



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. On or about May 2, 2019, Applicant applied for a Missouri barber student license to enroll at Transformed Barber & Cosmetology Academy, LLC, 1229 E. 63<sup>rd</sup> Street, Kansas City, Missouri 64110.

3. On Applicant's application, Applicant answered "yes" to the question "Have you been adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution in this state, or any or of the United States, whether or not sentence was imposed?"

4. In conjunction with his May 2, 2019 application, Applicant provided a written statement regarding his criminal record.

5. A review of Applicant's Missouri criminal history reveals that:

a. On or about May 19, 2010, Applicant pled guilty to the class C felony charge of *Tampering With Motor Vehicle – 1<sup>st</sup> Degree*, in the Circuit Court of Jackson County, Missouri, case number 1016-CR00906-01. The Court sentenced Applicant to two years' incarceration with the Missouri Department of Corrections.

b. On or about May 19, 2010, Applicant pled guilty to the class C felony charge of *Tampering With Motor Vehicle – 1<sup>st</sup> Degree*, in the Circuit Court of Jackson County, Missouri, case number 0916-CR02012-01. The Court sentenced Applicant to two years' incarceration with the Missouri Department of Corrections.

c. On or about May 19, 2010, Applicant pled guilty to the class C felony charge of *Tampering With Motor Vehicle – 1<sup>st</sup> Degree*, in the Circuit Court of Jackson County, Missouri, case number 0916-CR02045-01. The Court sentenced Applicant to two years' incarceration with the Missouri Department of Corrections.

d. On or about January 27, 2011, Applicant pled guilty to the ordinance violation of *Nuisance Violation*, in the Municipal Court of Crane, Missouri, case number 091853912. The Court suspended execution of Applicant's sentence and placed Applicant on one year of unsupervised probation.

- e. On or about October 19, 2011 Applicant pled guilty to the class B misdemeanor charge of *Dwi - Alcohol*, in the Circuit Court of Buchanan County, Missouri, case number 11BU-CR01681. The Court sentenced Applicant to four months' jail incarceration. The Court suspended execution of Applicant's sentence and placed Applicant on two years' supervised probation.
- f. On or about November 30, 2011, Applicant pled guilty to the class C felony charge of *Tampering With Motor Vehicle - 1<sup>st</sup> Degree*, in the Circuit Court of Jackson County, Missouri, case number 1116-CR01377-01. The Court sentenced Applicant to thirty days' jail incarceration.
- g. On or about December 6, 2012, Applicant pled guilty to the class C felony charge of *Tampering With Motor Vehicle - 1<sup>st</sup> Degree*, in the Circuit Court of Jackson County, Missouri, case number 1216-CR03857-01. The Court sentenced Applicant to five years' incarceration with the Missouri Department of Corrections. The Court suspended execution of Applicant's sentence and placed Applicant on supervised probation for a period of three years. Applicant's probation was subsequently revoked, and the original sentence was ordered to be executed.
- h. On or about February 11, 2016, Applicant pled guilty to three class C felony charges of *Assault 2<sup>nd</sup> Degree - Operate Vehicle While Intoxicated Resulting In Injury* in the Circuit Court of Jackson County, Missouri, case number 1416-CR01482-01. The Court sentenced Applicant to five years' incarceration with the Missouri Department of Corrections on each charge.
- i. On or about February 2, 2017, Applicant pled guilty to an ordinance violation charge of *Miscellaneous Controlled Substance*, in the Circuit Court of Jackson County, Missouri, case number 130725602. The Court sentenced Applicant to a fine.
- j. On or about July 30, 2018, Applicant pled guilty to the class E felony charge of *Stalking - 1<sup>st</sup> Degree - 1<sup>st</sup> Offense* in the Circuit Court of Boone County, Missouri, case number 17BA-CR00661-01. The Court sentenced Applicant to four years' incarceration with the Missouri Department of Corrections. The Court suspended execution of Applicant's sentence and placed Applicant on supervised probation for a period of five years.

II.

CONCLUSIONS OF LAW

6. The Board has authority to deny or refuse a license application pursuant to § 328.150.1, RSMo, which provides:

The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.

7. The Board has cause to deny or refuse Applicant's application for a barber student license pursuant to § 328.150.2, RSMo, which provides:

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 certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

...  
(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, 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[.]

8. As a result of Applicant's criminal record as detailed in paragraph 5, the Board has cause to deny or refuse Applicant's application for a barber student license pursuant to § 328.150.1, RSMo, § 328.150.1, RSMo, and § 328.150.2(2), RSMo.

9. As an alternative to refusing to issue a license, the Board may, at its discretion, issue a license subject to probation, pursuant to § 324.038, RSMo, which provides:

Whenever a board within or assigned to the division of professional registration, including the division itself when so empowered, may refuse to issue a license for reasons which also serve as a basis for filing a complaint with the administrative hearing commission seeking disciplinary action against a holder of a license, the board, as an alternative to refusing to issue a license, may, at its discretion, issue to an applicant a license subject to probation.

10. The Board issues this Order in lieu of denial of Applicant's application for a barber student license. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

11. Based on the foregoing, Applicant, Aaron M. Brown, is granted a barber **student license**, which is hereby placed on **PROBATION** for the period during which Applicant is enrolled in barber school and receiving training hours. During the aforementioned probation, Aaron M. Brown shall be entitled to enroll as a barber student subject to the following terms and conditions.

IV.

TERMS AND CONDITIONS

12. During the aforementioned probation, Aaron M. Brown, shall be entitled to enroll as a barber student subject to the following terms and conditions:

- A. During the disciplinary period, Applicant shall comply with all provisions of Chapter 328, RSMo, all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws. "State" includes the state of Missouri, all other states and territories of the United States, and the ordinances of their political subdivisions.
- B. During the disciplinary period, Applicant shall keep the Board informed of Applicant's current work and home telephone numbers. Applicant shall notify the Board in writing within ten days (10) of any change in this information.
- C. During the probationary period, Applicant shall accept and comply with unannounced visits from the Board's representatives to monitor compliance with the terms and conditions of this Order.
- D. During the disciplinary period, Applicant shall appear in person for interviews with the Board or its designee upon request.
- E. If, at any time during the probationary period, Applicant changes Applicant's address from the state of Missouri, or ceases to maintain Applicant's student license current or active under the provisions of Chapter 328, RSMo, or fails to keep the Board advised of all current places of residence, the time of such absence, unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.
- F. The Board retains jurisdiction to hold a hearing at any time to determine if a violation of this Order has occurred and, if a violation of this Order has occurred, may seek to amend this Order or impose further disciplinary or appropriate action at the discretion of the Board. No order shall be entered by the Board pursuant to this paragraph without any required notice and opportunity for a hearing before the Board as provided by Chapter 536, RSMo.

- G. Unless otherwise specified by the Board, all reports, documentation, notices, or other materials required to be submitted to the Board shall be forwarded to: Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1062, Jefferson City, Missouri 65102.
- H. Any failure by Applicant to comply with any condition of discipline set forth herein constitutes a violation of this Order.

13. This Order does not bind the Board or restrict the remedies available to it concerning any violation by Applicant of the terms and conditions of this Order, Chapter 328, RSMo, or the regulations promulgated thereunder.

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

SO ORDERED, EFFECTIVE THIS 24<sup>TH</sup> DAY OF June 2019.

MISSOURI STATE BOARD OF COSMETOLOGY  
AND BARBER EXAMINERS

  
Brittany Tomblinson, Executive Director



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