot be the manager. So I couldn't
14 open up the salon at that time.

15 They were trying to change it to L'Amour
16 Nails, but, quite frankly, they were doing it real
17 slow. They had the G kind of covered up at the
18 front when you first look at the salon. And on the
19 inside, it was still Glamour Nails on the book
20 where you put down your clients. We still have the
21 business license of Glamour Nails. And we also
22 still have the license from LLR with Truong Tran's
23 name on it. So they weren't trying to make too
24 much progress at that time. And I think shortly
25 thereafter, Mr. Belding got involved in it again,

1 and I think he could probably elaborate a little
2 bit more more.

3 MS. KINLEY: That's all you've got,
4 Mr. Kyzer?

5 MR. KYZER: Do you have any
6 questions or anything?

7 MS. KINLEY: Any questions for Mr.
8 Kyzer at this point? We can always go back.

9 MS. THOMPSON: Not at this point.
10 And I commend you on the details of your report,
11 what's contained in here. You've done a great job;
12 we appreciate that.

13 MR. KYZER: That is a pattern of
14 unlicensed practice.

15 MS. THOMPSON: I do have a question
16 for Mr. Belding. When did your original client, or
17 the actual owner of this salon now, when did he go
18 to Vietnam?

19 MR. BELDING: And let me ask you,
20 are you talking about Mr. Tran? or Mr. Nguyen?

21 MS. THOMPSON: Nguyen. Not the
22 original one who opened up all the salons and
23 didn't charge anybody.

24 MR. BELDING: I understand.

25 MS. THOMPSON: But the one who

1 currently --

2 MR. BELDING: On the application.

3 MS. KINLEY: This one right here.

4 MS. THOMPSON: Duy something. Yes.

5 MR. BELDING: Yeah. My

6 understanding is October.

7 MS. THOMPSON: Okay. So during the
8 times where we have these violations occurring, he
9 was in the United States, we're hoping/assuming
10 within this salon. All these problems are
11 happening, he was in the country and could have
12 resolved them?

13 MR. BELDING: Could have resolved
14 them.

15 MS. THOMPSON: Okay. This Mr. Pham?

16 MR. BELDING: Pham.

17 MS. THOMPSON: Pham. Mr. Pham, do
18 you currently hold a license? Do you currently
19 hold a nail license?

20 THE WITNESS: (Inaudible.)

21 MS. THOMPSON: It's current?

22 MR. BELDING: I can give you the
23 number.

24 MR. GRIGG: I just want to make
25 sure, was he sworn in too?

1 MS. THOMPSON: Yes, he was.

2 MR. GRIGG: Okay.

3 MR. BELDING: His number is 2703.

4 MS. THOMPSON: And that's nail tech
5 license.

6 MR. BELDING: Yes. Yes, yeah.

7 MS. THOMPSON: So Mr. Pham's
8 license, through all these violations, has been
9 current.

10 MR. BELDING: Correct.

11 MS. THOMPSON: However, he has had
12 knowledge of unlicensed practice and has done
13 nothing to ensure it doesn't happen. Therefore,
14 has been told he cannot be the manager of a salon.
15 Yet he's still listed as the manager of that salon.

16 MR. BELDING: Well, and let me just
17 tell you about that. I didn't get involved until
18 June. And at that point, they contacted me and I
19 said, "You needed to see me about six months ago."
20 I came and had a meeting with DeLeon Andrews, Ron
21 Cook and Lynn Rogers, all with whom I knew from
22 before, and said, "Look, I think I've got their
23 attention now. Obviously, there's some cultural
24 differences here. But I've explained to them that,
25 you know, when in Rome, you got to do as the Romans

1 do. You have to be licensed." You know, I heard
2 all the arguments, "They do a great job." I said,
3 "But, you know, they have to have a license. You
4 have to have a license to drive. You have to have
5 a license to do almost anything, even if you're a
6 great driver."

7 I did ask Ms. Rogers if there was any way they
8 could give the test in Vietnamese, and she said,
9 "No," for reasons I understood. Because I think if
10 you open it up to anything past English, you got to
11 give it in 150 languages. So I said, "Well, that's
12 the problem is that some of these people are not
13 good in English." And Ron Cook stated, "Hey, if
14 you're going to be in the United States, learn some
15 English; go take a test." So we agreed to do that.

16 The first thing I wanted to do was get Mr.
17 Tran, who had been a previous client of mine, out
18 of this picture --

19 MS. THOMPSON: Exactly.

20 MR. BELDING: -- because he's an
21 absentee owner. You know, he set it up. He was
22 there in the beginning for the whole opening, but
23 that was back ten years ago. So when he -- his
24 pattern has been to help out his friend. They
25 thought he was the godfather. And if he ran it

1 properly, he would be rich today. But what he was
2 doing was opening them up and turning them over to
3 people that were Vietnamese, to help them out, and
4 then he'd move on and do another one. And he also
5 did some tailor shops and things like that.

6 Mr. Tran is disabled now. And when this came
7 up, I had just gotten him approved for Social
8 Security Disability. So I said, "I need to get Mr.
9 Tran out of this." So I met with those three. Not
10 Mr. Kyzer, but the other three, and we reached an
11 agreement, which was the agreement that may be in
12 the file to voluntarily surrender the license.

13 In conjunction with that, and I've known Lynn
14 Rogers a long time, I said, "Look, Lynn, how can we
15 get this back on track?" And she said, "Well, one
16 thing is, we don't want the same name, and so come
17 up with another name." So I talked to him about,
18 "You know, just call it 'Nails'." I mean, who
19 cares, you know. But they had a lot of money
20 invested in a sign. And they said, "How about
21 L'Amour?" And I said "L'Amour?" And, you know,
22 apparently, that means "love" in French. And so I
23 said, "Okay. Fine." So anyway, we applied this --

24 MS. THOMPSON: Nail Shop with a
25 French name.

1 MR. BELDING: -- Louie L'Amour,
2 yeah. Okay. Love your nails. She said, "You know
3 what?" -- and Lynn called me up and said, "That
4 would be okay. I approve that, even though it's
5 close. But you got to make a distinction between
6 the old Glamour Nails."

7 We've actually finally accomplished that. The
8 neon sign they have outside, it cost \$4500 to get
9 that changed. So basically, it was just a money
10 problem coming up with that. I don't know why.
11 The easiest thing in the world to do would have
12 been what you talked about, Jim, which is just the
13 little book, the sign-in book, just cover up the G
14 and make copies of everything else; that would have
15 been fine.

16 MS. THOMPSON: But honestly, Mr.
17 Belding, quite honestly, I don't really care what
18 they call it.

19 MR. BELDING: Me neither.

20 MS. THOMPSON: My biggest concern is
21 the allowing unlicensed practice over and over and
22 over --

23 MR. BELDING: I agree.

24 MS. THOMPSON: -- and not abiding by
25 the law established in South Carolina, and knowing

1 that and continuing to do it. I don't care if they
2 call it Happy Feet.

3 MR. BELDING: But this is what I can
4 tell you. I may jump to the end. This is what I
5 can tell you. I think that there's been -- you
6 know, a lot of times people come here from other
7 countries. I can appreciate those cultural
8 differences. I can also appreciate that there's
9 some language barriers. But as you-all know, a lot
10 of times people, you know, all of a sudden when you
11 hit them with a tough question, they don't speak
12 English, okay. I'm here to act as their
13 intermediary and make sure that this doesn't happen
14 again. And I've gotten their attention. I can
15 guarantee you --

16 MS. THOMPSON: How did you do that?

17 MR. BELDING: -- that if this
18 happens again --

19 MS. KINLEY: How did you do that?

20 MS. THOMPSON: So how do you know
21 you have it?

22 MR. BELDING: We call that a "come
23 to Jesus meeting." Are you --

24 MS. THOMPSON: We do too.

25 MR. BELDING: -- familiar with that.

1 MS. THOMPSON: Yeah. Uh-huh.

2 MR. BELDING: Okay. And I said,
3 "Let me tell you something, you're on the verge of
4 just being out, into some other business, okay?
5 Plus, as an aside" -- and I don't know if I want to
6 -- I don't want to distract you, Mr. Pham is listed
7 as an owner of another nail shop in North Augusta,
8 that he doesn't have anything to do with the day-
9 to-day operation of, that's also been cited for
10 unlicensed nail techs. So that was weighing
11 against him at the time. We need to get him out of
12 that. I mean, if you're not going to be there,
13 running the business, we don't need to have you on
14 there because everything comes back to you, and
15 that's the problem.

16 Ultimately, I went through the entire
17 explanation. I don't care about, you know,
18 cultural differences. I don't care about helping
19 other people. You know, if you're going to drive a
20 car, you have to have a license. If you're going
21 to be a nail tech, you have to have a license. And
22 if you can't learn enough English to pass the test,
23 then you're not going to be -- not going to be
24 doing any of this.

25 The last little problem -- I don't know if Jim

1 covered it -- was there was a lady who was there as
2 the receptionist, answering the phone, taking
3 money, (inaudible) and a couple of -- I think that's
4 close --

5 MS. THOMPSON: You're good. You're
6 doing good.

7 MR. BELDING: I'm, you know, trying
8 here. I know four words in Vietnamese now. She
9 would like to be Mr. Pham's girlfriend. And so,
10 you know, he let her again and said she could be
11 the receptionist. But a couple of times, they've
12 come in and seen her hands on people. And when she
13 saw them, she walked out. And I said, "Well, let
14 me tell you how this works. I don't care, a
15 receptionist doesn't need to touch anybody. You
16 can't do this, unless you get a nail tech license."
17 I understand that she presented him a license. And
18 I said, "Good. We've got that taken care of now."

19 MS. KINLEY: What do you mean she
20 presented him a license?

21 MR. BELDING: Well, you know,
22 something showing that she had been licensed by LLR
23 as a nail tech.

24 MS. KINLEY: Oh, okay. Oh, okay.

25 MR. BELDING: Yeah. The

1 receptionist who was the problem lately. And now I
2 understand that there may be some problem with
3 that, that she may have bamboozled him into
4 thinking she had gotten a license. What I have
5 told him, is, "You know what, he doesn't want her
6 hanging around. Now you've got the perfect excuse.
7 She's barred from the premises. I mean, the South
8 Carolina Board of Cosmetology is not going to allow
9 her to be here. So if you don't want her, you can
10 just stipulate her right off the premises, and
11 you've got the easiest answer going."

12 But what I am proposing is, and I don't want
13 to get into a big -- about who did what to who. I
14 think it was not good that we didn't show up in
15 October for the last board meeting. I didn't know
16 about it. And I was down as attorney of record,
17 and nobody sent me a notice. And that's all in the
18 past, everything's fine. But it would have been
19 helpful if I had known about that, because I
20 thought we had something worked out with Ms.
21 Rogers.

22 But my point is, if the board could see their
23 way clear to approving this salon with Mr. Pham as
24 the manager, now I understand he's got some issues
25 that DeLeon Andrews and I went over. But I think

1 he's -- part of his problem is that in North
2 Augusta, he's absentee owner. And the other
3 problem is, I think sometimes it takes more than
4 one time to get people to understand that you've
5 got to do it this way.

6 MS. THOMPSON: Could I interject at
7 this point, please?

8 MR. BELDING: Go ahead.

9 MS. THOMPSON: First of all, I would
10 like to know, I'm a salon owner. I know the blood,
11 sweat and tears that goes into opening and owning a
12 salon. I'm not going to just pick up, leave that
13 salon and go manage another one for someone else.
14 That's a concern, first and foremost.

15 If I understood you correctly, the
16 receptionist who wants to be the girlfriend, is
17 blamed for bamboozling him into believing she was
18 licensed, which may have been part of the problem
19 on one of the inspections, but what about the other
20 two or three?

21 MR. BELDING: Not all three.

22 MS. THOMPSON: So I'm not buying
23 into he's been bamboozled all these times.

24 MR. BELDING: Oh, no. No, at the
25 beginning, she was clearly not licensed, absolutely

1 not.

2 MS. THOMPSON: And he's clearly
3 allowed that multiple times. He's not working in
4 his own salon. Why are you going to work for
5 somebody else when you could be working in your own
6 salon?

7 MR. BELDING: Yeah, he is the guy.

8 MS. THOMPSON: He's the what?

9 MR. BELDING: Mr. Pham is the man,
10 the manager at Spring Dale Drive in Camden. He is
11 the on-duty, everyday manager of that business.

12 MS. THOMPSON: But what about the
13 one he owned?

14 MR. BELDING: Well, he's never
15 there.

16 MS. THOMPSON: That's my point. Why
17 not work in your own place?

18 MR. BELDING: In the process of --

19 MS. THOMPSON: Or own the one you're
20 working in?

21 MR. BELDING: Right. In the process
22 of cleaning all this up, first thing I did is get
23 Mr. Tran off this. I wanted to get all absentee
24 owners that I represent out of this business. They
25 don't need to be listed. All they do is get in

1 trouble when they're not there. You know, but we
2 ought to have the people that are there and
3 responsible, listed on the license.

4 Now, you brought up an interesting point, Ms.
5 Thompson. In doing this agreement with Ron and
6 Lynn Rogers last summer, I'm the one that filled
7 out this application. I can write it in English.
8 And I put down what we agreed to. And I really,
9 quite frankly, didn't understand at the time that I
10 thought we were turning in Mr. Tran's license and
11 getting one back in this form. You know, I didn't
12 really understand that this was subject to the
13 review of the board, which is fine. I mean, you
14 know, that's fine. But they allowed them to
15 operate in kind of this limbo period.

16 As a matter of fact, you know, Mr. Kyzer went
17 in in August, over a month after this application
18 was put in, and the only complaint he had was that
19 they -- you know, he suggested that they get a
20 Sharps container, which I --

21 MS. THOMPSON: Not suggested.

22 That's law.

23 MS. KINLEY: Yeah, that's law.

24 MR. BELDING: I know.

25 MS. THOMPSON: This is my problem,

1 and I'm sure that you can see this, we go from an
2 owner, Mr. Tran, who there's no problem, there's no
3 violation. He's an absentee owner, nonetheless,
4 but there are no problems. Now there's a new owner
5 who has allowed unlicensed practice, then flown the
6 coop to Vietnam. We've got a manager who owns a
7 salon somewhere else, is now working in a salon
8 where there are multiple violations. And we go
9 from abiding by the law to completely ignoring the
10 law, all under the same couple of people. And
11 quite honestly, I'm not real happy about that.

12 MR. BELDING: Me, either. Tell you
13 the truth, I'm not either. When Lynn called me up
14 and said, "Hey, listen, there's a problem in North
15 Augusta with your guy Mr. Pham," and I almost hung
16 up. I said, "I don't even know about North
17 Augusta" at the time." Turns out, he's not day-to-
18 day down there. So what happened in North Augusta,
19 I would respectfully submit, should not be held
20 against him because he's not involved.

21 MS. THOMPSON: No, no, no. And it's
22 not --

23 MR. BELDING: But your point is well
24 taken.

25 MS. THOMPSON: -- even what he did.

1 I don't even have any idea if there are any
2 violations there. My question and concern is, why
3 would you work for someone else in a business when
4 you could be working in the one you own?

5 MR. BELDING: That's a good
6 question.

7 MS. THOMPSON: I mean, I don't
8 understand that.

9 MR. BELDING: The only reason Duy
10 Thanh Nguyen is down here on this application as
11 the owner is that's what Lynn and I agreed to.

12 MS. THOMPSON: So who owns the
13 salon?

14 MR. BELDING: Long Phi Pham.

15 MS. THOMPSON: Okay. Then it's
16 fraudulent.

17 MS. BROWN: Right here? This
18 man?

19 MR. BELDING: Yeah.

20 MS. THOMPSON: So this is
21 fraudulent.

22 MR. BELDING: That's what -- Mr.
23 Nguyen has -- I mean, the paperwork, he's got a
24 equitable interest in the shop. But if you want to
25 know who's running the place --

1 MS. THOMPSON: No, no. I asked who
2 owns the shop.

3 MR. BELDING: All right. You want
4 to know who's there? Who owns it?

5 MS. THOMPSON: Not who's there. Who
6 owns it.

7 MR. BELDING: Mr. Pham.

8 MS. KINLEY: Who pays the taxes on
9 it? Who pays the --

10 MS. WEBB: He's not a manager now.

11 MS. THOMPSON: Well, he is. He is a
12 working owner. However, this application does not
13 reflect that.

14 MR. BELDING: Exactly right. The
15 only --

16 MS. THOMPSON: And that's
17 fraudulent.

18 MR. BELDING: -- reason I did it
19 that way, Ms. Thompson, is that's what Ms. Rogers
20 told me to do.

21 MS. THOMPSON: Well, quite honestly,
22 I'm even more disturbed by that.

23 MS. KINLEY: Mr. Kyzer.

24 MR. KYZER: Madam Chairman, if I may
25 interject here, and I'm certainly not trying to be

1 mean here, I'm just trying to clear up the record.
2 He referred to the male studio in North Augusta.
3 Myself and Maryann Miller did go to that salon in
4 North Augusta, and there were two unlicensed people
5 working in that salon also.

6 MS. KINLEY: Imagine that. I have
7 issues with several things going on here. Number
8 one -- I mean, and some of them probably aren't
9 even your fault. I want to ask Mr. Pham one thing.
10 According to Mr. Kyzer's testimony, in May --
11 excuse me, in January and in May, you were told to
12 take a legal class. Have you done so?

13 THE WITNESS: I not understand.
14 Please, again.

15 MS. KINLEY: You want to tell him?

16 MR. BELDING: (To Mr. Pham) Mr.
17 Pham, do you remember Mr. Kyzer --

18 THE WITNESS: Yes.

19 MR. BELDING: -- telling you that
20 you should take a legal class on how to run a
21 salon? Do you remember him recommending that you
22 take a legal class?

23 MS. KINLEY: I'm sorry.

24 MR. BELDING: He says he remembers
25 that.

1 THE WITNESS: Yes.

2 MR. BELDING: Have you taken a
3 legal class yet, on how to run a salon in
4 accordance with the law?

5 THE WITNESS: (Inaudible,)

6 MR. BELDING: You think you took a
7 legal class?

8 THE WITNESS: Yes.

9 MR. BELDING: Okay. I think the
10 answer is "no."

11 MS. KINLEY: And he was told to take
12 two. And I need --

13 MR. BELDING: He was told to take
14 one.

15 MS. THOMPSON: He remembers being
16 told to take them. He just simply has not taken
17 them. I want to be certain that we understand
18 that.

19 MR. BELDING: (To Mr. Pham) So do
20 you remember Mr. Kyzer telling you that he said you
21 should take a legal class?

22 THE WITNESS: Yes.

23 MR. BELDING: Okay. Did you take a
24 legal class?

25 THE WITNESS: No.

1 MS. THOMPSON: Thank you for being
2 honest about that.

3 MR. BELDING: Yeah, I mean --

4 MS. KINLEY: And Mr. Kyzer, can you
5 or Mr. Andrews look to see the time line that he
6 was given to take these classes?

7 MS. THOMPSON: The board implemented
8 a 30-day policy back -- I mean, so if there had
9 been any other guideline, it would have been
10 approved or decided upon improperly.

11 MS. KINLEY: DeLeon, did you have
12 something?

13 MR. ANDREWS: I think in about that
14 time that was going on, the DRC was all, I guess,
15 dissolved, the DRC.

16 MS. KINLEY: Well, but not last
17 January.

18 MR. ANDREWS: I'll go find out.

19 MS. KINLEY: Do you mind?

20 MR. ANDREWS: No, ma'am.

21 MS. KINLEY: Well, in January, we
22 were still having DRC. And regardless whether we
23 have a DRC now, we did at that time, am I correct?
24 about a just the same as a civil penalty that was
25 handed down, being told to take a legal class would

1 have still been in force?

2 MR. ROGERS: I wasn't here.

3 MS. KINLEY: Okay. That's right;
4 you weren't. I'm sorry. I apologize; I apologize.
5 But we need to find that out.

6 MR. ROGERS: When I got involved, I
7 heard that there wasn't one, so that was later. Go
8 ahead.

9 MS. WEBB: This may seem like this
10 is irrelevant, but it's really not. Where did he
11 go to school, cosmetology school?

12 MR. BELDING: You know the name of
13 the school?

14 THE WITNESS: That was in
15 California. After that, I move here, and I drove
16 to school here, in Columbia.

17 MR. BELDING: Francis? Or
18 Frankie's?

19 MS. WEBB: Francis or Frankie's in
20 Columbia? Beauty School. I'm asking --

21 MS. KINLEY: There's not a Francis
22 or Frankie's school in Columbia.

23 THE WITNESS: (Inaudible.)

24 MS. KINLEY: It's not a school.

25 MS. WEBB: Did he -- he took the

1 test in English?

2 MR. BELDING: Yes.

3 MS. KINLEY: I'm sorry, there's four
4 things going --

5 MS. WEBB: No, it's fine. I just --

6 MS. KINLEY: You were looking at me.
7 I didn't know if I needed to --

8 MR. BELDING: I don't know how long
9 ago that was. When I looked up on the LLR website
10 he's apparently been licensed for some time. I
11 just don't know when he originally -- do you
12 remember when you went to that school downtown?

13 THE WITNESS: 1994/'95.

14 MR. BELDING: When did you first get
15 a nail tech license in this state?

16 THE WITNESS: Today?

17 MR. BELDING: Yeah, here.

18 THE WITNESS: Yeah, '94.

19 MS. WEBB: '94, okay.

20 MS. THOMPSON: Mr. Belding, I know
21 that you've been here a good portion of the day.
22 But however in good conscience, I can't move
23 forward with this until I have some answers from
24 Lynn Rogers.

25 MR. BELDING: Okay.

1 MS. THOMPSON: And they've just gone
2 to go get her now.

3 MR. BELDING: Okay.

4 MS. THOMPSON: So what I'm going to
5 do is make a motion that we table this for now,
6 until such time we can locate Ms. Rogers, and then
7 come back to it. That's a motion for the board.

8 MS. WEBB: Yes, I second.

9 MS. THOMPSON: There's a motion and
10 a second.

11 MS. KINLEY: All in favor, signify
12 by saying aye.

13 BOARD MEMBERS: Aye.

14 MS. KINLEY: Opposed? Motion
15 carries.

16 MR. BELDING: Do I stay in the room?

17 MS. THOMPSON: Yes. And just as
18 soon as we find her, we'll come right back to it.

19 MR. BELDING: No problem. Thanks.
20 Appreciate it.

21 *****

22 MS. KINLEY: Next on the agenda,
23 Todd Jamison, J. Todd Jamison Salon.

24 MS. WEBB: Madam Chair, I have
25 already written a document that I had recused

1 myself from this.

2 MS. KINLEY: Okay.

3 (The witness is sworn in.)

4 MS. KINLEY: Mr. Jamison, your salon
5 license lapsed in 2008.

6 THE WITNESS: Correct.

7 MS. KINLEY: Why?

8 MS. THOMPSON: Where have you been
9 since then?

10 THE WITNESS: Honestly?

11 MS. THOMPSON: Yes.

12 THE WITNESS: I have been helping my
13 aging parents for the past three years. I've also
14 been back to school, have gotten my CNA, my
15 phlebotomy license. I've also worked with
16 Starbucks. I've worked in a hospital. And up
17 until last December, I was working 18 months, seven
18 days a week at the hospital and doing hair. And
19 unknowingly, my licensed had lapsed. I had been in
20 this business too long to make any excuses. And I
21 do apologize.

22 MS. KINLEY: How long have you been
23 in the business?

24 THE WITNESS: Close to 23 years, I
25 believe now. And I have no reason not to have my

1 salon license renewed; I agree.

2 MS. THOMPSON: So your individual
3 license has remained current. It was the salon
4 license that expired.

5 THE WITNESS: Right. Now, to be
6 honest, my cosmetology license did expire. I
7 caught that quick. I went and made up all the CE
8 courses, and I did have that reinstated last year,
9 year before last. So just as a little time line,
10 the past three years have been very difficult for
11 me, and -- and I've just let things lapse, and I do
12 apologize.

13 MS. KINLEY: So your individual
14 license -- and I know that's really not at issue
15 today, but I'm just trying to --

16 THE WITNESS: Right.

17 MS. KINLEY: -- get a history. Did
18 it expire in 2009? or 2011?

19 THE WITNESS: I believe 2009.

20 MS. KINLEY: And you realized it
21 approximately when?

22 THE WITNESS: When I went to do
23 something and I realized -- I looked at the license
24 and it had expired and I didn't --

25 MS. KINLEY: But was that in 2009?

1 2010?

2 THE WITNESS: I believe it was
3 probably 2010. I'm sorry.

4 MS. KINLEY: Okay. Does the board
5 have questions for Mr. Jamison?

6 MS. BROWN: When were you working
7 without a license?

8 MS. KINLEY: Salon?

9 THE WITNESS: Without a salon
10 license?

11 MS. BROWN: Yes.

12 THE WITNESS: Unknowingly,
13 obviously, from 2008 until the present, until in
14 December when the inspector came by and asked me --

15 MS. THOMPSON: You've been busy.
16 You've gone back to school, you've done all that.
17 All the while, the salon was still up and running.
18 Were you actually working in the salon? Or you had
19 just --

20 THE WITNESS: Yes, ma'am.

21 MS. THOMPSON: How many hours do you
22 have in your day? to go to school, to work, the
23 hospital, the aging parents, all that, and all the
24 while, you're still working actively in a salon.

25 THE WITNESS: Yes, ma'am.

1 MS. THOMPSON: Okay. And I
2 understand things get busy. But at no point during
3 the time, even when you realized that your
4 individual license had expired and you had to renew
5 that, you didn't stop to think, what about your
6 city business license? or county business license?
7 or retail license?

8 THE WITNESS: Right. I have no
9 excuses.

10 MS. THOMPSON: Okay. But all
11 those were current, just this one that you just
12 dropped --

13 THE WITNESS: Right.

14 MS. THOMPSON: -- the ball, flat out
15 dropped the ball.

16 THE WITNESS: I did. I did.

17 MS. THOMPSON: I appreciate you
18 being honest.

19 MS. KINLEY: Uh-huh.

20 MS. THOMPSON: Honestly, I do.

21 MS. KINLEY: And I appreciate the
22 fact that you're not giving tons of --

23 MS. THOMPSON: Madam Chair, I make a
24 motion at this time that we approve the
25 application. However, letting Mr. Jamison know

1 that there is the potential for some discipline
2 action to happen --

3 MS. KINLEY: Separately.

4 MS. THOMPSON: -- after this later,
5 you know, as a result --

6 THE WITNESS: And I accept that.

7 MS. THOMPSON: -- of this. But I
8 want you to be able to go on and make a living.

9 THE WITNESS: And I thank you.

10 MS. THOMPSON: So my motion is to
11 approve the application.

12 MS. GILMER: Second.

13 MS. KINLEY: I have a motion and a
14 second for approval of application for Todd
15 Jamison. Is there any further discussion?

16 (NO RESPONSE.)

17 MS. KINLEY: Hearing none, all in
18 favor, signify by saying aye.

19 BOARD MEMBERS: Aye.

20 MS. KINLEY: Opposed? Motion
21 carries.

22 THE WITNESS: Thank you so much.

23 MS. KINLEY: And your word that
24 you'll be more diligent about those.

25 THE WITNESS: Oh, for sure.

1 MS. KINLEY: Thank you, Mr. Jamison.

2 THE WITNESS: Thank you.

3 *****

4 MS. KINLEY: Amy Thompson.

5 COURT REPORTER: She brought me her
6 passport, but she said she does have
7 a driver's license.

8 MS. KINLEY: That's identification.

9 (The witness is sworn in.)

10 MS. KINLEY: So, Ms. Thompson.

11 THE WITNESS: Yes.

12 MS. KINLEY: You are currently
13 licensed in --

14 THE WITNESS: North Carolina.

15 MS. KINLEY: -- North Carolina.

16 THE WITNESS: Yes. I've been since
17 1999, I believe.

18 MS. KINLEY: '99?

19 THE WITNESS: I think that's when it
20 is, pretty sure.

21 MS. KINLEY: And they only require
22 1200 hours.

23 THE WITNESS: Correct. I did the
24 the six months, 300 hours, at that time, in the
25 salon. And of course, I had been working for all

1 those years, doing my CEU hours with North
2 Carolina, been licensed, no problems, so --

3 MS. KINLEY: Does anybody have
4 questions for Ms. Thompson?

5 MS. THOMPSON: I think -- and I've
6 actually seen this application about 12,000 times.

7 THE WITNESS: Yes, thank you. I've
8 been waiting for about six, seven months, trying to
9 work in the state of South Carolina.

10 MS. THOMPSON: The problem is, I
11 think, that every time we were asking for
12 clarification, and we never could get it.

13 THE WITNESS: Well, what happened --

14 MS. THOMPSON: And so, I mean, I
15 understand that there's been a delay.

16 THE WITNESS: Right.

17 MS. THOMPSON: And I, as a
18 representative of LLR, will be glad to shoulder
19 some of that. But the other part is on you --

20 THE WITNESS: Well, I --

21 MS. THOMPSON: -- because we kept
22 saying --

23 THE WITNESS: -- I called months and
24 months --

25 MS. THOMPSON: -- clarification,

1 clarification --

2 THE WITNESS: Right.

3 MS. THOMPSON: -- clarification.

4 THE WITNESS: Asked for many things,
5 many different times. Talked to Roslyn Glover many
6 times also, trying to establish what it was. So
7 then I got in touch with North Carolina State
8 Board, told them the problem I was having. That's
9 when they dug out. They had to -- they had to dig
10 out that file of my apprenticeship. It took them
11 like six weeks to dig that out because it's on some
12 file somewhere far away. And that's, I guess, what
13 you guys needed.

14 MS. THOMPSON: Well, actually, no.
15 We don't even accept apprenticeship.

16 THE WITNESS: Right.

17 MS. THOMPSON: But your work
18 experience --

19 THE WITNESS: Right.

20 MS. THOMPSON: -- working in a salon
21 would make up for that. And that's where the
22 problem was, is because it was looking as if -- I
23 think Salon College. Well --

24 THE WITNESS: No, no, no, Salon
25 Collage is the name of the salon.

1 MS. THOMPSON: At one point, it came
2 through Salon College. And so I was unclear as to
3 whether or not you were in a college or in a salon.

4 THE WITNESS: Oh, okay.

5 MS. THOMPSON: So then that's when
6 some questions went out. And then it was, well,
7 did you receive apprentice hours? or did you
8 actually go to school? Well, then it was both.
9 And so that's why there's the issue.

10 THE WITNESS: Okay.

11 MS. THOMPSON: Honestly what it
12 boils down to is, you've had enough work experience
13 documented to make up for the deficiency of the 300
14 hours, not even considering your apprenticeship
15 hours in North Carolina.

16 THE WITNESS: Correct. That's what
17 I kept --

18 MS. THOMPSON: Take that away.

19 THE WITNESS: -- saying every time I
20 called. But nobody ever told me that.

21 MS. THOMPSON: You've taken the NIC
22 exam.

23 THE WITNESS: Yes, ma'am.

24 MS. THOMPSON: Okay. So by doing
25 that, the work experience and the NIC exam, you are

1 qualified for licensure in South Carolina.

2 THE WITNESS: Right.

3 MS. THOMPSON: And as I said, we
4 will shoulder some of the responsibility. But
5 honestly, I know that I asked specifically, how
6 many hours in school? and how many hours on
7 apprenticeship? because that's where I could not,
8 from your paperwork understand. I could not make
9 heads or tails of any of it.

10 THE WITNESS: Okay. I -- I
11 understand what you're saying. But just so to be
12 clear on my side --

13 MS. THOMPSON: I have all of these
14 emails.

15 THE WITNESS: -- because nobody's
16 ever said to me that they needed -- I could have
17 proved all the salons. I've -- I've worked at
18 probably, you know, six different salons in the
19 Charlotte area for --

20 MS. THOMPSON: Right.

21 THE WITNESS: -- 17 years.

22 MS. WEBB: What were you asked?

23 MS. KINLEY: And we apologize for
24 that.

25 THE WITNESS: All I kept getting was

1 "We need further clarification. We need further
2 clarification." So I kept saying, "What do you
3 need?" And I think I was getting kind of a vague
4 answer. No one ever actually said to me, "You need
5 to provide your work history," because I could have
6 done that over and over. Finally, I talked to Mr.
7 Byron, right? He finally -- I said, "Okay. What
8 exactly in the law is going wrong?" You know, and
9 that's when he read to me and said that he -- they
10 couldn't there, I had to come before the board to
11 prove stuff. So that's why I drove all the way
12 here.

13 MS. THOMPSON: Well, but this is the
14 issue. And I'm looking right here at an email you
15 sent. And you put "I appreciate that it is Salon
16 Collage, a full service salon."

17 THE WITNESS: Yes.

18 MS. THOMPSON: "And I met all the
19 requirements within the parameters of the North
20 Carolina Board to meet 1500 hours." Yet --

21 THE WITNESS: Right.

22 MS. THOMPSON: -- the document we
23 have says, from North Carolina, that you only had
24 1200. So see --

25 THE WITNESS: Well --

1 MS. THOMPSON: Hold.

2 THE WITNESS: Yeah.

3 MS. THOMPSON: -- right there, two
4 documents submitted. One being verified by a
5 state, one coming specifically from you, completely
6 contradict each other. So that is the reason
7 there's a question. However, moving forward at
8 this point, you meet the qualifications. I make a
9 motion to approve licensure for Ms. Thompson.

10 MS. GILMER: Second.

11 MS. KINLEY: Have a motion and a
12 second. Is there any further discussion?

13 (NO RESPONSE.)

14 MS. KINLEY: You can ask a question
15 now.

16 THE WITNESS: I just wondered how
17 long it would take for me to get a license.

18 MS. KINLEY: Oh, we got to wait for
19 the vote.

20 THE WITNESS: Okay.

21 MS. KINLEY: All in favor, signify
22 by saying aye.

23 BOARD MEMBERS: Aye.

24 MS. KINLEY: Opposed? Motion
25 carries.

1 MS. THOMPSON: And staff will be
2 able to tell you that. It shouldn't be very long
3 at all.

4 MS. KINLEY: Yeah, should be --

5 MS. THOMPSON: I mean, couple weeks
6 maximum, I would think. But I would think it would
7 be quicker than that.

8 MS. KINLEY: I wouldn't even -- if
9 it's a couple of weeks, I'll be upset. Once it's
10 licensed, it should be going out.

11 THE WITNESS: Okay. Thank you very
12 much.

13 MS. KINLEY: Thank you. Thank you.

14 *****

15 MS. KINLEY: Going to back up again
16 on the agenda to Duy Thanh Nguyen, L'Amour Nails.

17 MS. THOMPSON: Madam Chair, I make a
18 motion that we enter executive session to garner
19 legal advice.

20 MS. WEBB: Second.

21 MS. KINLEY: Have a motion and a
22 second to go into executive session. Any
23 discussion?

24 (NO RESPONSE.)

25 MS. KINLEY: Hearing none, all in

1 favor, signify by saying aye.

2 BOARD MEMBERS: Aye.

3 MS. KINLEY: Opposed? Motion
4 carried.

5 (Executive Session.)

6 MS. KINLEY: Call this meeting back
7 to order. For the record, there were no motions
8 made or votes taken during executive session.
9 We're back to the case of L'Amour Nails. Mr.
10 Belding, yes.

11 MR. BELDING: Thank you, Ms. Kinley.
12 At this time, on behalf of the applicant, I would
13 ask the board if they would allow us to withdraw
14 the application, with the need to resubmit it with
15 the correct information on it.

16 MS. KINLEY: Is that the board's --

17 MS. THOMPSON: I'm fine with that.

18 MS. KINLEY: Okay. We're going to
19 -- for the record, we are going to allow L'Amour
20 Nails to withdraw their application and resubmit a
21 clean, proper application in the future.

22 MR. BELDING: Great. Thanks so
23 much.

24 MS. THOMPSON: And, Mr. Belding, if
25 I could maybe make this suggestion that in this

1 meantime, in-between the new submission of the
2 application, that we get this ownership issue
3 cleaned up, that you get Mr. Tran -- I'm sorry, I
4 keep forgetting the names. Your original client,
5 if you get him off of the ownership of the salons,
6 Mr. Tran.

7 MR. BELDING: Yeah, I think he is.

8 MS. THOMPSON: Do all that.

9 MR. BELDING: I'll check. I think
10 he is. Do you guys think --

11 MR. KYZER: Yeah, he surrendered his
12 license and everything.

13 MS. KINLEY: It was a voluntary
14 surrender.

15 MR. KYZER: Yeah.

16 MR. BELDING: We had step one of ten
17 steps done, so --

18 MS. KINLEY: It's a 12 step process.

19 MS. THOMPSON: Thank you for the
20 baby steps.

21 MR. BELDING: Thank you.

22 MS. KINLEY: Thank you.

23 MR. BELDING: Appreciate it a lot.

24 *****

25 MS. KINLEY: Next up we have Oxana

1 Stephens.

2 COURT REPORTER: She's good until
3 2020.

4 (The witness is sworn in.)

5 MS. KINLEY: Ms. Stephens, you
6 originally went to school and were licensed in
7 Colorado?

8 THE WITNESS: Correct.

9 MS. KINLEY: And how many hours was
10 that?

11 THE WITNESS: Well, I have two
12 licenses at the moment in Colorado. One is nail
13 tech, another one is aesthetician license. So
14 actually --

15 MS. KINLEY: We're only dealing with
16 aesthetics.

17 THE WITNESS: Well, there's a issue
18 between those two licenses in hours. That's why
19 we're doing aesthetics. But nail tech license is
20 involved as well. When I went to school, I took
21 nail class first. And at the same time in the
22 middle of the class, they allowed me to start
23 taking aesthetician license. So the school people
24 told me that that way, they can transfer my
25 sanitation hours, they could apply them to both

1 aesthetics and nail techs. So that's why it looks
2 like I'm short on aesthetician hours. But that's
3 because back then, that's what they did. They
4 applied my nail tech sanitation to aesthetician
5 sanitation.

6 And I retook both of them here in South
7 Carolina. I still haven't gotten, for whatever
8 reason, my nail tech license. It should be already
9 issued, but I don't have it. And I've been waiting
10 all this time for aesthetician as well. But
11 because I've had a issue, that's why I'm here.

12 MS. KINLEY: So in actuality, they
13 granted you 140 hours, crossover hours -- correct
14 me if I'm wrong here -- from your nail class to
15 your aesthetic class.

16 THE WITNESS: I'm not sure how many,
17 but I know they were related to sanitation.

18 MS. KINLEY: Well, we have on this
19 record of completion a total of 410 hours. And
20 then credit granted for previous instruction, 140,
21 which would take the 550 hours, which South
22 Carolina requires 450.

23 THE WITNESS: Yes.

24 MS. KINLEY: So at this time, you
25 have a Colorado --

1 THE WITNESS: Yes. I have two
2 licenses still valid and up-to-date in Colorado.
3 And I took all my theory and practical exams for
4 both licenses here at the South Carolina State
5 Board. In all these years since 2003, I've been
6 working as a nail tech and aesthetician in
7 different salons and spas.

8 MS. KINLEY: Not that it matters,
9 but what brought you to South Carolina?

10 THE WITNESS: Personal issue, a
11 boyfriend.

12 MS. THOMPSON: Madam Chair, this is
13 one of these applications that I've seen multiple
14 times. And I understand the granting of certain
15 number of hours from one completed course of study
16 to the other because it's a duplication, so I
17 completely understand that. What I'm not clear on
18 at the moment is which license are you trying to
19 get right now in South Carolina?

20 THE WITNESS: Both. Because I took
21 exams already separately for both. I took -- in
22 November, I finished taking exam for nail tech.
23 And I think it was in October when I took the
24 aesthetics. And I passed both, was over 90, 94/98
25 percent, I think. So I actually need both

1 licenses.

2 MS. WEBB: You said October and
3 November?

4 THE WITNESS: And November, I think,
5 yes.

6 MS. THOMPSON: And according to our
7 agenda, it only says "aesthetician." Is that
8 because that's all that -- is it because of the
9 confusion and that's all that we were aware of?
10 Or --

11 MS. TAYLOR: I haven't gotten the
12 nail tech application yet from TCS.

13 MS. KINLEY: So today we're dealing
14 with aesthetics only.

15 MS. THOMPSON: Only aesthetics.

16 MS. KINLEY: That's what we needed
17 to hear, Matteah.

18 MS. THOMPSON: I realize that I had
19 my own set of questions from -- but if you could,
20 what issue did the office have with this, other
21 than multiple license, multiple states. I mean,
22 once we iron through that and verify that the
23 training was legitimate, was there anything else
24 that was questionable that we needed to work out?
25 Because at this point, I'm just confused.

1 THE WITNESS: It was just the hours.

2 MS. THOMPSON: Okay. And so we've
3 established, I think, that she has a total of 550
4 aesthetics hours. We still --

5 MS. KINLEY: We require 450.

6 MS. THOMPSON: -- require 450,
7 right?

8 MS. KINLEY: Uh-huh.

9 MS. THOMPSON: Okay. And she's
10 taken the exam.

11 MS. KINLEY: Yes.

12 MS. THOMPSON: Make a motion to
13 approve aesthetics license --

14 MS. WEBB: Second.

15 MS. THOMPSON: -- for Ms. Stephens.

16 MS. KINLEY: I did hear a second,
17 right? I have a motion and a second for approval
18 of Oxana Stephens for aesthetic licensure. Is
19 there any further discussion?

20 (NO RESPONSE.)

21 MS. KINLEY: Hearing none, all in
22 favor, signify by saying aye.

23 BOARD MEMBERS: Aye.

24 MS. KINLEY: Opposed? Motion
25 carries. Good luck.

1 THE WITNESS: Thank you. Can I just
2 ask, why is it that I have not received my nail
3 tech license since --

4 MS. KINLEY: We don't know.

5 THE WITNESS: -- it's been 30 days.

6 MS. KINLEY: Matteah will check with
7 PCS to see where that application is.

8 THE WITNESS: Okay. Thank you.

9 MS. KINLEY: Thank you. Good luck.

10 *****

11 MS. KINLEY: Hoang Le Vu.

12 COURT REPORTER: It expires '13.

13 (The witness is sworn in.)

14 MS. KINLEY: Mr. Vu, we have your
15 application in front of us today. You came from
16 California; is that correct?

17 THE WITNESS: No, ma'am. I live in
18 South Carolina. And I go to California for
19 vacation during summer because I'm out of school.
20 And during that time, my parents told me like, "Why
21 don't you just study nail in California, because
22 (inaudible) in South Carolina. It's a lot cheaper
23 in California and the hour is more." So I stay
24 with my uncle over there and study nail during the
25 summer. It's 400 hour in California. And then

1 when the school starts, I move back here to South
2 Carolina.

3 MS. BROWN: How many hours is
4 required in California?

5 THE WITNESS: In California, I study
6 400 hour.

7 MS. WEBB: How old are you?

8 THE WITNESS: I'm 21.

9 MS. THOMPSON: So you graduated high
10 school in South Carolina?

11 THE WITNESS: Yes, ma'am.

12 MS. THOMPSON: What year did you do
13 that?

14 THE WITNESS: I graduate 2010 at
15 Ben Lippen School.

16 MS. BROWN: Ben Lippen?

17 THE WITNESS: Ben Lippen.

18 MS. THOMPSON: And what month did
19 you do that?

20 THE WITNESS: On May. I believe
21 it's the 28th of May.

22 MS. THOMPSON: And then when did you
23 start nail school in California?

24 THE WITNESS: The start date is the
25 17th on May on 2011. But I came there a little bit

1 early, on the 13th of May, because I'm driving,
2 kind of just take a little bit long trip, three or
3 four day out of town. And it's a ten week class,
4 so my end date is on the 30 on July, the same year.

5 MS. THOMPSON: So you graduated from
6 high school in 2010, and then you enrolled in nail
7 school in California in 2011.

8 THE WITNESS: Yes, ma'am.

9 MS. THOMPSON: How many hours did
10 you complete?

11 THE WITNESS: Four hundred hours.

12 MS. THOMPSON: How long did it take
13 you to do that?

14 THE WITNESS: Ten weeks.

15 MS. THOMPSON: How many days a week
16 did you go to school?

17 THE WITNESS: I went to school from
18 Tuesday to Saturday, from 8:30 to five o'clock.

19 MS. THOMPSON: Every day? Did you
20 take a lunch break?

21 THE WITNESS: Yes. The lunch
22 break is from 11:30 to 12.

23 MS. THOMPSON: Did you ever miss any
24 days of school?

25 THE WITNESS: No, ma'am. Because

1 I lived with my uncle and my uncle go to work every
2 day. So he just dropped me off. And then he just
3 -- at the school I just take work back home.

4 MS. KINLEY: So did you get licensed
5 in California?

6 THE WITNESS: No, ma'am.

7 MS. KINLEY: So you just took the
8 class in California and --

9 THE WITNESS: Yes, ma'am.

10 MS. KINLEY: -- came back here to
11 take the exam.

12 THE WITNESS: Yes. Because my
13 school start on the 14th of August. So after that
14 day, I have to go back here. So it take me a
15 couple, few days, and then get the class started.

16 MS. THOMPSON: What class started?

17 THE WITNESS: I'm going to Midland
18 Tech right now. So my class I took at Midland Tech
19 -- I'm taking at Midland Tech start on the 14th of
20 August.

21 MS. THOMPSON: What class are you
22 taking?

23 THE WITNESS: I'm taking -- right
24 now is Calculus, English, and then Physic and
25 Chemistry.

1 MS. THOMPSON: So you're working
2 toward a degree in what? What are you working
3 toward?

4 THE WITNESS: Oh, computer science.

5 MS. THOMPSON: So why did you get a
6 nail license? Or why did you take nail hours at a
7 nail school?

8 THE WITNESS: Oh, because my parents
9 like outside, you need get a makeup job for it and
10 graduate from school. And then I cannot find my
11 job in my -- my career. So the nail is going to
12 help me a lot, even though I live here or I go back
13 to my country. So with that license, you can, you
14 know, show -- oh, I study it. So it's good for me
15 to find job in my country with no problem with
16 that.

17 MS. KINLEY: Do you mind if I see
18 your driver's license?

19 THE WITNESS: Yes. You want me to
20 just hand it to you.

21 MS. THOMPSON: And again, Byron,
22 your copy of this, it says it's not official
23 without a seal, but do you have a seal on yours?
24 because I don't have a seal.

25 MR. RAY: Yes.

1 MS. THOMPSON: You do have a seal?

2 Thank you, Matteah.

3 MS. KINLEY: Do you know why your
4 license does not expire on your birth date?

5 THE WITNESS: I probably do know,
6 because I'm an international student. So when I --
7 I do renew my license every year. The one -- I
8 just renew it's a new one. And then when I renew
9 it, the lady in the DMV, they told me like because
10 your I-20, it expire on that day. Exactly the day
11 they wrote on it.

12 MS. KINLEY: Your I-20?

13 THE WITNESS: Yes.

14 MS. KINLEY: What is that?

15 THE WITNESS: It's I-20, it's a
16 paper for international student to come here. So
17 they -- because for that reason. So they can
18 extend my license, like instead three years, right
19 now until my school date, my school end. And then
20 I can -- if I go to school in here, I can transfer
21 into a new license otherwise they just, you know,
22 give me one year -- one year license, like every
23 single year, so I can change it.

24 MS. KINLEY: Do you have the I-20
25 with you?

1 THE WITNESS: No, I don't.

2 MS. KINLEY: You can come back and
3 get that. Thank you.

4 MS. WEBB: Madam Chair, I make a
5 motion to approve.

6 MS. BROWN: I second the motion.

7 MS. KINLEY: I have a motion and a
8 second on the table for approval of Hoang Le Vu
9 licensure, or to sit for the examination and obtain
10 licensure. Any further discussion?

11 (NO RESPONSE.)

12 MS. KINLEY: Hearing none, all in
13 favor, signify by saying aye.

14 BOARD MEMBERS: Aye.

15 MS. KINLEY: Opposed? Motion
16 carries. Good luck.

17 THE WITNESS: Thank you.

18 MS. KINLEY: Thank you.

19 THE WITNESS: Have a good day.

20 MS. KINLEY: You too. Thank you.

21 *****

22 MS. KINLEY: Soknear Lim. Mr. Lim,
23 L-I-M.

24 (Mr. Lim is not present.)

25 MS. KINLEY: I'll entertain a

1 motion.

2 MS. THOMPSON: Make a motion to
3 deny.

4 MS. GILMER: Second.

5 MS. KINLEY: Have a motion and a
6 second on the table to deny Soknear Lim. Is there
7 any further discussion?

8 (NO RESPONSE.)

9 MS. KINLEY: Hearing none, all those
10 in favor, signify by saying aye.

11 BOARD MEMBERS: Aye.

12 MS. KINLEY: Opposed? Motion
13 carries.

14 (Off the record discussion.)

15 *****

16 MS. KINLEY: Tuyen Thi-Thanh Truong.

17 COURT REPORTER: And her expiration
18 is 2021.

19 (The witness is sworn in.)

20 MS. KINLEY: Ms. Truong, you're here
21 today with a out-of-state school. You went to
22 school -- where did you go to school?

23 THE WITNESS: California.

24 MS. KINLEY: What was the name of
25 the school?

1 THE WITNESS: Thanh Le Beauty

2 School.

3 MS. WEBB: What was that name?

4 THE WITNESS: Thanh Le.

5 MS. BROWN: Where is that?

6 THE WITNESS: Garden Grove,

7 California.

8 MS. KINLEY: And how long were you

9 in school there?

10 THE WITNESS: It's about nine month,

11 eight month, nine month. It's a long time; I don't

12 really --

13 MS. KINLEY: You went to school to

14 become a nail tech?

15 THE WITNESS: Yeah.

16 MS. KINLEY: How many hours did you

17 have to go?

18 THE WITNESS: Four hundred hour.

19 MS. KINLEY: And it took you how

20 long?

21 THE WITNESS: From -- we start

22 about January, end on about October.

23 MS. THOMPSON: Why did it take you

24 so long?

25 THE WITNESS: Because I just come

1 there --

2 MS. THOMPSON: How many days did you
3 go?

4 THE WITNESS: Couple day a week. I
5 come there, I start with my sister-in-law there,
6 live there. It's the day she's not working, go to
7 school. So that's why -- part time.

8 MS. KINLEY: I'm sorry, what did she
9 say about?

10 MS. THOMPSON: She went part time,
11 when her sister-in-law could take her to school,
12 when she wasn't working, then she would go on those
13 days.

14 MS. KINLEY: So you went to school
15 in California.

16 THE WITNESS: Yes, ma'am.

17 MS. KINLEY: And you received 400
18 hours.

19 THE WITNESS: Yeah.

20 MS. THOMPSON: Madam Chair, could I
21 interrupt you for just a second, please?

22 MS. KINLEY: Yes, you may.

23 MS. THOMPSON: I need you to take me
24 through a time line, okay, because I've got things
25 here from South Carolina, I've got things from

1 Michigan, and I've got things from California.

2 THE WITNESS: Okay.

3 MS. THOMPSON: And none of those
4 states are side-by-side. I'm not real good with
5 geography, but I know that none of those states
6 touch each other. So help me figure out when you
7 were in what state.

8 THE WITNESS: What does it mean?

9 MS. THOMPSON: Tell me when you were
10 in school in California. What year?

11 THE WITNESS: I -- I go to school in
12 California year 2002.

13 MS. THOMPSON: 2002?

14 THE WITNESS: Yeah.

15 MS. THOMPSON: Okay. And you went
16 there and you lived with your sister-in-law.

17 THE WITNESS: Yeah.

18 MS. THOMPSON: Okay. Where did you
19 live before that?

20 THE WITNESS: In Michigan.

21 MS. THOMPSON: In Michigan.

22 THE WITNESS: Yeah.

23 MS. THOMPSON: So you lived in
24 Michigan.

25 THE WITNESS: Yeah.

1 MS. THOMPSON: And you went to
2 California.

3 THE WITNESS: Yeah.

4 MS. THOMPSON: When did you come to
5 South Carolina?

6 THE WITNESS: I come South Carolina
7 last August.

8 MS. THOMPSON: Of what year?

9 THE WITNESS: This year, 2011.

10 MS. THOMPSON: So 2011 of August,
11 you moved. Now, were you still living in
12 California and you moved to South Carolina?

13 THE WITNESS: No. I move from
14 Michigan in South Carolina.

15 MS. THOMPSON: So you went to nail
16 school in California. You were only in California
17 long enough to go to nail school. Then you went
18 back to Michigan.

19 THE WITNESS: Yeah.

20 MS. THOMPSON: Why didn't you go to
21 nail school in Michigan?

22 THE WITNESS: Because I just lived
23 -- at that time, I just come from Vietnam in
24 America couple year. I don't speak much -- I don't
25 talk much English. That's why California school,

1 they have test for the language. That's why I go
2 there and test there, and go back in Michigan.

3 MS. THOMPSON: There wasn't another
4 school closer to Michigan than California that
5 offered the test in Vietnamese?

6 THE WITNESS: In Michigan, they
7 don't have school Vietnamese.

8 MS. THOMPSON: But there wasn't any
9 state closer than California? You had to go all
10 the way across the country to find a school that --

11 THE WITNESS: I -- I don't have any
12 person -- friend live in anywhere, just California.
13 Because my sister-in-law live there. That's why I
14 come there and she help me for it.

15 MS. THOMPSON: Is your sister-in-law
16 a nail tech?

17 THE WITNESS: Yeah.

18 MS. THOMPSON: Does she own a salon?

19 THE WITNESS: No.

20 MS. THOMPSON: Does she own a
21 school?

22 THE WITNESS: Yes, she -- school.

23 MS. THOMPSON: She owns a school?

24 THE WITNESS: No, she just work in
25 -- in a nail tech.

1 MS. THOMPSON: So you lived in
2 Michigan, went to California, went back to
3 Michigan.

4 THE WITNESS: Yeah.

5 MS. THOMPSON: And then now you've
6 moved to South Carolina.

7 THE WITNESS: Yeah.

8 MS. THOMPSON: What brought you to
9 South Carolina?

10 THE WITNESS: Mount Pleasant.

11 MS. THOMPSON: But why did you move
12 here? Why did you come to South Carolina?

13 THE WITNESS: Because it too cold in
14 Michigan. That's why I keep moving.

15 MS. THOMPSON: But you lived there
16 an awfully long time.

17 THE WITNESS: Yeah. It's my mother-
18 in-law, you know. So she come -- too cold. That's
19 why she decide to move South Carolina.

20 MS. THOMPSON: Are you working right
21 now?

22 THE WITNESS: No, ma'am.

23 MS. THOMPSON: Have you gotten a
24 South Carolina driver's license yet?

25 THE WITNESS: Yeah.

1 MS. THOMPSON: Do we have a copy of
2 that?

3 MS. BROWN: Yes, I've see one on the
4 second to the last page. It says Mount Pleasant,
5 expires 2021.

6 MS. THOMPSON: How is it that the
7 transcript from your school in California has a
8 South Carolina notary stamp on it?

9 THE WITNESS: Excuse me? I don't
10 understand.

11 MS. THOMPSON: Your official
12 transcript from your school, the paper from your
13 school that says that you've completed your hours
14 in California --

15 THE WITNESS: Yeah.

16 MS. THOMPSON: -- it's been
17 officiated in South Carolina. How is that?

18 THE WITNESS: I really don't
19 understand the meaning you ask. Sorry.

20 MS. THOMPSON: I'm not sure how else
21 to ask it.

22 MR. RAY: May I see it?

23 MS. THOMPSON: Sure.

24 MR. GRIGG: Do you have an official?
25 Or do you just have copies?

1 MR. RAY: I have just the copies.

2 (Documents are reviewed.)

3 MS. WEBB: Okay. Just a little
4 bit of this one more time, so I get this right.
5 You lived in Michigan.

6 THE WITNESS: Yes, ma'am.

7 MS. WEBB: And you were born in
8 Vietnam?

9 THE WITNESS: Yeah.

10 MS. WEBB: But then you moved to
11 Michigan?

12 THE WITNESS: I come from Vietnam to
13 Michigan, yeah.

14 MS. WEBB: And then you went to
15 California.

16 THE WITNESS: Yeah.

17 MS. WEBB: For your nail tech
18 license.

19 THE WITNESS: Yeah.

20 MS. WEBB: And you were there --
21 how long were you there?

22 THE WITNESS: How long I there?
23 Actually about nine month there. I lived with my
24 sister-in-law there.

25 MS. KINLEY: Does your sister still

1 live there?

2 THE WITNESS: Yeah, she still live
3 there.

4 MS. WEBB: And then you moved back
5 to Michigan.

6 THE WITNESS: Yeah.

7 MS. WEBB: And did you check to
8 see if there was any type translation --

9 THE WITNESS: Really -- really, I
10 don't know. It's -- it's --

11 MS. WEBB: -- like the translation
12 for you in Michigan?

13 THE WITNESS: Yeah, yeah. I train
14 for license from California. In Michigan, I worked
15 there about five, six years in Michigan. And after
16 that, I move for South Carolina about August until
17 now.

18 MS. THOMPSON: Okay. I have a
19 little bit of a problem here. The piece of paper
20 that Mr. Ray just showed you, that is a Record of
21 Completion from California. That's the paper that
22 they give you, saying you have completed your --

23 THE WITNESS: Yeah.

24 MS. THOMPSON: -- training, okay? I
25 have two copies of that in my folder. I have one

1 that is dated that the office received it August
2 the 24th of 2011. That one has an official notary
3 stamp on it, which means the notary of the court
4 verified this paper.

5 THE WITNESS: Yeah.

6 MS. THOMPSON: Okay? The one I have
7 that's submitted for December the 2nd of 2011 is
8 not notarized, but it's the same piece of paper.
9 So one has a notary stamp and one doesn't. The one
10 that doesn't is after the first one. The first one
11 has a South Carolina seal for a California school.
12 That's not legal.

13 THE WITNESS: Yeah, but I even I
14 just apply for a later -- they -- they -- they tell
15 me just for the -- the hour. So my real one, it
16 don't have the -- they don't have stamp for the
17 South Carolina. I apply there. I really don't
18 know why --

19 MS. THOMPSON: But see, right here
20 on the bottom of this paper, it says "not valid
21 without the school seal." So this right here says
22 that this one is not even valid because it doesn't
23 have a seal. This one has a seal, but the seal it
24 has is not legal. So neither one of these, I can
25 pay attention to.

1 THE WITNESS: Really, I don't know
2 how -- because when I apply here, we -- we get the
3 hour.

4 MS. THOMPSON: When did this show up
5 on that paper?

6 THE WITNESS: I really don't know
7 why. I apply at the South Carolina -- the state
8 board. I really don't know because I --

9 MS. THOMPSON: Hold on just a
10 second. This seal right here --

11 THE WITNESS: That seal from South
12 Carolina.

13 MS. THOMPSON: Uh-huh. When did it
14 get there? Did you see someone stamp that on your
15 paper?

16 THE WITNESS: No.

17 MS. THOMPSON: This seal represents
18 that this paper has been signed in front of that
19 person. So if you weren't in front of that person
20 when they did it, that's not legal. So I have one
21 without that and I have one with it.

22 THE WITNESS: Really, really, I -- I
23 don't know because my real one is a seal in
24 California.

25 MS. THOMPSON: Why don't we have a

1 copy of the real one?

2 THE WITNESS: I have both. The
3 first time I apply, they had the copy and they
4 don't approve a copy. They tell me apply for the
5 new one, for the real one.

6 MS. THOMPSON: When was that?
7 When was the first time when you said they wouldn't
8 take the copy? When was that?

9 THE WITNESS: The first time apply
10 for the -- for the -- let me see, about August or
11 September. Because I move here for August.

12 MS. THOMPSON: Okay. I've got that.
13 That's August the 24th. That one's right here.

14 THE WITNESS: 24th of August?

15 MS. THOMPSON: Yes.

16 THE WITNESS: That's -- maybe that's
17 the first one.

18 MS. THOMPSON: Okay. That is. This
19 is the second one, in December, without a notary.
20 But it also doesn't have a school seal.

21 THE WITNESS: That's because copies
22 they don't see. That's why they don't -- they
23 don't -- they don't approve it without a seal, so
24 we do another one for the seal for the --

25 MS. THOMPSON: Okay. But the seal

1 that's on this one is not the seal we're talking
2 about.

3 THE WITNESS: Really, I -- I -- I
4 don't know what --

5 MS. THOMPSON: Me either.

6 THE WITNESS: -- because the seal,
7 it -- it's a copied one. We don't see a seal. So
8 we apply for the last one. I think the last one
9 about four or five month -- I really -- so I do for
10 the state board.

11 MS. THOMPSON: We've got two
12 submissions from you, one in August and one in
13 December, neither of which shows up the school seal
14 on the copy, and one is notarized in South
15 Carolina, stating that it has supposedly notarized
16 your signature to be authentic, yet the school is
17 in California, so that's not even possible. The
18 expiration for the notary stamp is 2010.

19 MS. KINLEY: So it's expired, if it
20 was valid to begin with.

21 MS. THOMPSON: Yeah.

22 MS. BROWN: It's the same. It's
23 the same. This is the same, it's just one does not
24 have the seal.

25 MS. KINLEY: And it's required to

1 have -- but it came after --

2 MS. BROWN: It came at a different
3 time. One, like you said, in August. And then
4 they said the other one in December.

5 MS. THOMPSON: But nonetheless, a
6 notary cannot officially stamp something that's not
7 signed, so --

8 MS. BROWN: Yeah. But I'm thinking
9 that they just had it --

10 MS. KINLEY: And it's expired.

11 MS. BROWN: -- the seal.

12 MS. KINLEY: And it doesn't have the
13 county that they're in. All notaries have where
14 they're --

15 MS. BROWN: Right. Before they sign
16 it.

17 MS. KINLEY: But their seal should
18 have what county they're in, and this one doesn't
19 even attempt to have that.

20 MS. BROWN: Who is the notary?

21 MS. KINLEY: Lisa Cecil.

22 MS. DUONG: Excuse me, can I
23 interrupt real quick?

24 MS. KINLEY: Uh-huh.

25 MS. DUONG: I'm her sister-in-law.

1 And I don't think she's understanding what's going
2 on. And as far as the seal goes, you said -- you
3 stated that there was a stamp from South Carolina
4 on one of --

5 MS. KINLEY: On the California
6 affidavit.

7 MS. DUONG: Right. That's because
8 my brother had -- he had went to Bank of America
9 and he got it notarized.

10 MS. KINLEY: But that's illegal.

11 MS. THOMPSON: That's illegal.

12 MS. KINLEY: That's illegal. She
13 cannot notarize something that she didn't see her
14 sign from a state of California. The expiration,
15 it expired a year before, supposedly, it was even
16 submitted here. Doesn't have a county. As far as
17 I'm concerned, it's an invalid notary. And then
18 the one that came in five months later doesn't have
19 the seal on it.

20 MS. DUONG: Can I see what you're
21 talking about?

22 MS. THOMPSON: I'm prepared to make
23 a motion, if the board members have no further
24 questions.

25 MS. DUONG: That paperwork that I

1 just seen from him, when you print out a piece of
2 paper that has a seal on there, it doesn't show the
3 seal on the paper.

4 MS. THOMPSON: No, ma'am. That's
5 not accurate.

6 MS. KINLEY: We see it on these
7 other papers that have come through here today.

8 MS. THOMPSON: Embossment shows,
9 stickers show, signatures show. They do show.
10 There's evidence. Even if it's not legible, there
11 is evidence where there's been something that's
12 been photocopied. Do the board members have any
13 other questions?

14 MS. WEBB: No.

15 MS. BROWN: If she doesn't have the
16 original copy, you know, this is not the original.

17 MR. RAY: Did you want -- Matteah
18 to go up and look and see if we got an original.

19 MS. KINLEY: Like I said, the fact
20 that this is a expired seal on here makes me just
21 go --

22 MS. THOMPSON: There are multiple
23 questions in addition to that. So at this time, I
24 make a motion to deny the application.

25 MS. WEBB: Second.

1 THE WITNESS: Excuse me, I have
2 the --

3 MS. THOMPSON: We have a motion and
4 a second.

5 MS. KINLEY: Any further questions?
6 (NO RESPONSE.)

7 MS. KINLEY: Hearing none, all in
8 favor, signify by saying aye.

9 BOARD MEMBERS: Aye.

10 MS. KINLEY: Opposed? Motion
11 carries. I'm sorry, Ms. Truong. We've denied your
12 application.

13 MS. DUONG: Can I ask you a
14 question?

15 MS. KINLEY: Yes, ma'am.

16 MS. DUONG: Did you guys get the
17 originals? The original paperwork that she brought
18 in, which was her only copy, that she gave to you?

19 MS. KINLEY: I have no idea. You'll
20 have to check with staff. I only know what I have
21 in my hands. Which obviously, mine are copies. I
22 don't have anything original. But whether it was
23 made from the original or not, you can get back in
24 touch with Mr. Ray later on this week and find out.
25 Or Matteah or Roz would know that question, that

1 answer -- the answer to that question. Okay.

2 Sorry. Thank you.

3 THE WITNESS: Thank you.

4 *****

5 MS. KINLEY: Madam Chair, at this
6 point, Ms. Holmes, is she still here? There she
7 is. We need to go back to her. And then are we
8 going to defer board member reports and the rest
9 till --

10 MS. KINLEY: Yes.

11 MS. THOMPSON: -- tomorrow?

12 MS. KINLEY: I will ask if there's
13 any public comment that can't come back tomorrow.

14 MS. THOMPSON: Correct. So now we
15 have Ms. Holmes to --

16 MS. KINLEY: Ms. Holmes. Did you
17 get that Byron?

18 MR. RAY: Want me to pass them
19 out?

20 MS. KINLEY: Please. Let me find
21 your goodies. I knew I stuck her somewhere. So
22 the issue -- we're going back to, I'm sorry, back
23 to Kathryn Holmes-Daniels. And the issue at hand
24 were driving issues that you stated were not
25 yours.

1 THE WITNESS: Exactly.

2 MS. KINLEY: SLED stated you're
3 right. They're not yours. And we now have a copy
4 where they have removed them; is that correct?

5 THE WITNESS: Yes.

6 MS. KINLEY: It reduced that SLED
7 report quite a few pages.

8 THE WITNESS: And the reason why
9 it's small is because the -- the first ten is when
10 I got arrested the first time.

11 MS. KINLEY: Right.

12 THE WITNESS: And the second ten is
13 when I didn't appear in court.

14 MS. KINLEY: Right.

15 THE WITNESS: But they're all the
16 same thing. And the first of the ten is when I
17 actually spent the time for it.

18 MS. GILMER: Madam Chair, I make a
19 motion to approve.

20 MS. BROWN: I second the motion.

21 MS. KINLEY: Have a motion and a
22 second for approval of Kathryn Holmes-Daniels. Is
23 there any further discussion?

24 (NO RESPONSE.)

25 MS. KINLEY: Hearing none, all in

1 favor, signify by saying aye.

2 BOARD MEMBERS: Aye.

3 MS. KINLEY: Opposed? Motion
4 carries. Thank you for helping us out today.

5 THE WITNESS: Thank you-all for
6 giving me the opportunity to correct this.

7 MS. THOMPSON: You're very
8 welcome.

9 *****

10 MS. KINLEY: Is there any public
11 comments?

12 MS. LARGE: I don't know. What
13 the situation is right now with you being on the
14 board --

15 MS. KINLEY: Who knows. I go by
16 day by day.

17 MS. LARGE: -- but I just wanted to
18 say that it was just such a nice surprise to see
19 you on the agenda as our chairman remarks.

20 MS. KINLEY: Thank you so much.
21 That means the world to me; it really does. Thank
22 you. Doug, can you top that?

23 MR. ROBINSON: No. But I can say
24 that I've listened very carefully today, and
25 I've listened to other board meetings and the

1 nail techs, California to Michigan, Florida to
2 Michigan --

3 MS. THOMPSON: You picked up on that
4 too? I'm so glad you --

5 MR. ROBINSON: What's going on in
6 California, Michigan and Florida and Texas?

7 MS. THOMPSON: Go in-between.

8 MS. KINLEY: Number one --

9 MR. ROBINSON: Yeah, why is Michigan
10 always the in-between?

11 MS. KINLEY: It's not a --

12 MR. ROBINSON: Just a --

13 MS. KINLEY: I don't know.

14 MR. ROBINSON: -- an observation.

15 MS. KINLEY: I don't know. They all
16 three seem to be hot spots in this industry.

17 MR. ROBINSON: And in the last board
18 meeting.

19 MS. KINLEY: Yeah.

20 MR. ROBINSON: California and
21 Michigan, California and Michigan, and Florida.

22 MS. KINLEY: And I'm really
23 wondering, now that California is an NIC state
24 fully --

25 MR. ROBINSON: It is?

1 MS. KINLEY: It is now. They just
2 went on with the practical October 1st. They went
3 on with the theory a year ago. I'm wondering if
4 that will change.

5 MR. ROBINSON: And what about
6 Michigan? Does it --

7 MS. KINLEY: Michigan, no. And
8 neither is Florida. But Florida is trying to move
9 in that direction. Florida wants to. Now that
10 they have a new governor, they seem to be very
11 hopeful that that will happen in Florida.

12 MR. ROBINSON: That's just an
13 observation I had -- all day long for the last
14 couple of board meetings, I kept -- every time I
15 heard --

16 MS. KINLEY: Give this boy a gold
17 star; he's been paying attention.

18 MR. ROBINSON: No. Yeah,
19 Clearinghouse Michigan. Keep them in cold storage;
20 I don't know. Everybody's going to Michigan.

21 MS. KINLEY: Come down here for the
22 winter months?

23 MR. ROBINSON: Right.

24 MS. KINLEY: Like you said, it was
25 warmer in South Carolina.

1 MR. ROBINSON: Just an
2 observation.

3 MS. KINLEY: Yeah. Okay. We're
4 going to defer the board member reports till
5 tomorrow, so I will entertain a motion.

6 MS. THOMPSON: So moved to adjourn.

7 MS. BROWN: Second.

8 MS. KINLEY: I have a motion and a
9 second to adjourn. See y'all back here at 9 a.m.
10 in the morning.

11 MS. BROWN: Are we going to be in
12 this room?

13 MS. WEBB: I was told we were going
14 to start at 10 tomorrow.

15 MS. KINLEY: No.

16 MR. RAY: That is right.

17 MR. GRIGG: Well, no, the agenda
18 said 10, so --

19 MS. THOMPSON: We won't have a
20 quorum. We won't have a quorum by 11:30. That's
21 why we had said we had to start at 9 --

22 MR. GRIGG: Well --

23 MS. THOMPSON: -- because Cindy
24 won't be here.

25 MR. GRIGG: -- the public notice was

1 for 10, is the problem.

2 MS. THOMPSON: Well, we won't
3 complete the agenda then.

4 MS. KINLEY: Well, we can give them
5 the same option as last time. Are you willing to
6 go forward?

7 MS. THOMPSON: Okay.
8 Accountability, responsibility, we said 9:00 for a
9 reason.

10 MS. KINLEY: I realize that.

11 MS. THOMPSON: Public notice wasn't
12 served, which is fine. I understand that.

13 MR. GRIGG: -- has admitted she
14 screwed up. And there's not much else we can do
15 about it.

16 MS. KINLEY: Then I stand corrected.
17 We'll see you at 10 a.m. in the morning.

18 MR. GRIGG: And there's another
19 board that has this room.

20 MS. KINLEY: So where are we?

21 MR. GRIGG: Do you know where
22 they're going to be? It's one of my boards.

23 MS. GLOVER: I'm checking now.

24 MS. THOMPSON: Where are you going
25 to be?

1 MR. GRIGG: I'm going to be with
2 y'all. Jamie's covering Environmental.

3 *****

4 (Whereupon, the meeting/hearings were
5 adjourned at 5:20 p.m.)

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1 CERTIFICATE OF REPORTER

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3 PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE,
4 HEREBY CERTIFY THAT I RECORDED AND TRANSCRIBED THE SOUTH
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6 COSMETOLOGY BOARD HEARINGS ON THE 9TH DAY OF JANUARY,
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9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
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