



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Jane A. Rackers, Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

BOARD OF THERAPEUTIC MASSAGE
3605 Missouri Boulevard
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Jefferson City, MO 65102-1335
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Loree V. Kessler, MPA
Executive Director

Meeting Notice
Missouri Board of Therapeutic Massage
September 26, 2011 – 9:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the Board of Therapeutic Massage, P.O. Box 1335, 3605 Missouri Boulevard, Jefferson City, Missouri 65102 or by calling (573) 522-6277 to ensure available accommodations. The text telephone for the deaf or hard of hearing is 800/735-2966 or 800/735-2466 for Voice Relay Missouri.

Except to the extent disclosure is otherwise required by law, the Missouri Board of Therapeutic Massage is authorized to close meetings, records and votes, to the extent they relate to the following: Chapter 610.021 subsections (1), (3), (5), (7), (13), (14), and Chapter 324.001.8 and 324.001.9 RSMo.

The Board may convene in closed session at any time during the meeting. If the meeting is closed, the appropriate section will be announced to the public, with the motion and vote recorded in open session minutes.

Anyone requiring additional detail regarding the telephone conference call should contact the Missouri Board of Therapeutic Massage, P.O. Box 1335, 3605 Missouri Boulevard, Jefferson City, Missouri 65102 or by calling Loree Kessler, Executive Director at (573) 522-6277. The TTY number for Relay Missouri is 800/735-2966 or 800/735-2466 for Voice Relay Missouri.

Please see attached agenda for this meeting.

Missouri Board of Therapeutic Massage
Open Session Agenda
September 26, 2011
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**Tentative Open Session Agenda
Missouri Board of Therapeutic Massage
September 26, 2011 – 9:00 a.m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri**

Call to Order	Renate Brodecker, Chairperson
Roll Call	Executive Director
Approval of Agenda	
1. Approval of Open Session Minutes	
<ul style="list-style-type: none"> • August 1, 2011 Board Meeting 	
2. Financial Report	
3. Missouri Board of Therapeutic Massage v Stacy Stulgin	
<ul style="list-style-type: none"> • Disciplinary Hearing at 11:30 a.m. 	
4. Section 324.265.8 & 9 Licensure Exemption	
5. Election of Officers	
Meeting Schedule	

Motions to Close

Section 610.021 subsections (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the licensee or applicant section 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under the subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings.

OPEN SESSION MINUTES
Missouri Board of Therapeutic Massage
August 1, 2011 - 12:30 a. m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri

At 12:32 p.m., the Missouri Board of Therapeutic Massage conference call meeting was called to order by Renate Brodecker, Chairperson, at the Missouri Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Board members present:

Renate Brodecker, Chairperson
Dawn Standley, Vice Chairperson
Carl Nelson
Brandy Mouser

Staff present:

Loree Kessler, Executive Director
Jeanette Wilde, Executive I
Greg Roach, Licensure Technician II
Greg Mitchell, Counsel

Ms. Brodecker indicated she would be voting in open and closed session.

A motion was made by Mr. Nelson and seconded by Ms. Mouser to approve the open session agenda. Board members voting aye: Mr. Nelson, Ms. Standley, Ms. Mouser, and Ms. Brodecker. Motion carried unanimously.

A motion was by Mr. Nelson and seconded by Ms. Standley to approve the open session minutes of the June 20, 2011 board meeting. Board members voting aye: Mr. Nelson, Ms. Standley, Ms. Mouser, and Ms. Brodecker. Motion carried unanimously.

The board tentatively scheduled a face to face meeting for September 26, 2011.

At 12:37 p.m., a motion was made by Ms. Mouser and seconded by Ms. Standley to convene in closed session pursuant to section 610.021 subsections (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the license or applicant, section 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes or action or litigation, and any confidential or privilege communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meeting under the subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

At 1:20 p.m., a motion was made by Ms. Mouser and seconded by Mr. Nelson to convene in open session and adjourn the conference call meeting. Board members voting aye: Mr. Nelson, Ms. Standley, Ms. Mouser, and Ms. Brodecker. Motion carried unanimously.



Executive Director

Approved by Board on

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1	Message Therapy - 0884																
2	FY 2012 Monthly Fund Balance Sheet																
3		FY 2012 Actual														FY 2012 Projections	
4		July	August	September	October	November	December	January	February	March	April	May	June	Lapsed July	YTD Total	Projected	Remaining (Projected - YTD Total)
5	Beginning Fund Balance	813,467.43	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	12,390.00	0.00	(12,390.00)
6	Revenue	12,390.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12,390.00	0.00	(12,390.00)
7	Total Funds Available	825,857.43	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	12,390.00	0.00	(12,390.00)
9	Appropriation Costs:																
10	Expense and Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	Personal Service and Per Diem	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
12	Total Appropriation Costs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14	Transfer Costs:																
15	Rent	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
16	Workers Compensation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
17	Board Staff Fringe Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18	DIFP Department Cost Allocation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
19	Licensee Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
20	Biennium Sweep	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
22	September 26, 2011 Open Agenda																
27	PR Transfer:																
28	Division-Wide Costs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
29	Purchasing Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
30	PR/IT Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
31	Legal Team	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
32	CRR Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
33	Board Specific:																
34	Expense/Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
35	Start-up Loan Costs	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
36	Personal Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
37	Fringe Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
38	Technical Support Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
39	Central Mail Processing	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
40	CIU Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41	Total PR Transfer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
42	Total OA Cost Allocation Transfer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
44	GR Transfer:																
45	Attorney General	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
46	Administrative Hearing Comm.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
47	Total GR Transfer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
49	FY 2011 Transfers Carried Over:																
50	FY 2011 June PR Transfer	29,640.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29,640.75	0.00	(29,640.75)
51	FY 2011 July Lapse PR Transfer	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
52	FY 2011 PR Transfer Adjustment	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
53	FY 2011 Final Rent Transfer Adj	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
54	FY 2011 Final DIFP Transfer Adj	592.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	592.91	0.00	(592.91)
55	FY 2011 AG - June	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
56	FY 2011 AHC - June	28.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	28.50	0.00	(28.50)
57	Total FY 2011 Transfers Carried Over	30,262.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30,262.16	0.00	(30,262.16)
58	Total Transfers	30,262.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30,262.16	0.00	(30,262.16)
59	Total Appropriation Costs and Transfers	30,262.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	30,262.16	0.00	(30,262.16)
60	Ending Fund Balance	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27	795,595.27

***FY 2012 YTD Expenses by Budget Class Code - Appropriation 2207
As of July 31, 2011
Massage Therapists
Activity Code: LR51***

<i>Budget Object Class</i>	<i>Budget Object Class Name</i>	<i>YTD Expended</i>	<i>Appropriation</i>	<i>Remaining Appropriation</i>	<i>Percent Remaining</i>
140	TRAVEL, IN-STATE	620.15	5,000.00	4,379.85	87.60%
160	TRAVEL, OUT-OF-STATE		2,000.00	2,000.00	100.00%
180	FUEL & UTILITIES			0.00	
190	SUPPLIES	4.47	9,000.00	8,995.53	99.95%
320	PROFESSIONAL DEVELOPMENT		3,000.00	3,000.00	100.00%
340	COMMUNICATION SERV & SUPP		1,700.00	1,700.00	100.00%
400	PROFESSIONAL SERVICES	4,604.10	65,500.00	60,895.90	92.97%
420	HOUSEKEEP & JANITOR SERV			0.00	
430	M&R SERVICES		700.00	700.00	100.00%
480	COMPUTER EQUIPMENT			0.00	
560	MOTORIZED EQUIPMENT			0.00	
580	OFFICE EQUIPMENT		3,000.00	3,000.00	100.00%
590	OTHER EQUIPMENT			0.00	
640	PROPERTY & IMPROVEMENTS			0.00	
680	BUILDING LEASE PAYMENTS			0.00	
690	EQUIPMENT RENTAL & LEASES			0.00	
740	MISCELLANEOUS EXPENSES	16.78	1,600.00	1,583.22	98.95%
	TOTAL	5,245.50	91,500.00	86,254.50	94.27%

BEFORE THE MISSOURI BOARD OF
THERAPEUTIC MASSAGE

MISSOURI BOARD OF)
THERAPEUTIC MASSAGE)
PO BOX 1335)
JEFFERSON CITY MO 65102)
)
Petitioner)
)
v.)
)
STACY STULGIN)
2521 Roth Drive)
Scott City MO 63780)
(573) 887-0813)
License No. 2009036601)
)
Respondent)

NOTICE OF HEARING

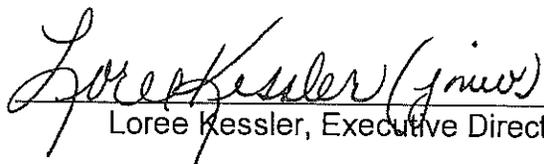
PLEASE TAKE NOTICE that the Missouri Board of Therapeutic Massage is in receipt of information which suggests that Respondent, Stacy Stulgin, is in violation of the Order of the Missouri Board of Therapeutic Massage Granting Issuance Of A Probated Permanent License to Stacy O. Stulgin, license number 2009036601. Such Order was issued to Respondent by Petitioner on or about December 4, 2009.

Specifically, Petitioner is in receipt of information which indicates that Respondent is currently subject to a number of pending criminal charges stemming from an arrest on November 17, 2010.

NOW, THEREFORE, the Board of Therapeutic Massage, in accordance with the provisions of Chapter 536, RSMo, shall hold a disciplinary hearing on Monday, September 26, 2011 at 11:30 a.m. at the Division of Professional Registration, Main Conference Room, 3605 Missouri Boulevard, Jefferson City, Missouri for the purpose of determining the appropriate disciplinary action against Respondent, Stacy Stulgin, for violating the terms and conditions of the Order of the Missouri Board of Therapeutic Massage Granting Issuance Of A Probated Permanent License to Stacy O. Stulgin.

All parties will have the right to appear and be represented by legal counsel and to a full, fair, and open hearing as provided for in Chapter 536, RSMo.2000.

MISSOURI BOARD OF
THERAPEUTIC MASSAGE


Loree Kessler, Executive Director

Dated August 2, 2011

BEFORE THE BOARD OF THERAPEUTIC MASSAGE
STATE OF MISSOURI

RECEIVED

MAY 10 2011

MISSOURI BOARD OF THERAPEUTIC)
MASSAGE,)
)
Petitioner,)
)
v.)
)
STACY O. STULGIN,)
)
Respondent.)

Case No. 2011-0001

PROBATION VIOLATION COMPLAINT

COMES NOW the Missouri Board of Therapeutic Massage, by and through the undersigned, its general counsel, and for its Probation Violation Complaint hereby states as follows:

1. The Missouri Board of Therapeutic Massage is an agency of the State of Missouri created and established pursuant to §§ 324.240 to 324.275 RSMo., for the purpose of executing and enforcing the provisions of said sections relating to the licensure and regulation of Missouri massage therapists and massage businesses.

2. Respondent is licensed by the Board as a massage therapist, license number 2009036601. By Order of the Board dated December 4, 2009, Respondent's Missouri license was issued on a probationary basis, and was, at all times relevant herein, current and active. The probationary status of Respondent's license was subject to a number of terms and conditions, to extend for a period of one (1) year following issuance of the Board's Order. Respondent took no action to seek administrative review of the

Board's Order issuing her a license subject to probation, as was her right pursuant to Section 324.038, RSMo.

3. Among the terms of Respondent's probation are the following:

“ . . .Licensee shall comply with all provisions of §§ 324.240 to 324.275 RSMo., as they pertain to the practice of massage therapy; all applicable federal and state drug laws, rules and regulations; and all federal and state criminal laws”.

“ . . .If [Respondent] fails to comply with the terms of this Order, in any respect, the Board may impose such additional or other discipline it deems appropriate, including revocation of the probationary license.”

4. On November 17, 2010, within the term of probation under which her massage therapy was issued, Respondent was arrested and subsequently charged with the following criminal violations:

(a) Three (3) counts of Possession of Controlled Substance Except 35 Grams or Less of Marijuana (Class C Felony pursuant to § 195.202 RSMo.);

(b) DWI (Drug Intoxication) (Class B Misdemeanor pursuant to § 577.010 RSMo.); and

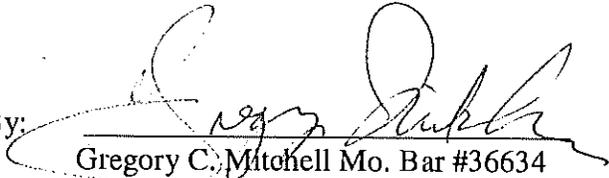
(c) Operating a Motor Vehicle on Highway While Drivers License or Privilege was Revoked (Suspended for Points) (Class A Misdemeanor pursuant to § 302.321 RSMo).

5. Respondent's conduct, as evidenced by the new criminal charges which are pending against her following her arrest on November 17, 2010, is in violation of the terms and conditions of her license probation, as set forth in the Board's Order of December 4, 2009.

WHEREFORE, Petitioner respectfully requests that the Missouri Board of Therapeutic Massage, pursuant to the terms of Respondent's probation contained in the Board's Order of December 4, 2009, hold a hearing to determine whether or not Respondent has violated the terms of said Order and, if such violation has occurred, to impose such additional discipline as the Board deems appropriate.

Respectfully submitted,

BRYDON, SWEARENGEN & ENGLAND
P.C.

By: 
Gregory C. Mitchell Mo. Bar #36634
312 East Capitol Avenue
P. O. Box 456
Jefferson City, Missouri 65102-0456
Phone: (573) 635-7166
Fax: (573) 635-0427

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent via facsimile transmission on this 9th day of May, 2011, to the following:

F. Patrick Davis, Esq.
2 North Pacific
P.O. Box 1459
Cape Girardeau, MO 63702-1459
Fax: 573-334-5019


Gregory C. Mitchell

BEFORE THE BOARD OF THERAPEUTIC MASSAGE
STATE OF MISSOURI

RECEIVED
SEP 06 2011

MISSOURI BOARD OF)
THERAPEUTIC)
MASSAGE,)
)
Petitioner,)
)
v.)
)
STACY O. STULGIN,)
)
Respondent.)

Case No. 2011-0001

JOINT STIPULATION OF FACTS

COME NOW the Parties to the above-referenced matter, and hereby enter the following Joint Stipulation of Facts, for the purpose of simplifying issues to be determined during the Probation Violation Hearing scheduled for **September 26, 2011**. To that end, it is hereby stipulated, by and between the respective parties, that:

1. Respondent, Stacy O. Stulgin, ("Licensee") was, by order of the Board dated December 4, 2009, issued a license to practice massage therapy in the State of Missouri on a probationary basis, and, such license was at all times relevant herein, current and active. The probationary status of Respondent's license was subject to a number of terms and conditions, to extend for a period of one (1) year following issuance of the Board's order.

Respondent took no action to seek administrative review of the Board's order issuing her a license subject to probation.

2. Among the terms of Respondent's probation are the following:

“ . . .Licensee shall comply with all provisions of §§ 324.240 to 324.275 RSMo., as they pertain to the practice of massage therapy; all applicable federal and state drug laws, rules and regulations; and all federal and state criminal laws”.

“ . . .If [Respondent] fails to comply with the terms of this Order, in any respect, the Board may impose such additional or other discipline it deems appropriate, including revocation of the probationary license.”

3. On November 17, 2010, within the term of probation under which her massage therapy license was issued, Respondent was arrested and subsequently charged, in the Circuit Court of Scott County, Missouri, with the following criminal violations:

- (a) Three (3) counts of Possession of Controlled Substance Except 35 Grams or Less of Marijuana (Class C Felony pursuant to § 195.202 RSMo.);
- (b) DWI (Drug Intoxication) (Class B Misdemeanor pursuant to § 577.010 RSMo.); and

- (c) Operating a Motor Vehicle on Highway While Drivers License or Privilege was Revoked (Suspended for Points) (Class A Misdemeanor pursuant to § 302.321 RSMo).

(See Case Nos. 10SO-CR01633 and 10SO-CR01633-1; Circuit Court of Scott County, Missouri, 33rd Judicial Circuit).

4. On August 11, 2011, Licensee appeared with her attorney before the Circuit Court of Scott County, Missouri, for a “disposition hearing” intended to address the criminal charges stemming from Licensee’s arrest on November 17, 2010. This disposition hearing resulted in the following activity, as reflected by the associated Court docket entries of that date:

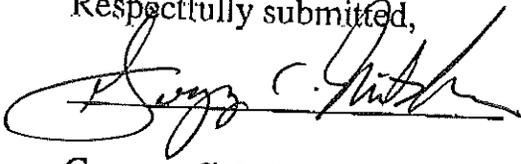
“State appears by Assistant Prosecuting Attorney. Defendant [Licensee] appears in person with [her] attorney, Patrick Davis. Defendant withdraws pleas of not guilty and enters a plea of guilty to the Class C Felony of Possession of Controlled Substance. The Court finds the defendant’s plea is voluntary and intelligently made and with the understanding of [her] rights to a jury trial and the effect of a plea of guilty on those rights. The Court finds there is a factual basis for the plea and accepts the plea and finds the defendant guilty beyond a reasonable doubt.”

Case No. 10SO-CR01633-01, Circuit Court of Scott County, Missouri
(emphasis added).

5. Pursuant to her guilty plea, Licensee received a suspended imposition of sentence (SIS), subject to a five (5) year period of supervised probation. Licensee's court-ordered probation is subject to a number of "special conditions", which are specifically enumerated in the probationary order attached hereto as Attachment A, which is incorporated by reference as if fully set forth herein.

WHEREFORE, the Parties jointly agree and stipulate as to the facts aforesaid, for purposes of the above-captioned proceeding.

Respectfully submitted,



Gregory C. Mitchell
General Counsel
Missouri Board of Therapeutic Massage

Date: 9/6/11



F. Patrick Davis
Attorney for Respondent
Stacy O. Stulgin

Date: 8/31/11

Date: 8-11-11 New Amended

SPECIAL CONDITIONS:

- 1. AGG Enter and successfully complete an assaultive/aggressive program or anger management program.
- 2. ALCOMON Complete alcohol monitoring program.
- 3. COMPUTER No access to computers.
- 4. COMSERVICE Complete _____ hours of community service.
- 5. COSTS Pay Court Costs and CVCF.
- 6. COSTS Pay \$ 50 to the County Law Enforcement Restitution Fund.
- 7. CSGENERAL Pay your monthly child support obligation as ordered by the Court.
- 8. CSSPECIFIC Pay current child support in the amount of \$ _____ and/or \$ _____ to the arrears.
- 9. DVPROG Attend Domestic Violence Program.
- 10. EMP Enter and successfully complete the Electronic Monitoring Program.
- 11. FINANCIAL Enter and successfully complete a financial management program.
- 12. GED Work toward the completion of the GED as directed by your Probation Officer unless testing shows an inability to do so.
- 13. IMPACT Attend Impact of Crime on Victims Program.
- 14. INTENT Usual conditions of Probation and Parole.
- 15. INTERNET No internet.
- 16. JAIL You shall serve _____ in the county jail.
- 17. MALL Avoid businesses where children are known to frequent.
- 18. MEDS1 Take medications as prescribed by a licensed medical practitioner.
- 18a. MEDS1 Do not purchase or have in your possession any drug containing ephedrine, pseudoephedrine or any of their analogs.
- 19. MEDS2 Store meds in original container.
- 20. MEDS3 Provide medication list as directed.
- 21. MHEVAL Receive a mental health evaluation and abide by the recommendation.
- 22. MHPROG Enter and successfully complete an outpatient mental health program.

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

- 23. MINORS1 No supervised contact with minors.
- 24. MINORS2 No working with minors.
- 25. MINORS3 No residing with minors.
- 26. NCA No checking account.
- 27. NCA No credit device.
- 28. NOC No contact with _____
- 29. NOC No contact with the victim's family.
- 29. NOC It is further ordered that you have no contact with persons possessing or using controlled substances.
- 30. NOD You shall not consume or possess alcohol; nor enter any establishment where alcohol is the major item for sale.
- 30a. NOD Do not enter any bars, taverns, or liquor stores or any business where the primary source of revenue is the sale of alcohol. Do not consume, possess or purchase an alcoholic beverage.
- 31. IID Do not to operate any motor vehicle unless it is equipped with an approved ignition interlock device.
- 32. LICENSE Do not operate a motor vehicle without a valid driver's license and insurance.
- 33. PARENTING Enter and successfully complete parenting classes.
- 34. PATHWAYS Attend Pathways to Change.
- 35. POLYGRAPH Submit to Polygraph at your own expense.
- 36. PROGGEN Attend any training treatment or counseling as recommended by the probation officer.
- 37. PROGGEN You shall enter and successfully complete _____
- 38. REACT Complete REACT Screening
- 39. REGISTER Sex offender registration.
- 40. RESIDENCY _____
- 41. RESTITUTION Pay Restitution ____ if any /or ____ in the amount of _____.
- 42. SAEVAL Receive a substance abuse evaluation and follow any recommendations of that evaluation.

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AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

43. SAP Enter and successfully complete an out-patient substance abuse program.
44. SATEST1 Submit to blood, breath or urine testing at the request of any Probation and Parole Officer / _____ and/or law enforcement.
45. SEA Sign the Missouri Sex Offender Supervision Agreement and abide by all the rules.
46. SEARCH Consent to a search of _____
47. SOEVAL Sex Offender Evaluation.
48. SOPORN No sexually explicit material.
49. SOPROG Attend a sex offender treatment program.
50. SOPROG Abide by all registration requirements.
51. SOPROG Avoid parks, schools, daycare centers, toy stores, pools, carnivals, or other places where children are known to frequent, unless prior approval is given to me by my supervising officer.
52. SUPLEVEL You shall be supervised at the Enhanced Level of Supervision.
53. SUPLEVEL Probation and Parole may not supervise this case at a level lower than regular supervision without the approval of the Court.
54. TOUR Attend the Offenders Offering Alternatives Program.
55. VERIFY You shall obtain and maintain verifiable full time employment.
56. VERIFY You shall immediately inform the Office of Probation and Parole of any changes in employment status.
57. _____
58. _____

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO



IN THE CIRCUIT COURT OF SCOTT COUNTY, MISSOURI

Judge or Division: Criminal Division	Case Number: 10SO-CR01633-01
Case Name: ST V STACY O STULGIN	

Certificate of Clerk

I, Christy Hency, Clerk of the Circuit Court, Division III of Scott County, which said court is a court of record, having a clerk and seal, certify that the attached is a true, accurate and complete copy of the docket sheet, judgment, certificate of counsel, petition to enter a plea of guilty and waiver of sentence assessment report in the above entitled case, as the same appears of record and on file in this office.

WITNESS my hand and the seal of the court affixed hereto on 9-2-11.

Clerk Christy Hency _____

By: Joanne Hodges Deputy Clerk

(Seal of the Court)

10SO-CR01633-01 ST V STACY O STULGIN

Security Level: 1 Public

Case Type:	CC Felony	Case Filing Date:	17-May-2011
Status:	Judgment CVC \$46 - Other		
Disposition:	Guilty Plea	Disposition Date:	11-Aug-2011
OCN#:	87373762		
Arresting Agency:	MO1010500		

Release/Status Reason
Change Date

Judge	DAVID ANDREW DOLAN (31945)
Defendant	STACY O STULGIN (STUSO2674)
Attorney for Defendant	F PATRICK DAVIS(32153)
Assistant Prosecuting Attorney	ANDREW C. LAWSON (58311)

Case continued from previous page.

10SO-CR01633-01 ST V STACY O STULGIN

Security Level: 1 Public

Charge #	Charge Date	Charge Code	Charge Description
Original Charge:	1	17-Nov-2010 3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo : 195.202)
	Ticket No: 99999999		
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	
Original Charge:	2	17-Nov-2010 3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo : 195.202)
	Ticket No: 99999998		
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	
Original Charge:	3	17-Nov-2010 3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo : 195.202)
	Ticket No: 99999997		
Disposition:	11-Aug-2011	Guilty Plea	
<u>Order Date:</u>	11-Aug-2011	Sentence or SIS: Suspended Imposition of Sent.	
<u>Length:</u> 5 Years		Start Date: 11-Aug-2011	
Original Charge:	4	17-Nov-2010 4744000	Dwi - Drug Intoxication (Misdemeanor B RSMo : 577.010)
	Ticket No: 99999996		
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	
Original Charge:	5	17-Nov-2010 4663400	Operated Motor Vehicle On Highway While Drivers License/Privilege Revoked (Suspended For Points) (Misdemeanor A RSMo : 302.321)
	Ticket No: 99999995		
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	
Program:	PROBATION	Agency: Missouri Board of Probation and Parole	
Associated To:	Charge 3		
Classification:	SUPERVISED		
Start Date:	11-Aug-2011	Due to End	11-Aug-2016

<u>Filing Date</u>	<u>Description</u>
18-Aug-2011	Record of Traffic Disp Issued DBSWREP The Traffic Disposition was sent electronically to DOR and MSHP for charge number 5 violation 4663400 - Operated Motor Vehicle On Highway While Drivers License/Privilege Revoked (Suspended For Points). The charge was disposed as Dismissed by Prosec/Nolle Pros
	Record of Traffic Disp Issued DBSWREP The Traffic Disposition was sent electronically to DOR and MSHP for charge number 4 violation 4744000 - Dwi - Drug Intoxication. The charge was disposed as Dismissed by Prosec/Nolle Pros

Case continued from previous page.

10SO-CR01633-01 ST V STACY O STULGIN**Security Level: 1 Public**

11-Aug-2011	<p>Costs Ordered to Def RUCKERAM Defendant is to pay the County Law Enforcement Restitution Fund \$50.00. Defendant granted 90 days to pay costs; \$25.00 Time Payment Fee will be removed if balance is paid in full within 30 days; Delinquent costs will be submitted to Tax Offset and Alliance One Debt Collection Services; An additional 20% is added to all balances sent to Alliance One. Payments can be made in person at the Circuit Clerk's Office; Mailed to SCOTT COUNTY CIRCUIT CLERK, PO BOX 587, BENTON, MO 63736; or Paid Online at www.courtmoney.com using Form ID: 1095; Acceptable forms of payment are: Cash, Money Order, Cashiers Check, Credit or Debit Cards and Electronic Check; Payments made by credit/debit cards or electronic check will be charged a minimum website service fee of \$2.00 for payments up to \$50.00 and a 4% fee for payments of \$50.01 or more; YOU WILL NEED YOUR CASE NUMBER TO ENSURE PROPER CREDIT. KEEP THIS DOCUMENT IN A SAFE PLACE.</p> <p>Judgment CVC \$46 - Other RUCKERAM Judgment Against: STACY STULGIN; Amount: \$46.00; Satisfied Date: Associated To: STACY O STULGIN</p> <p>Order for Supervised Probation RUCKERAM See order for probation conditions.</p> <p>Defendant Sentenced RUCKERAM ALLOCUTION - Yes - SIS 5 YEARS SUPERVISED PROBATION Sentence Date: 11-Aug-2011; Sentence: Suspended Imposition of Sent.</p> <p>Allocution Order RUCKERAM</p> <p>Sent Assessment Report Waived RUCKERAM</p> <p>No Probable Cause to Believe RUCKERAM</p> <p>Guilty Plea RUCKERAM State appears by Assistant Prosecuting Attorney. Defendant appears in person with his/her attorney, Patrick Davis. Defendant withdraws plea of not guilty and enters a plea of guilty to the Class C Felony of Possession of Controlled Substance. The Court finds the defendant's plea is voluntarily and intelligently made and with the understanding of his/her rights to a jury trial and the effect of a plea of guilty on those rights. The Court finds there is a factual basis for the plea and accepts the plea and finds the defendant guilty beyond a reasonable doubt. Scheduled For: 11-Aug-2011; 9:30 AM; DAVID ANDREW DOLAN; Setting: 0; Scott</p>
14-Jul-2011	<p>Disposition Hearing Scheduled HODGESJL Scheduled For: 11-Aug-2011; 9:30 AM; DAVID ANDREW DOLAN; Setting: 0; Scott</p> <p>Plea of Not Guilty Entered RUCKERAM</p> <p>Waiver of Formal Arraignment HODGESJL State appears by APA. Defendant appears by Attorney Patrick Davis. Matter set for disposition on 8-11-11 at 9:00am. Scheduled For: 14-Jul-2011; 9:30 AM; DAVID ANDREW DOLAN; Setting: 0; Scott</p>
23-Jun-2011	<p>Arraignment Scheduled HODGESJL Scheduled For: 14-Jul-2011; 9:30 AM; DAVID ANDREW DOLAN; Setting: 0; Scott</p> <p>Hearing Continued/Rescheduled HODGESJL State appeared by APA. Defendant appeared not, Defendant's Attorney appeared not previously filed request for continuance. Matter continued to 7-14-11 at 9:30am. Written waiver has not been received; Defendant will need to appear on 7-14-11. Hearing Continued From: 23-Jun-2011; 9:00 AM</p>

Case continued from previous page.

10SO-CR01633-01 ST V STACY O STULGIN**Security Level: 1 Public**

22-Jun-2011	Waiver of Formal Arraignment with Certificate of Service. jrb Filed By: STACY O STULGIN	BAKERJAR
17-Jun-2011	Arraignment Scheduled Scheduled For: 23-Jun-2011; 9:00 AM; DAVID ANDREW DOLAN; Setting: 0; Scott Hearing Continued/Rescheduled State appeared by APA. Defendant appeaerd not, Defendant's Attorney appeared not having filed a motion for continuance. Matter continued to 6-23-11 at 9:00am. Hearing Continued From: 17-Jun-2011; 9:30 AM	HODGESJL HODGESJL
15-Jun-2011	Motion for Continuance Request for continuance filed along with certificate of service. Filed By: F P DAVIS	HODGESJL
24-May-2011	Motion for Disclosure Filed By: ANDREW C LAWSON Information Filed Filed By: ANDREW C LAWSON	NAILESTA NAILESTA
18-May-2011	Arraignment Scheduled Scheduled For: 17-Jun-2011; 9:30 AM; DAVID ANDREW DOLAN; Setting: 0; Scott	BRUCHPHH
17-May-2011	Judge Assigned	BRUCHPHH



IN THE 33RD JUDICIAL CIRCUIT COURT, SCOTT COUNTY MISSOURI

Judge or Division : DAVID ANDREW DOLAN (31945) DIVIII		Case Number : 10SO-CR01633-01 <input type="checkbox"/> Change of Venue from	
		Offense Cycle No : 87373762	
State Of Missouri vs. Defendant: STACY O STULGIN (STUSO2674) 2521 ROTH DRIVE SCOTT CITY, MO 63780		Assistant Prosecuting Attorney/MO Bar No: ANDREW C LAWSON (58311) Defense Attorney/MO Bar No : F PATRICK DAVIS (32153)	
DOB : 11-Jun-1976 SSN : 623222674 SEX : F			
Pre-Sentence Assessment Report Waived		Appeal Bond Set Date : Amount :	
Judgment			

Charge #	Charge Date	Charge Code	Charge Description
Original Charge: 1	17-Nov-2010	3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo: 195.202)
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	

Charge #	Charge Date	Charge Code	Charge Description
Original Charge: 2	17-Nov-2010	3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo: 195.202)
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	

Charge #	Charge Date	Charge Code	Charge Description
Original Charge: 3	17-Nov-2010	3245000	Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana (Felony C RSMo: 195.202)
Disposition:	11-Aug-2011	Guilty Plea	
Order Date:	11-Aug-2011	Sentence or SIS :	Suspended Imposition of Sent.
		Start Date :	11-Aug-2011

Charge #	Charge Date	Charge Code	Charge Description
Original Charge: 4	17-Nov-2010	4744000	Dwi - Drug Intoxication (Misdemeanor B RSMo: 577.010)
Disposition:	11-Aug-2011	Dismissed by Prosec/Nolle Pros	

Charge #	Charge Date	Charge Code	Charge Description
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FILED

AUG 11 2011

Original Charge: 5 17-Nov-2010 4663400 Operated Motor Vehicle On Highway While Drivers License/Privelege Revoked (Suspended For Points) (Misdemeanor A RSMo: 302.321)

Disposition: 11-Aug-2011 Dismissed by Prosec/Nolle Pros

Program : PROBATION Agency : Missouri Board of Probation and Parole

Classification : SUPERVISED Outcome :

Associated To : Charge 3

Start Date : 11-Aug-2011 Due to End : 11-Aug-2016

The court informed the defendant of verdict/finding, asks the defendant whether (s)he has anything to say why judgment should not be pronounced, and finds that no sufficient cause to the contrary has been shown or appears to the court.

That Judgment entered in favor of the State of Missouri and against the defendant for the sum of \$46.00 for the Crime Victims Compensation fund. Judgment is **Not Satisfied**.

Costs taxed against Defendant

The Court further orders :

11-Aug-2011 Defendant Sentenced

ALLOCUTION - Yes - SIS 5 YEARS SUPERVISED PROBATION

So Ordered on: 10SO-CR01633-01 ST V STACY O STULGIN

8-11-11
Date


Judge

I certify that the above is a true copy of the original Judgment and Sentence of the court in the above cause, as it appears on record in my office.

(Seal of Circuit Court)

Issued on: _____
Date Clerk

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

IN THE CIRCUIT COURT OF SCOTT COUNTY, MISSOURI

STATE OF MISSOURI

VS

CASE NO.: 1030 - CR 01633 - 01

Stacy Stalgin

Defendant's Mailing Address:

CERTIFICATE OF COUNSEL

The undersigned, as attorney, for the defendant, Stacy Stalgin hereby certifies;

1. That I have read and fully explained to the defendant the allegations contained in the (Information) (Indictment) in this case.
2. I explained the range of punishment for each count to the defendant.
3. I have made efforts to secure information in the possession of the prosecution and law enforcement authorities.
4. In my opinion the PLEA OF GUILTY offered by the defendant is voluntarily and intelligently made and that the defendant understands the nature of the charge and consequences of his plea.
5. I further believe defendant to be competent and able to assist in the preparation of his case.

Each of these five (5) pages were signed by me in the presence of the defendant named above and after full discussion of the contents of this certificate with the defendant this 11th day of August, 2011.

Patrick Davis
ATTORNEY FOR DEFENDANT

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

INSTRUCTIONS FOR USING PETITION TO ENTER PLEA OF GUILTY

1. The defendant, with the advise of counsel, should personally fill out the petition.
2. If there is anything in the petition that does not apply to your particular case, either delete it or modify it to make the petition clear and correct. The defendant must initial each change.
3. If any errors, strike-outs, or corrections are made each such item must be initialed by the defendant.
4. Counsel for the defendant has the duty and obligation to explain the entire petition to the defendant. Inquiry will be made of you concerning this when the petition is presented to the Court.
5. The papers must be presented to the Court at the time of the entry of the plea of guilty. If the petition is accepted by the Court, it will be so marked as being accepted by the Judge of the Court and will be placed in the Court file.
6. There will still be an oral examination conducted of the defendant by the Court.

FILED

AUG 11 2011

**Christy M. Hency, Circuit Clerk
Scott County, MO**

IN THE CIRCUIT COURT OF SCOTT COUNTY, MISSOURI

STATE OF MISSOURI

CASE NO.: _____

VS

Stacy Stulgin

Mailing Address:

201 N. Garth
Columbia Mo 65203

PETITION TO ENTER PLEA OF GUILTY

The defendant represents to the Court:

1. My full name is Stacy O. Stulgin. I am 35 years of age. I have GED + College years of education. I understand that I have the right to remain silent and not to speak or execute any written instruments, including this document, and that anything I say, can be used against me.
2. I am represented by an attorney. His/Her name is Patrick Davis.
3. I received a copy of the (Information) (~~Indictment~~) and understand that I am charged with the crime of possession of controlled substance. I have read the charge against me and have * plus 2 discussed it with my attorney. I fully understand every charge made against me. Misses
4. I told my attorney all the facts and circumstances known to me about the charges made against me in the (Information) (Indictment). I believe that my attorney is fully informed on all such matters. meanor
5. I know that the Court must be satisfied that there is a factual basis for a PLEA OF GUILTY before my plea can be accepted.

DEFENDANT

ATTORNEY

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

PETITION TO ENTER PLEA OF GUILTY (continued)

ATAROL

I represent to the Court that I did the following acts in connection with the charge made against me: I possessed ~~Atarol~~ without a prescription

in Scott County Missouri knowing of its
illegal nature A "C" felony

(In the above space defendant must set out in detail what he did. If more space is needed add a separate page.)

6. My attorney has counseled and advised me on the nature of each charge, on all lesser included charges, if any, and on all possible defenses that I might have in this case.

7. If I plead NOT GUILTY, the Constitution guarantees me, among other possible rights, (a) the right to a speedy and public trial by jury and if I am not satisfied with the verdict to appeal therefrom; (b) the right to confront and cross-examine all witnesses against me; (c) the right to use the power and process of the Court to compel the production of any evidence, including the attendance of any witnesses in my favor; (d) the right to have the assistance of an attorney at all stages of the proceedings; and (e) the right to remain silent and not to incriminate myself; and, if I do remain silent, no inference of guilt may be drawn from such failure. If I plead GUILTY, I waive (give up) all these rights. I also understand that I am presumed innocent throughout the entire proceedings and until such time as the jury should find me guilty. I further understand that the State has the burden of proving my guilt beyond a reasonable doubt, and if the State fails to prove each and every element of the offenses beyond a reasonable doubt I would be entitled to go free.

DEFENDANT

Patricia Davis

ATTORNEY

(2)

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

PETITION TO ENTER PLEA OF GUILTY (continued)

- 8. I know that if I plead GUILTY I forever waive my right to trial either before a Court or jury, and the Court may impose any punishment within the lawful range of punishment.
- 9. I know that in the State of Missouri the State must prove my guilt beyond a reasonable doubt and that all twelve (12) jurors must vote unanimously to convict me in order for me to be found GUILTY.
- 10. I know that I may be entitled to take this case out of this county and have it tried before a jury in some other county. I also know that I am entitled to disqualify the regular Judge of this Court and have another Judge hear my case or accept my plea.
- 11. My attorney informed me that the range of punishment which the law provided in this case one day to 12 months in the county jail or one year to SEVEN years in the Department of corrections and a 5,000 dollar fine and or a combination of both a fine and imprisonment
- 12. If I am on probation or parole in this or any other Court, I know that by pleading GUILTY here my probation or parole may be revoked, and I may be required to serve time in that case which may be consecutive, that is, in addition to any sentence imposed upon me in this case.
- 13. I declare that no officer or agent of any branch of government (Federal, State or Local) has promised or suggested that I will receive a particular sentence, or probation, or any other form of leniency if I plead GUILTY.

The prosecuting attorney promised that if I plead GUILTY he/she will do the following:

Dismiss
~~Deep~~ Cuts I & J due to the fact that I had prescriptions for those drugs. He will agree to a SIS with five years probation.

(Here, insert any promises or concessions made to the defendant or to his attorney. If no insert No promise or concessions have been made to me or to my attorney.)

[Signature]
 DEFENDANT
Patricia Davis
 ATTORNEY

FILED
 AUG 11 2011

Christy M. Hency, Circuit Clerk
 Scott County, MO

PETITION TO ENTER PLEA OF GUILTY (continued)

If anyone else made any promises or suggestions, except as noted in the previous sentences, I know that he had no authority to do it. I know that the sentence I will receive is solely a matter within the control of the Judge. I hope to receive leniency, but I am prepared to accept any punishment permitted by law which the Court sees fit to impose.

14. Neither I, nor any of my friends or loved ones, has been mistreated, threatened, coerced, or forced in any manner by anyone to get me to plead GUILTY, nor were there any promises, inducements, or representations made except as set forth in paragraph 13 above.

15. I believe that my attorney has done all that anyone could do to counsel and assist me, and I AM SATISFIED WITH THE ADVISE AND HELP HE/SHE HAS GIVEN ME. I have been given ample time to talk with my attorney, and family members, and friends and ask the Court to accept my plea without further delay.

16. I know that the Court will not permit anyone to plead GUILTY who is innocent, and with that in mind, and because I AM GUILTY, I wish to plead GUILTY and respectfully request the Court to accept my PLEA OF GUILTY.

17. I have not in the past suffered from any mental disease or illness and have never been treated by a doctor or psychiatrist for mental or emotional condition other than:

meditation ~~meditation~~ for opiate addiction

(please list date, place, diagnosis, treatment, and doctor if known.)

My mind is clear and I am not mentally ill. I am not under the influence of alcohol or drugs, and I am not under a doctor's care. The only drugs, alcohol or medicines that I have taken within the past three (3) days are:

Methadone & prenatal vitamins

(if none so state)

DEFENDANT

ATTORNEY

(4)

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

PETITION TO ENTER PLEA OF GUILTY (continued)

18. I do not have any complaints against any law enforcement officials concerning my treatment while in jail, I had sufficient food, water, medical care and bedding and I was not mistreated by any inmate while in jail. There are no exceptions to any of these statements except:

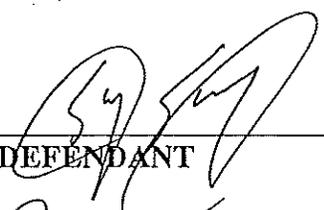
None

(if none so state)

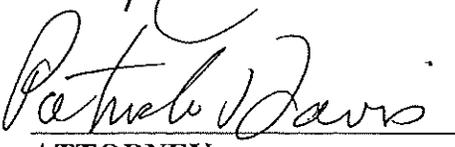
19. No one has told or promised me I would receive probation or parole and I understand that I do not have a right to receive probation or parole and whether or not I receive probation or parole is solely in the Court's discretion.
20. My willingness to plea GUILTY (resulted) (did not result) from prior discussions that I or my attorney had with members of the prosecuting attorney's office.
21. I OFFER MY PLEA OF GUILTY FREELY AND VOLUNTARILY AND OF MY OWN ACCORD AND WITH FULL UNDERSTANDING OF ALL THE MATTERS SET FORTH IN THE (INFORMATION) (INDICTMENT) AND IN THIS PETITION.
22. I have read and my attorney has explained to me this Petition to Enter Plea of Guilty, this 11th day of Aug, 2011.

Each of these five (5) pages were signed by me in the presence of my attorney this

11th day of Aug, 2011.



DEFENDANT



ATTORNEY

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

(5)

IN THE CIRCUIT COURT OF SCOTT COUNTY, MISSOURI

STATE OF MISSOURI

Plaintiff)

vs.)

Case No. 1050-CR01633-01

Stacey O. Stulzin
Defendant)

WAIVER OF SENTENCE ASSESSMENT REPORT

In accordance with Section 557.026, Section One, I undersigned hereby
waive in writing and in open court, a sentence assessment report. I desire the Court
to accept my plea of "GUILTY" and to fix my punishment and to sentence me at this
time.

Dated this 11th day of August, 2011.


Defendant


Attorney for Defendant


Waiver accepted by the Court

FILED

AUG 11 2011

Christy M. Hency, Circuit Clerk
Scott County, MO

**ORDER OF THE MISSOURI BOARD OF
THERAPEUTIC MASSAGE GRANTING ISSUANCE
OF A PROBATED LICENSE TO STACY O. STULGIN**

Comes now the Missouri Board of Therapeutic Massage ("Board") and hereby issues its ORDER granting a PROBATED license, license number 2009036601, to STACY OLIVIA STULGIN, ("Licensee"), pursuant to the provisions of § 620.149, RSMo. 2000. As set forth in § 620.149.2, RSMo., Licensee may submit a written request for a hearing to the Administrative Hearing Commission seeking review of the Board's decision to issue a probated license to her. Such written request must be submitted to the Administrative Hearing Commission within thirty (30) days of delivery or mailing of this Order by certified mail. The written request should be addressed to the Administrative Hearing Commission, P.O. Box 1557, Truman Building, Rm. 640, Jefferson City, Missouri 65102-1557. If no written request for review is received by the Administrative Hearing Commission within the thirty (30) day period, the right to seek review of the Board's decision shall be considered as waived.

I.

1. The Missouri Board of Therapeutic Massage ("Board") is an agency of the State of Missouri created and established pursuant to §§ 324.240 through 324.275, RSMo., for the purpose of executing and enforcing the provisions of said sections.

2. In August of 2009, Licensee filed an application with the Board seeking licensure as a massage therapist in the State of Missouri.

3. Cause exists for the Board to deny Licensee's request for a license to practice massage therapy pursuant to the provisions of § 324.262, RSMo. Supp., which provides in pertinent part:

1. The board may refuse to issue, renew or reinstate any license required by sections 324.240 to 324.275 for one or any combination of causes stated in subsection 2 of this section. * * *

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo., against any holder of any license issued pursuant to sections 324.240 to 324.275 or any person who has failed to renew or has surrendered his or her license for any one of any combination of the following causes:

(1) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution pursuant to the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of the profession regulated pursuant to sections 324.240 to 324.275, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed[.]

4. Licensee has a long history of controlled substance abuse, which has resulted in numerous criminal violations, to which Licensee has either pleaded guilty or been convicted. Licensee has served various periods of probation for these crimes, and has undergone structured rehabilitation programs in an effort to control her addictions. Specifically, in April, 2001 licensee was arrested by Miami Dade police for possession of a controlled substance with out a prescription resulting in licensee completing a drug court program. In April, 2008 licensee was arrested by Miami Dade police for possession of a controlled substance resulting in one year probation. In July, 2008 licensee was arrested on a probation violation by the Broward County Sheriff's office for possession of a controlled substance resulting in one year probation and completion of a drug rehabilitation program. The commission of the crimes associated with Licensee's substance addictions, individually and collectively, constitute cause to deny Licensee's application for license pursuant to § 324.262.1, RSMo.

5. On November 20, 2009, the Circuit Court of Dade County, Florida, Criminal Division, terminated the last known probationary period which Licensee was serving at the time of her application with the Board (Case No. F08011793) and thus, the Board is presently aware of no current or pending criminal prosecution(s) involving Licensee.

6. Notwithstanding Licensee's violation of § 324.262, RSMo., and after due consideration of the circumstances surrounding Licensee's pending application and past conduct, the Board hereby issues the following ORDER in lieu of denial of Licensee's application for a license to practice massage therapy in Missouri.

II.

TERMS AND CONDITIONS

Based upon the foregoing, the license being issued to Licensee, License No. 2009036601 is subject to the following terms:

1. License is placed on PROBATION for a period of one year ("disciplinary period"). During the disciplinary period, Licensee shall be entitled to engage in the practice of massage therapy, within the parameters pursuant to §§ 324.240 to 324.275, RSMo., subject to the following conditions:

A. Licensee shall meet with the Board or its representative at such times and places as required by the Board after notification of a required meeting.

B. Licensee shall keep the Board notified of /her current home and work address and telephone numbers. Licensee shall inform the Board within ten (10) days of any change of home or work address and home and work telephone number.

C. With receipt of a probated license, Licensee shall notify his/her employer. The notification shall be submitted to the board in writing within ten (10) days of employment.

D. Licensee shall comply with all provisions of §§ 324.240 to 324.275 RSMo., as they pertain to the practice of massage therapy; all applicable federal

and state drug laws, rules and regulations; and all federal and state criminal laws. "State" here includes the State of Missouri and all other states and territories of the United States.

E. During the disciplinary period Licensee shall accept and comply with unannounced visits from the Board's representatives to monitor his/her compliance with the terms and conditions of this Order.

F. If Licensee fails to comply with the terms of this Order, in any respect, the Board may impose such additional or other discipline that it deems appropriate, including revocation of the probationary license.

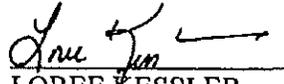
G. For purposes of this Order, unless otherwise specified herein, all reports, documentation, evaluations, notices, or other materials required to be submitted to the Board in this Order shall be forwarded to: Missouri Board of Therapeutic Massage, 3605 Missouri Boulevard, P.O. Box 1335, Jefferson City, Missouri 65102.

H. This Order does not bind the Board or restrict the remedies available to it concerning any other violation of §§ 324.240 to 324.275 RSMo., by Licensee not specifically mentioned in this document. The Board specifically reserves the right to review any additional pertinent information, at such time that Licensee applies for any provisional or permanent license.

SO ORDERED THIS 4 DAY OF December, 2009:

MISSOURI BOARD OF
THERAPEUTIC MASSAGE

By:



LOREE KESSLER
EXECUTIVE DIRECTOR



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Jane A. Rackers, Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

BOARD OF THERAPEUTIC MASSAGE
3605 Missouri Boulevard
P.O. Box 1335
Jefferson City, MO 65102-1335
Telephone: 573/522-6277
Fax: 573/751-0735
800-735-2966 TTY Relay Missouri
800-735-2466 Voice Relay Missouri
massagether@pr.mo.gov

Loree V. Kessler, MPA
Executive Director

Memo

To: Board Members

From: Loree Kessler

A handwritten signature in black ink that reads "Loree Kessler".

CC: File

Date: September 14, 2011

Re: Licensure Exemptions

The Board of Therapeutic Massage received numerous inquiries regarding section 324.265.8 & 9 RSMo as it applies to disaster situations such as the Joplin tornado or special events.

Following the Joplin tornado, the state and national association contacted this office concerning individuals certified by NCBTMB and not licensed in Missouri or another state providing massage for victims and responders in Joplin. The two states noted were Kansas and Oklahoma, since neither states have licensure laws. It is my understanding the state association has provided training to massage therapists using individuals from Oklahoma that have experience working with victims of trauma. Typically trainers, such as this example, are not practicing on the public, but working other licensees on learning different techniques.

The second scenario deals with an event in Kansas City on September 17th. A massage therapy business is sponsoring an event to set a world record relating to individuals receiving a massage at the time same or something to that effect. Both counsel and I have talked to state and national association representatives and explained that there is no regulation recognizing any certifying body, therefore, to provide massage therapy at this event, the person must be licensed as a massage therapist in Missouri or another state.

Finally, the board office was contacted regarding enforcement efforts at the September 17th event. I explained that staffing restrictions prevent the board from sending someone to the event.

In both scenarios there has been miscommunication/misinterpretation of what the law states and what the intent of law was when it was passed and individuals contacted. Please be prepared to discuss during the board meeting.

provisional license shall submit proof that the applicant has applied for the examination approved by the board. A provisional license shall be valid for one year from the date of issuance and shall be deemed void upon its expiration date. A provisional licensee is prohibited from practicing massage therapy after expiration of the provisional license.

5. As determined by the board, students making substantial progress toward completion of their training in an approved curriculum shall be granted a student license for the purpose of practicing massage therapy on the public while under the supervision of a massage therapy instructor.

6. A student license may be renewed until the student completes such student's training. Upon request, the board may extend a provisional license for good cause at the discretion of the board. An application for the extension of a provisional license shall be submitted to the board prior to the expiration of the provisional license.

7. The following practitioners are exempt from the provisions of this section upon filing written proof with the board that they meet one or more of the following:

(1) Persons who act under a Missouri state license, registration, or certification and perform soft tissue manipulation within their scope of practice;

(2) Persons who restrict their manipulation of the soft tissues of the human body to the hands, feet or ears;

(3) Persons who use touch and words to deepen awareness of existing patterns of movement in the human body as well as to suggest new possibilities of movement;

(4) Persons who manipulate the human body above the neck, below the elbow, and below the knee and do not disrobe the client in performing such manipulation.

8. Any nonresident person licensed, registered, or certified by another state or territory of the United States, the District of Columbia, or foreign territory or recognized certification system determined as acceptable by the board shall be exempt from licensure as defined in this chapter, if such persons are incidentally called into the state to teach a course related to massage or body work therapy or to provide massage therapy services as part of an emergency response team working in conjunction with disaster relief officials.

9. Any nonresident person holding a current license, registration, or certification in massage therapy from another state or recognized national certification system determined as acceptable by the board shall be exempt from licensure as defined in this chapter when temporarily present in this state for the purpose of providing massage therapy services at special events such as conventions, sporting events, educational field trips, conferences, and traveling shows or exhibitions.

(L. 1998 H.B. 1601, et al., A.L. 1999 H.B. 343 merged with S.B. 362, A.L. 2006 S.B. 756, A.L. 2008 H.B. 1419)

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Missouri General Assembly

OPEN SESSION MINUTES
Missouri Board of Therapeutic Massage
September 26, 2011 - 12:30 a. m.
Division of Professional Registration
3605 Missouri Boulevard – Jefferson City, Missouri

At 9:02 a.m., the Missouri Board of Therapeutic Massage conference call meeting was called to order by Renate Brodecker, Chairperson, at the Missouri Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Board members present:

Renate Brodecker, Chairperson
Dawn Standley, Vice Chairperson
Carl Nelson
Brandy Mouser

Staff present:

Loree Kessler, Executive Director
Jeanette Wilde, Executive I
Greg Roach, Licensure Technician II
Greg Mitchell, Counsel

Ms. Brodecker stated she would be voting in open and closed session.

A motion was made by Ms. Standley and seconded by Ms. Mouser to approve the open session agenda. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

A motion was made by Ms. Mouser and seconded by Ms. Standley to approve the open session minutes of the August 1, 2011 conference call meeting. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

Financial Report

The executive director explained that with the 2013 renewal cycle, the board must consider a renewal fee increase. The cost of investigations and inspections has increased with the conclusion of the renewal cycle. Businesses that did not renew the license are sent to the Central Investigative Unit to verify closure of that business. Additionally, an increase in investigations relating to applications for licensure has increased costs. The executive director reported that the amount for the individual and business renewal would be discussed at the next conference call meeting. A motion was made by Ms. Mouser and seconded by Ms. Standley to accept the financial report. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

Section 324.265.8 & 9 Licensure Exemptions

The board discussed the exemption in the statute relating to special events and a state of emergency and determined no amendment would be made to the regulation noting the number of current licensees in this state and the differing standards of certifying bodies.

Election of Officers

A motion was made by Mr. Nelson and seconded by Ms. Mouser for Ms. Brodecker and Ms. Standley to continue to serve as chairperson and vice chairperson respectively. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

Meeting Schedule

The board scheduled a conference call for noon, October 10, 2011.

At 9:26 a.m., a motion was made by Ms. Mouser and seconded by Ms. Standley to convene in closed session pursuant to section 610.021 subsections (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the license or applicant, section 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes or action or litigation, and any confidential or privilege communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meeting under the subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

At 11:45 a.m., a motion was made by Ms. Mouser and seconded by Ms. Standley to convene in open session. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

Disciplinary Hearing - Stacy Stulgin

At approximately 11:45 a.m. the board conducted a disciplinary hearing regarding Stacy Stulgin.

At 12:24 p.m., a motion was made by Ms. Mouser and seconded by Mr. Nelson to convene in closed session pursuant to section 610.021 subsections (14), 324.001.8 and 324.001.9 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to the license or applicant, section 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes or action or litigation, and any confidential or privilege communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meeting under the subsection 610.021 RSMo which authorizes this agency to go into closed session during those meetings. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.

At 3:08 p.m., a motion was made by Ms. Mouser and seconded by Ms. Standley to convene in open and adjourn the meeting. Board members voting aye: Ms. Mouser, Ms. Standley, Mr. Nelson and Ms. Brodecker. Motion carried unanimously.



Executive Director

Approved by Board on January 23, 2012