

3.

Applicant was charged with furnishing alcohol to a minor as a violation on May 2, 2001 and Theft II a Misdemeanor on June 24, 2002. For the theft charge, she was placed on probation for 18 months, required to pay \$552.00 in fines and penalties. She was fined \$350 for the furnishing alcohol to minor's violation.

4.

On September 28 2005, a Notice of Proposed Denial of Certificate was sent to Applicant at her address on the application. In that notice, it stated that if she disagreed with the proposed denial, she was to request a hearing within 60 days. The Notice also stated that if she failed to request a hearing, the Board could use the record as prima facie case for a default order. Since the mailing of the Notice of Proposed Denial of Certificate, the Board has not received a request for hearing from Applicant.

CONCLUSIONS OF LAW

5.

The Board finds that the acts and conduct of applicant in her application and responses to such, are cause to refuse to grant a certificate to Applicant. The misrepresentations in the responses to questions regarding criminal arrests and convictions is evidence of fraud or misrepresentation in applying for or procuring a certificate; in violation of **OAR 811-010-0110(14)(b)**. In addition, the Board may also deny a certificate for conviction of a misdemeanor involving moral turpitude or a felony pursuant to **OAR 811-010-0110(14)(c)**. The Board finds that a misdemeanor conviction of Theft II is a crime involving moral turpitude.

ORDER

6.

The Board, based on the above hereby takes default and orders that the applicant's request for a certificate to practice as a chiropractic assistant is hereby denied.

DATED this 8th day of December 2005.

BOARD OF CHIROPRACTIC EXAMINERS
State of Oregon

Original signature on file
at the OBCE office.

By:

Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

State of Oregon) Case # 2005-5008
County of Marion) Melissa Sue Heskett, CCA applicant

I, Dave McTeague, being first duly sworn, state that I am the Executive Director of the Oregon Board of Chiropractic Examiners, and as such, am authorized to verify pleadings in this case: and that the foregoing Notice of Proposed License Denial is true to the best of my knowledge as I verily believe.

Original signatures on file
at the OBCE office.

Dave McTeague, Executive Director
Oregon Board of Chiropractic Examiners

SUBSCRIBED AND SWORN to before me

this 7th day of December, 2005

Original signatures on file
at the OBCE office.

NOTARY PUBLIC FOR OREGON

My Commission Expires: 10/7/07



CERTIFICATE OF SERVICE

I, Dave McTeague, certify that on December 8, 2005, I served the foregoing Final Default Order upon Melissa Sue Heskett, the party hereto, by mailing, certified mail, postage prepaid, a true, exact and full copy thereof to:

Melissa Sue Heskett
4422 Indigo St. NE
Salem, Oregon 97305

Original signature on file
at the OBCE office.

Dave McTeague
Executive Director
Oregon Board of Chiropractic Examiners