BEFORE THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS,	)	
Petitioner,	)	
v.	)	Case No. 13-1930 CB
MICHELE CABRAL, d/b/a DES PERES BARBER SHOP,	)	
Respondent.	)	

ORDER OF THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
DISCIPLINING THE BARBER OPERATOR AND BARBER ESTABLISHMENT
LICENSES OF MICHELE CABRAL, d/b/a DES PERES BARBER SHOP

On or about December 18, 2013, the Administrative Hearing Commission entered its Default Decision in the case of *Missouri Board of Cosmetology and Barber Examiners v Michele Cabral, d/b/a Des Peres Barber Shop,* Case No. 13-1930 CB. In that Default Decision, the Administrative Hearing Commission found that Respondent Michele Cabral's barber operator license (license # 008561) and barber establishment license (license # 2010013119) are subject to disciplinary action by the Board pursuant to § 328.150.2(5), (6) and (13), RSMo.[1]

The Board has received and reviewed the record of the proceedings before the Administrative Hearing Commission, including the properly pled complaint filed before the Administrative Hearing Commission on November 5, 2013 and the Default Decision of the Administrative Hearing Commission. The record of the Administrative Hearing Commission, including the properly pled complaint and Default Decision, is incorporated herein by reference in its entirety.

[1] All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

Pursuant to notice and §§ 621.110 and 328.150.3, RSMo, the Board held a hearing on April 7, 2014, at approximately 9:00 a.m., at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining the appropriate disciplinary action against Respondent's licenses. The Board was represented by Legal Counsel Scott Evans. Respondent received proper notice and opportunity to appear and did not appear in person without legal counsel. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

I.

Based upon the foregoing the Board hereby states:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Board is an agency of the state of Missouri created and established pursuant to § 329.015, RSMo, for the purpose of licensing all persons engaged in the practice of barbering and cosmetology in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapters 328 and 329, RSMo.

2. The Board hereby adopts and incorporates by reference the properly pled complaint and Default Decision of the Administrative Hearing Commission in *Missouri Board of Cosmetology and Barber Examiners v. Michele Cabral, d/b/a Des Peres Barber Shop,* Case No. 13-1930 CB, in its entirety. In that Default Decision the Administrative Hearing Commission determined that the Board filed a properly pled complaint before the Administrative Hearing Commission on or about November 5, 2013, that Cabral was personally served with the complaint and that Cabral never filed an answer or otherwise responded to the complaint.

3. In its Default Decision, the Administrative Hearing Commission determined there was cause to discipline Cabral's licenses pursuant to § 328.150.2(5), (6) and (13), RSMo, as established in the properly pled complaint, as a result of Cabral operating Des Peres Barber Shop and offering services for compensation without valid operator or establishment licenses.

4. The Board set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion.

II.

CONCLUSIONS OF LAW

5. This Board has jurisdiction over this proceeding pursuant to §§ 621.110 and 328.150.3, RSMo.

6. The Board expressly adopts and incorporates by reference the Conclusions of Law contained in the Default Decision issued by the Administrative Hearing Commission and the properly pled complaint on December 18, 2013, in *Missouri Board of Cosmetology and Barber Examiners v. Michele Cabral, d/b/a Des Peres Barber Shop,* Case No. 13-1930 CB, and hereby enters its Conclusions of Law consistent therewith.

7. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Default Decision on December 18, 2013, Respondent's barber operator and barber establishment licenses are subject to disciplinary action by the Board pursuant to § 328.150.2(5), (6) and (13), RSMo.

8. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Having fully considered all the evidence before the Board, and giving full weight to the Default Decision of the Administrative Hearing Commission, it is the **ORDER** of the Board that the barber establishment license (license no. 2010013119) and barber operator license (license no. 008561) of Michele Cabral are hereby **REVOKED.**

Licensee shall return all indicia of licensure to the Board immediately.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 328, 329, 610 and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 23 DAY OF APRIL, 2014.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS

Emily Carroll

Emily Carroll, Executive Director