The attached are Primary Source Documents of the Idaho Board of Nursing for:

MIKE PADULA
PN-10536
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of: )
Michael John Padula, )
License No. PN-10536, )
Respondent. )

Case No. BON-98-076

STIPULATION AND CONSENT ORDER

COME NOW the Idaho State Board of Nursing (hereinafter “Board”) and Michael John Padula (hereinafter “Respondent”) and enter into this Stipulation and Consent Order in lieu of a formal administrative hearing pursuant to Idaho Code § 54-1413.

A.

For purposes of the entry of this Stipulation and Consent Order, the Board hereby adopts the following facts:

1. Respondent is licensed by the Idaho State Board of Nursing under License No. PN-10536 to engage in the practice of practical nursing. The Idaho State Board of Nursing (hereinafter the “Board”) is empowered by Idaho Code § 54-1404 to regulate the practice of nursing in the State of Idaho.

2. On December 20, 1994, Respondent made application to the State of Idaho Board of Nursing to practice nursing in the State of Idaho. On his application, Respondent answered “no” to question number 14: “Have you been convicted of or had a stayed conviction of a criminal offense other than minor traffic violations, such as speeding?” A true and correct copy of Respondent’s Application for Licensure is attached hereto as Exhibit 1. Respondent pled guilty and was convicted of driving while under the influence and having an invalid driver’s license on July 19, 1989, in Kootenai County Case No. M59011. True and correct copies of the judgments of conviction are attached hereto as Exhibits 2 and 3. Respondent pled guilty and was convicted of driving while under the influence on August 12, 1991, in Shoshone County Case No. 20874. A true and correct
copy of the judgment of conviction is attached hereto as Exhibit 4. Respondent’s fraudulent answer on his application to practice nursing in the State of Idaho constitutes a violation of Idaho Code § 54-1413(1)(a) and IDAPA 23.01.01.100.01.a and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

3. On February 8, 1995, Respondent pled guilty to and was convicted of petit theft in Kootenai County Case No. CR-94-05898. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 5. Respondent’s conviction in Kootenai County Case No. CR-94-05898 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

4. On August 25, 1995, Respondent pled guilty to and was convicted of having an invalid driver’s license in Shoshone County Case No. 24361. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 6. Respondent’s conviction in Shoshone County Case No. 24361 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

5. On January 24, 1996, Respondent pled guilty to and was convicted of driving under the influence and driving without privileges in Kootenai County Case No. CR-95-05056. True and correct copies of the judgments of conviction are attached hereto as Exhibits 7 and 8. Respondent’s conviction in Kootenai County Case No. CR-95-05056 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

6. On March 23, 1998, Respondent pled guilty to and was convicted of (1) failure to purchase/invalid driver’s license in Canyon County Case No. CR-98-00459, (2) driving without privileges in Canyon County Case No. CR-98-00506, and (3) theft of
labor/services in Canyon County Case No. CR-98-00693. True and correct copies of the
judgments of conviction are attached hereto as Exhibits 9, 10 and 11. Respondent’s
constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA
23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s
license to practice nursing in the State of Idaho.

7. On June 11, 1998, Respondent pled guilty to and was convicted of driving
without privileges, second offense, in Canyon County Case No. CR-98-02698, and pled
guilty to and received a withheld judgment for possession of controlled substance in
Canyon County Case No. CR-98-02698. True and correct copies of the judgments of
conviction are attached hereto as Exhibits 12 and 13. Respondent’s conviction and plea
of guilt and receipt of a withheld judgment in Canyon County Case No. CR-98-02698
constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA
23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s
license to practice nursing in the State of Idaho.

B.

I, Michael John Padula, by affixing my signature hereto, acknowledge that:

1. I have read and admit the allegations pending before the Board, as stated
above in section A. I admit the Board has jurisdiction to proceed with this stipulation
pursuant to Idaho Code § 54-1413, and that the above-stated facts constitute a violation of
the Nursing Practicing Act.

2. I understand that I have the right to a full and complete hearing; the right to
confront and cross-examine witnesses; the right to present evidence or to call witnesses,
or to so testify myself; the right to reconsideration; the right to appeal; and all rights
accorded by the Administrative Procedure Act of the State of Idaho and the laws and
rules governing the practice of nursing in the State of Idaho. I hereby freely and
voluntarily waive these rights, including the right to judicial review of this Stipulation and
Consent Order, in order to enter into this stipulation as a resolution of the pending allegations.

C.

Based upon the foregoing Stipulation and Consent Order, Respondent agrees that the Board may issue a decision and order upon this stipulation whereby:

1. Respondent’s License No. PN-10536 is hereby revoked.
2. Any request for reinstatement of Respondent’s license must be accompanied by the following:
   a. A mental health evaluation from a qualified and licensed mental health care provider, and proof of satisfactory completion of all recommendations for counseling and/or group therapy proposed by the qualified and licensed mental health care provider chosen by Respondent. In particular, any counseling and/or group therapy must address any and all issues relating to Respondent’s multiple arrests. Any costs associated with receiving mental health treatment will be the responsibility of Respondent;
   b. An evaluation upon completion of all recommended counseling and/or group therapy from a qualified and licensed mental health care provider chosen by Respondent regarding Respondent’s future prognosis and recovery;
   c. Demonstrate that Respondent is capable of resuming work as a licensed practical nurse;
   d. Proof of compliance with all laws and rules applicable to the regulation of the practice of nursing;
   e. Respondent will pay a fine for recovery of investigative and legal costs to the Board of Two Hundred Fifty and No/100 Dollars ($250.00) before he may be fully reinstated.
3. After Respondent has completed all steps described above in Paragraph 2 above, the Board, in its discretion, may either reinstate Respondent’s license, deny Respondent’s request for reinstatement, or issue Respondent a conditional limited license.

4. One (1) year after revocation of Respondent’s license, Respondent may apply for reinstatement. The Board shall evaluate any request for reinstatement by Respondent according to the guidelines in IDAPA 23.01.01.121.

D.

1. It is hereby agreed between the parties that this Stipulation shall be presented to the Board with a recommendation for approval from the Deputy Attorney General representing the Board Staff at the next regularly scheduled meeting of the Board.

2. Respondent understands that the Board is free to accept, modify subject to Respondent’s approval, or reject this Stipulation and Consent Order. Respondent hereby agrees to waive any right Respondent may have to challenge the impartiality of the Board to hear the disciplinary complaint previously filed in this matter if, after review by the Board, this Stipulation and Consent Order is rejected.

3. If the Board does not accept this Stipulation and Consent Order or a lesser remedy than specified in this Stipulation and Consent Order, it shall be regarded as null and void. Admissions by Respondent in this Stipulation and Consent Order will not be regarded as evidence against Respondent at the subsequent disciplinary hearing or used for any other purpose.

4. The Stipulation and Consent Order shall not become effective until it has been approved by a majority of the board and endorsed by a representative member of the Board.

5. This Stipulation and Consent Order shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiation of a contested case hearing or by other appropriate means on the basis of any act, omission,
conduct, or admission of Respondent justifying disciplinary action which occurs after the
date of this Stipulation and Consent Order and which is not directly related to the specific
facts and circumstances set forth herein.

6. The Board shall have the right to make full disclosure of this Stipulation
and Consent Order and the underlying facts relating hereto to any state, agency, or
individual in compliance with applicable State and Federal law, and Board policy and/or
procedures.

7. Any failure on the part of Respondent to timely and completely comply
with any term or condition herein shall be deemed a default and will warrant further
Board action. The Board therefore retains jurisdiction over this proceeding until all
matters are finally resolved as set forth in this Stipulation and Consent Order.

8. Any default of this Stipulation shall be considered a violation of Idaho Code
§ 54-1413. If Respondent violates or fails to comply with this Stipulation and Consent
Order, the Board may impose additional discipline pursuant to the following procedure:

a. The Board’s Executive Director shall schedule a hearing before the
Board and issue a complaint. Respondent must submit a written response to the
allegations within twenty-one (21) days of service of the complaint and notice of hearing.
Failure to submit a timely and written response to the Board will result in the admission
of the allegations contained in the complaint.

b. At the hearing before the Board upon default, the Board and
Respondent may submit affidavits made on personal knowledge and argument based
upon the record in support of their positions. Unless otherwise ordered by the Board, the
evidentiary record before the Board shall be limited to such affidavits and this Stipulation
and Consent Order. Respondent waives a hearing before the Board on the facts and
substantive matters related to the violations described in Section A.
c. At the hearing, the Board will determine whether to impose additional disciplinary action, which may include conditions or limitations upon Respondent’s practice or suspension or revocation of Respondent’s license.

9. Respondent hereby acknowledges that he has read, understands, and agrees to this Stipulation and Consent Order and has freely and voluntarily signed this Stipulation and Consent Order. Respondent acknowledges that he has had the opportunity to discuss this Stipulation and Consent Order with legal counsel. Upon signing this Stipulation and Consent Order, Respondent acknowledges that he is fully aware that the Board may either approve this Stipulation and Consent Order as proposed, approve it subject to specified changes, or reject it. If the Board approves this Stipulation and Consent Order subject to changes and the changes are acceptable to Respondent, the Stipulation will take effect and the order as modified will be issued. If the changes are unacceptable to Respondent or the Board rejects this Stipulation and Consent Order, it will be of no effect.

10. This Stipulation contains the entire agreement between the parties, and Respondent is not relying on any other agreement or representation of any kind, verbal or otherwise.

I hereby agree to the above Stipulation and Consent Order.

DATED this 22nd day of February, 1999.

Michael John Padula, Respondent
I concur in this Stipulation and Consent Order.

DATED this 4th day of February, 1999.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By [Signature]
Kirsten L. Wallace
Deputy Attorney General

ORDER

Pursuant to Idaho Code § 54-1413, the foregoing Stipulation is adopted as the decision of the Board of Nursing in this matter and shall be effective on the 31st day of March, 1999. IT IS SO ORDERED.

IDAHO STATE BOARD OF NURSING

By [Signature]
Charles Moseley, CRNA
Chairman
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31 day of March, 1999, I caused to be served a true and correct copy of the foregoing Stipulation and Consent Order by placing a copy thereof in the United States Mail, postage prepaid, addressed to:

Michael John Padula
P.O. Box 477
Smelterville, ID 83868

[Signature]
Kirsten L. Wallace
Deputy Attorney General
<table>
<thead>
<tr>
<th>LEVEL OF EDUCATION</th>
<th>DESCRIPTION OR LOCATION OF EDUCATIONAL INSTITUTION</th>
<th>DATES ATTENDED TO CREDENTIAL</th>
<th>TYPE OF CREDENTIAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelor of Nursing</td>
<td>University of Florida</td>
<td>1-93, 2-93</td>
<td>RN</td>
</tr>
<tr>
<td>Associate Degree</td>
<td>Tallahassee College</td>
<td>5-93, 6-93</td>
<td>Nursing Assistant</td>
</tr>
</tbody>
</table>

Name: Patrice Miller

Address: 427 Main Street, Tallahassee, FL 32301

Social Security Number: 567-89-0123

Birth Date: 9-22-68

Telephone Number: 850-555-1212

Full Name: Patrice Miller

Full Address: 427 Main Street, Tallahassee, FL 32301

License No.: 1234567

Issue Date: 1-93

Exhibit 1 of 2
10. Have you ever had formal action taken against a license in another state (i.e., denied, revoked, suspended, placed on probation, etc.)? Is any action pending?  

YES ( ) NO (✓)

11. Do you currently have: uncorrected vision or hearing problems that would impair your nursing practice; a condition that could cause loss of consciousness or that impairs or limits your ability to perform manual skills or the full range of nursing procedures?  

YES ( ) NO (✓)

12. Are you currently receiving treatment for or taking medication for a mental health condition (such as severe PTSD or depression, acute anxiety, schizophrenia, etc.), that would impair your ability to cope with a stressful situation or to reason and make sound judgments?  

YES ( ) NO (✓)

13. Do you currently have: a problem related to habitual use of alcohol or drugs; are you currently engaged in the illegal use of drugs; or are you receiving treatment for chemical addiction?  

YES ( ) NO (✓)

14. Have you been convicted of or had a stayed conviction of a criminal offense other than minor traffic violations, such as speeding?  

YES ( ) NO (✓)

IF THE ANSWER TO ANY OF THE ABOVE QUESTIONS IS "YES," PLEASE EXPLAIN DATES AND CIRCUMSTANCES ON A SEPARATE SHEET. ADDITIONAL INFORMATION MAY BE REQUIRED FOLLOWING INITIAL REVIEW OF YOUR APPLICATION. APPLICANTS ANSWERING "YES" TO THIS QUESTION MAY BE REQUIRED TO FURNISH FINGERPRINTS.

15. Where do you expect to be employed? (If agency not known, indicate anticipated city.)  

Northern Idaho or Eastern Washington

AFFIDAVIT

State of Idaho

County of Benvenue

I, [Applicant's Name], being duly sworn, declare that I have no mental or physical disabilities that would preclude me from giving safe nursing care at all times; that I am the person referred to in the foregoing application; that the information supplied therein is true to the best of my knowledge; and that I have read and understand this affidavit.

Signature of Applicant

On this 25th day of December, 1995, in the year of 1995, before me, [Notary Public's Name], a notary public, personally appeared [Applicant's Name], known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

WITNESS my hand and official seal.

Notary Public

My Commission expires

Exhibit 1

Page 2 of 2
KOOTENAI COUNTY
STATE OF IDAHO vs. MICHAEL JOHN PADAULA

Ticket # 56675 Agency CDA D.O.B. 1/4/49 S.S. # PADULMF514bd
Bond Type Amount $__000.00__ Posted By A.C.#
Charge driving while under the influence, Amended To __ IC.18-8004 __

The defendant, having been advised of his right to counsel, and [ ] Def. represented by counsel [ ] Def. waived right to counsel
[ ] Judgment on Plea of Guilty
[ ] Judgment--Not Guilty
[ ] Withheld Judgment
[ ] Dismissed
[ ] Judgment on Trial--Guilty
[ ] Bond Forfeited/Case Closed
[ ] Bond Exonerated

MONIES ORDERED PAID:
[ ] Fine  $1,000.00  Costs $ 42.50  Suspended $ 250.00
[ ] To be paid by 7/19/90  Pay $ 100.00  per month, to begin 8/19/89
[ ] Community Service  hrs. by __  Fee $ __
[ ] Reimburse  by __/$__ per month
[ ] Restitution  by __/$__ per month

INCARCERATION ORDERED:
[ ] Jail  90 days, Suspended 85 days, Credit 5 days
[ ] Report to Jail
[ ] Work Release
[ ] In-Home Monitoring

PROBATION ORDERED/CONDITIONS: 2 years unsupervised probation
[ ] Driving Privileges Suspended 120 days Commencing 7/19/89
[ ] Reinstatement of Driving Privileges must be accomplished before you can drive--apply to Drivers' Services, P.O. Box 7129, Boise, ID 83707-1129.
[ ] Temporary Driving Privileges Granted
[ ] Commit no crime.
[ ] Commit no drug or alcohol related offenses, Driving Without Privileges, Driving While Suspended, Driving Without Insurance, Reckless, Negligent or Inattentive Driving.
[ ] Enroll in substance abuse program within 7 days at Silver Valley Rehab Center
[ ] Complete substance abuse program ______, submit written verification to the court
[ ] Notify the court, in writing, of any change of address.
[ ] Other Temporary restricted privileges granted for Alcohol Outpatient Care only.

Suspended penalties are subject to compliance with the above terms.
THE DEFENDANT HAS THE RIGHT TO APPEAL THIS JUDGMENT WITHIN 42 DAYS

J. B. Kilmer
Judge # 303
7/19/89

[ ] Jail, CIB, KCSO [ ] Dr. Serv. [ ] Sup. Ct. [ ] Aud. [ ] Bonding Co. [ ] Other
DATE 7/27/47 DEPUTY CLERK
KOOTENAI COUNTY
STATE OF IDAHO vs. MICAHEL JOHN PADULA

Ticket # 67101  Agency  CDA  D.O.B. 1/4/49  S.S.#  PADULMF514BD
Bond Type  Amount $  Posted By  A.C.#
Charge  driving while suspended, I.C.18-8001  Amended To invalid license, I.C.49-301

The defendant, having been advised of his right to counsel, and
[xx] Def. represented by counsel  [ ] Def. waived right to counsel
[ ] Judgment--Not Guilty  [ ] Bond Forfeited/Case Closed
[ ] Withheld Judgment Terminates  [ ] Accepted

MONIES ORDERED PAID:
[xx] Fine $ 2.50  Costs $ 27.50  Suspended $
[ ] To be paid by  Pay $ per month, to begin
[ ] Community Service  hrs. by  Fee $
[ ] Reimburse  by /$ per month
[ ] Restitution  by /$ per month
[ ] Bond Exonerated

INCARCERATION ORDERED:
[ ] Jail days, Suspended days, Credit days
[ ] Report to Jail Release
[ ] Work Release
[ ] In-Home Monitoring

PROBATION ORDERED/CONDITIONS:
[ ] Driving Privileges Suspended Commencing
[ ] Reinstatement of Driving Privileges must be accomplished before you can drive--apply to Drivers' Services, P.O. Box 7120, Boise, ID 83707-1129.
[ ] Temporary Driving Privileges Granted Upon Application.
[ ] Commit no crime.
[ ] Commit no drug or alcohol related offenses, Driving Without Privileges, Driving While Suspended, Driving Without Insurance, Reckless or Inattentive Driving.
[ ] Enroll in substance abuse program
[ ] Complete substance abuse program , submit written verification to the court
[ ] Notify the court, in writing, of any change of address.
[ ] Other

[ ] Suspended penalties are subject to compliance with the above terms.

THE DEFENDANT HAS THE RIGHT TO APPEAL THIS JUDGMENT WITHIN 42 DAYS

Date 7/19/89 Judge # 303

Copies To:
Def.  Def. Atty. J. WAnne Pros. CDA Exhibit
[ ] Jail, CIB, KCSO Dr. Serv. [ ] Sup. Ct. [ ] Aud. [ ] Bonding Co. DATE 7-26-89 DEPUTY CLERK

[Exhibits]
SHOSHONE COUNTY JUDGMENT

STATE OF IDAHO VS. MICHAEL JOHN PADULA

Tape # 1258  
Bond Type:  
Amount $  
A.C.F. Charge DUI, 2nd off. 18-8004
Amended To DUI, 1st off. 18-8004

The defendant, having been advised of his right to counsel, and:

[ ] Def represented by counsel  [ ] Def waived right to counsel

[ ] Judgment on Plea of Guilty  [ ] Judgment--Not Guilty
[ ] Judgment on Trial--Guilty
[ ] Withheld Judgment  
[ ] Dismissed  

MONIES ORDERED PAID:

[ ] Fine $500.00  
[ ] Interlock Ignition & Electronic Monitoring Device Fund $15.00
[ ] To be paid by 2-12-93  
[ ] Community Service Fee $  
[ ] Community Service in lieu of fine hrs. by
[ ] Reimburse by
[ ] Restitution by
[ ] Bond Forfeiture Exonerated

INCARCERATION ORDERED:

[ ] Jail 60 days  
[ ] Report to Jail Aug. 12, 1991 at 4:00 P.M. released at 10:00 p.m. 8-13-91
[ ] Work Release
[ ] In-Home Monitoring

PROBATION ORDERED / CONDITIONS:

[ ] Driving Privileges Suspended 120 days  Commencing Aug. 12, 1991
[ ] Driving Privileges Granted 120 days  Commencing Aug. 12, 1991
[ ] Probation for Two Years
[ ] Commit no crime.
[ ] Commit no drug or alcohol related offenses, Driving Without Privileges, Driving While Suspended, Driving Without Insurance, 
[ ] Reckless, Negligent or Inattentive Driving.
[ ] Complete substance abuse program or any program that is necessary.
[ ] Notify the court, in writing, of any change of address.

THE DEFENDANT HAS THE RIGHT TO APPEAL THIS JUDGMENT

Deputy Clerk  Magistrate
Date Aug. 12, 1991  

Exhibit 4 Page 1 of 1
**First District Court, State of Idaho, County of Kootenai**

324 W. Garden Avenue, P.O. Box 9000, Coeur d'Alene, Idaho

**State of Idaho vs. Michael John Padula**

Box 477

Smuterville, ID 83868

SSN #

DOB: 01/04/1949

Agency: Coeur d'Alene PD

Case #: CR-94-0598

Citation #: 0101320-00 Bond

Charge: 18-2403(1) [M]

AMENDED

The defendant has been fully advised of his/her statutory and constitutional rights including the right to be represented by counsel. □ see attached, and

- [ ] Been advised of right to court appointed counsel if indigent
- [ ] Defendant waived right to counsel
- [ ] Defendant represented by counsel
- [ ] Judgment, Plea of Guilty / Rights Waived
- [ ] Withheld Judgment □ Accepted
- [ ] Dismissed

**Money Ordered/Paid:**

- A $200 handling fee will be imposed on each installment.
- $48.00 fine/penalty
- $51.00 costs
- $ Suspended

- To be paid by: 8-31-95
- Pay $ per month, to begin

□ Community Service
□ Reimburse
□ Restitution
□ Bond Exonerated

**Incarceration Ordered:**

- 30 days, Suspended 28 days, Credit 2 days
- Report to Jail. Contact Director of S.C.L.P. in 7 days. Comply with rules or warrant shall issue (60 days)
- Release
- Work Release Authorized
- In-Home Monitoring
- Sheriff's Community Labor Program
- In lieu of Jail
- 32 days

**Driving Privileges Suspended:**

- Days commencing __________
- Reinstatement of Driving Privileges must be accomplished before you can drive. Apply to Driver's Services, P.O. Box 7129, Boise, ID. 83707-1129.

- Temporary Driving Privileges granted commencing __________
- To, from, and for work purposes / required medical care / court ordered alcohol program / community service. Must carry proof of work schedule and liability insurance at all times. Not valid if insurance expires.

**Probation Ordered for:**

- One (1) year(s) on the following conditions:
- [ ] No violation of any federal, state, or local laws, except traffic infractions.
- [ ] Maintain liability insurance on any vehicle that you drive.
- [ ] Do not operate a motor vehicle with any alcohol in your bloodstream.
- [ ] You must submit to any blood alcohol concentration test requested of you, with reasonable cause, by a peace officer.
- [ ] Enroll in a substance abuse program
- [ ] File written proof of enrollment and completion

- Notify the court, in writing, of any change of address within ten (10) days of the change.
- Interlock ignition device required on vehicle for _______ year(s) to be installed by __________.
- (See addendum for details)
- Other:

**The suspended penalties are subject to your compliance with all terms herein.**

**The defendant has the right to appeal this judgment within 42 days.**

□ Def. □ Def. Atty. □ Pros. □ Other

- [ ] Jail □ Dr. Serv. □ Sup. Ct. □ Auditor □ Com. Serv. Date: 2/18/95

**Exhibit 5**

**Date 8-8-95**

**Judge # 209**

**Deputy Clerk 2/18/95**
SHOSHONE COUNTY JUDGMENT

STATE OF IDAHO vs. MICHAEL J. PADULA

Tape #: 1798  Date: 8-25-95  Ticket #: 445214
Charge: DWS 18-8001
Amended To: Invalid license 49-301

The defendant, having been advised of his right to counsel, and
Defendant was present and plead guilty to the charge
(XX) Def represented by counsel  ( ) Def waived right to counsel
(XX) Judgment on Plea of Guilty  ( ) Judgment—Not Guilty
( ) Judgment on Trial—Guilty
( ) Michheld Judgment ________________ Terminates
( ) Dismissed

MONEYS ORDERED PAID:
(XX) Fine $ 248.50  Costs $ 51.50  Suspended $  
(XX) To be paid by Pay $ 30.00 per month to begin
( ) Community service in lieu of fine hours 9-25-95
( ) Community service Fee $  
( ) Reimburse by $ per month
( ) Restitution by $ per month

INCARCERATION ORDERED:
(XX) Jail 30 days Suspended 28 days Credit
(XX) Report to Jail on August 25, 1995 at 1:00 P.M. to serve 2 days
( ) Work-release
( ) In-Hona monitoring

PROBATION ORDERED/CONDITIONS:
(XX) Driving Privileges Suspended  Commencing
(XX) Driving Privileges Granted  Commencing
(XX) Probation for one year

(XX) Commit no crime.
(XX) Commit no drug or alcohol related offenses, Driving without Privileges, Driving while suspended, Driving without insurance, Reckless, Negligent or Inattentive Driving.
( ) Complete substance abuse program
( ) Notify the court, in writing, of any change in address.
( ) Other

THE DEFENDANT HAS THE RIGHT TO APPEAL THIS JUDGMENT

Deputy Clerk  Magistrate
Date: August 25, 1995
STATE OF IDAHO VS.
MICHAEL JOHN PADULA
BOX 477
SMELTERVILLE, ID 83868
SSN #
DOB: 01/04/1949
CASE # CR-95-05056
CHARGE 18-8004 [1]
AMENDED

The defendant having been fully advised of his/her statutory and constitutional rights including the right to be represented by counsel, ☐ see attached, and ☑ Been advised of right to court appointed counsel if indigent

☒ Defendant waived right to counsel
☒ Defendant represented by counsel
☒ Judgment, Plea of Guilty / Rights Waived
☐ Withheld Judgment ☐ Accepted
☐ Dismissed

MONIES ORDERED PAID:

☒ Fine / Penalty $ 500
☒ Costs $ 00.50 Suspended $ 300
☐ To be paid by
☐ Community Service
☐ Reimburse
☐ Restitution
☐ Bond Exonerated

Incarceration Ordered:

☑ Jail 90 days, Suspended 80 days, Credit 10 days
☒ Report to Jail 2-16-96 6:00 PM
☒ Work Release Authorized ☐ In-Home Monitoring
☒ Sheriff’s Community Labor Program in lieu of Jail 80 hours

DRIVING PRIVILEGES SUSPENDED 120 days commencing 7-16-95

Drinking alcohol by the defendant, must be accomplished before you can drive. Apply to DRIVER’S SERVICES, P.O. Box 7129, Boise, ID 83707-1129.

☐ Temporary Driving Privileges Granted commencing

To, from and for work purposes / required medical care / court ordered alcohol program / community service. Must carry proof of work schedule and liability insurance at all times. Not valid if insurance expires.

Probation Ordered for TWO YEARS ON THE FOLLOWING CONDITIONS:

☒ Violate no federal, state, or local laws, except traffic infractions.
☒ Maintain liability insurance on any vehicle that you drive.
☒ Do not operate a motor vehicle with any alcohol in your bloodstream.
☒ You must submit to any blood alcohol concentration test requested of you, with reasonable cause, by a peace officer.
☒ Enroll in a substance abuse program
☐ File written proof of enrollment and completion
☒ Notify the court, in writing, of any change of address within ten (10) days of the change.
☒ Interlock Ignition Device required on vehicle for ☐ year(s) to be installed by ______________________

Other:

30 days evaluation with an alcohol agency comply

The suspended penalties are subject to your compliance with all terms herein

The defendant has the right to appeal this judgment within 42 days

Date 1-24-96 Judge # 220

[Signature]

Paul D. McClellan

Copies To:
Def. ☐ Def. Atty. ☐ Pros. ☐ Other ☐ Exhibit 1
☐ Mail ☐ Or. Serv. ☐ Sup. Ct. ☐ Auditor ☐ Com. Serv. Date Deputy Clerk

[Signature]
1-21-96 2K
STATE OF IDAHO VS. MICHAEL JOHN PAULA
BOX 477 SHELTERVILLE, ID 83868
SSN # DOB: 01/04/1949 AGENCY: IDAHO STATE POLICE
CASE # CR-95 05056 CITATION # 0447816-00 BOND DRIVING WITHOUT PRIVILEGES
CHARGE 16-8001 [M] AMENDED

The defendant having been fully advised of his/her statutory and constitutional rights including the right to be represented by counsel, ☑ see attached, and
☒ Been advised of right to court appointed counsel if indigent
☒ Defendant waived right to counsel ☑ Judgment - Not Guilty
☒ Defendant represented by counsel ☑ Judgment on Trial - Guilty
☒ Judgment, Plea of Guilty / Rights Waived ☑ Bond Forfeited / Case Closed
☒ Withheld Judgment ☑ Accepted ☑ Judgment for Defendant / Infraction
☒ Dismissed ☑ Judgment for State / Infraction

MONIES ORDERED PAID: ☑ A $2.00 handling fee will be imposed on each installment
☒ Fine / Penalty $ 300 Costs$ Confined Suspended $ 200
☒ To be paid by Pay $ 500 per month, to begin 3-1-96
☒ Community Service hours by
☒ Reimburse
☒ Restitution
☒ Bond Exonerated

INCARCERATION ORDERED:
☒ Jail 30 days, Suspended 30 days, Credit ________ days
☐ Report to Jail Release
☐ Work Release Authorized ☐ In-Home Monitoring
☐ Sheriff's Community Labor Program in lieu of Jail ________ hours by

DRIVING PRIVILEGES SUSPENDED 180 days commencing 7-10-95

REINSTATEMENT OF DRIVING PRIVILEGES MUST BE ACCOMPLISHED before you can drive. Apply to DRIVER'S SERVICES, P.O. Box 7129, Boise, ID 83707-1129.

☒ Temporary Driving Privileges Granted commencing ____________________
To, from and for work purposes / required medical care / court ordered alcohol program / community service. Must carry proof of work schedule and liability insurance at all times. Not valid if insurance expires.

PROBATION ORDERED FOR ____ YEAR(S) ON THE FOLLOWING CONDITIONS:
☒ Violate no federal, state, or local laws, except traffic infractions.
☒ Maintain liability insurance on any vehicle that you drive.
☒ Do not operate a motor vehicle with any alcohol in your bloodstream.
☒ You must submit to any blood alcohol concentration test requested of you, with reasonable cause, by a peace officer.
☒ Enroll in a substance abuse program
☒ File written proof of enrollment and completion
☒ Notify the court, in writing, of any change of address within ten (10) days of the change.
☒ Interlock ignition device required on vehicle for ________ year(s) to be installed by ________ (See addendum for details)
☒ Other ________

THE SUSPENDED PENALTIES ARE SUBJECT TO YOUR COMPLIANCE WITH ALL TERMS HEREIN

THE DEFENDANT HAS THE RIGHT TO APPEAL THIS JUDGMENT WITHIN 42 DAYS

Date 1-24-96 Judge # 220

Copies To: Def. Ic Def. Atty. Ic Pros. Ic Other Exhibit K
☒ Jail ☒ Dr. Serv. ☐ Sup. Ct. ☐ Auditor ☐ Com. Serv. Date Deputy Clerk

I-31-96
The Defendant, having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel,  
pleaded guilty. □ was found guilty. □ was found not guilty.  
□ State moved to dismiss this charge. □ Charge is dismissed.  
□ Conviction is entered. □ Judgment is withheld.

JUDGMENT:
□ The bond is □ exonerated. □ forfeited and case closed. □ to be applied to the fine and costs.

PAYMENTS: Defendant shall pay immediately, or as provided in payment agreement, as follows:
$                which includes fine and court costs, $                suspended to be paid
by               Pay $                per $                to begin
Make payments payable to Canyon County Clerk, include case number, and send to Restitution Office, 1115 Albany Street, Caldwell, ID 83601. Telephone: 454-7494. All installment payments are subject to a $2.00 handling fee.

JAIL: Defendant shall serve 60 days in jail with 60 days suspended and credit for        days served.

DRIVING PRIVILEGES suspended for        days/months beginning on
the date of this Judgment. □ Reinstatement of driving privileges must be accomplished before you can drive. Apply to: Driver’s Services, P. O. Box 7129, Boise, ID 83707-1129.

PROBATION: The Defendant shall be placed on □ supervised □ unsupervised probation for 24 months.


JUDGMENT

Dated: 3/29/98 Signed: Judge Judge No 397

Page 1 of 1 6/87
STATE OF IDAHO VS.  
MICHAEL J. PADULA 
505 HANIBAL I-84 MOTOR INN #3 
Caldwell, ID 83605 

SUBJECT: 0096006 
STATE: ID 

CASE #: CR-98-00506-C 
AGENCY: Caldwell Police Department 
CITATION #: 0055399-01 Bond 
CHARGE: 18-8001 (M-15) 
DRIVING WITHOUT PRIVILEGES (STEAL OFFENSE) 

The Defendant, having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel, 
☑ pleaded guilty. ☐ was found guilty. ☐ was found not guilty. 
☐ State moved to dismiss this charge. ☐ Charge is dismissed. 
☒ Conviction is entered. ☐ Judgment is withheld.

JUDGMENT:
☐ The bond is ☐ exonerated. ☐ forfeited and case closed. ☐ to be applied to the fine and costs.

PAYMENTS: Defendant shall pay immediately, or as provided in payment agreement, as follows: 
☐ which includes fine and court costs. $ suspended. to be paid
☐ by $/month.
☐ Reimburse for atty of P.D. $ per month.
☐ $ restitution to

Make payments payable to Canyon County Clerk, include case number, and send to Restitution Office, 1115 Albany Street, Caldwell, ID 83605. Telephone: 464-7494. All installment payments are subject to a $2.00 handling fee.

JAIL:
☐ Defendant shall serve 90 days in jail with 80 days suspended and credit for 10 days served. 
☐ Work release granted in Shoshone County and Defendant shall report to jail immediately to make arrangements. 
☐ Sheriff's Work Detail: days in lieu of days of jail. If the Defendant fails to report to the jail as ordered or at a time agreed upon with the jail, or fails to satisfactorily perform the Defendant's obligations with the Sheriff Inmate Labor Detail, then the Sheriff is ordered and directed to place the Defendant in custody to serve the Defendant's jail time that has not been suspended. 
This jail sentence is ☐ concurrent ☐ consecutive with any jail sentence previously ordered.

DRIVING PRIVILEGES: ☐ suspended for ___ days/months beginning on ___.
☐ the date of this Judgment. ☐ reinstatement of driving privileges must be accomplished before you can drive. Apply to: Driver's Services, P.O. Box 7129, Boise, ID 83307-7129.
☐ D.W.I.: License suspended for ___ days following the end of any period of suspension, disqualification, or revocation existing at time of this offense.

PROBATION: The Defendant shall be placed on ☐ supervised ☐ unsupervised probation for ___ months.
☐ during the period of probation, the Defendant shall:
☐ if on supervised probation, report to the Misdemeanor Probation Dept. within five days of this order and comply with all rules and reporting requirements.
☐ not refuse evidentiary test for alcohol or drugs requested by a peace officer.
☐ keep Court informed of residence at all times.
☐ not commit a felony or a misdemeanor.
☐ pay fine and fees and serve jail sentence as ordered above.
☐ not operate any motor vehicle upon a public roadway unless validly licensed and insured.
☐ not operate any motor vehicle after consuming any quantity of alcohol.
☐ perform ___ hours of community service for___ and pay all community service fees.
☐ within ___ days enroll in, and then promptly complete.

☐ Suspended penalties are subject to compliance with the above terms. Payment schedule and/or terms and conditions of probation accepted.

Dated: 3/23/98
Signed: 
Judge: Judge No. 366

☐ Bail ☐ Pre-Trial Release ☐ Community Service ☐ Com. Ser. ☐ Counseling

JUDGMENT

Exhibit ID

Page 1 of 1

6/97
The Defendant, having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel, pleaded guilty. ☐ was found guilty. ☐ was found not guilty. ☐ State moved to dismiss this charge. ☐ Charge is dismissed. ☑ Conviction is entered. ☐ Judgment is withheld.

JUDGMENT:
☐ The bond is ☐ exonerated. ☐ forfeited and case closed. ☐ to be applied to the fine and costs.

PAYMENTS: Defendant shall pay immediately, or as provided in payment agreement, as follows:

☐ $3,000.00, which includes fine and court costs, to be paid in (3) equal installments of $1,000.00 per month, payable to the County Clerk of the District Court.

☐ $1,000.00, which includes fine and court costs, to be paid in (2) equal installments of $500.00 per month, payable to the County Clerk of the District Court.

☐ Reimbursement for loss of $999.00, payable to the Victim of the Crime, within 60 days of sentencing.

☐ $999.00, payable to the Victim of the Crime, within 60 days of sentencing.

☐ $24,999.00, payable to the Victim of the Crime, within 60 days of sentencing.

Make payments payable to Canyon County Clerk. Include case number, and send to Restitution Office, 1115 Albany Street, Caldwell, ID 83605. Telephone: 454-7494. All installment payments are subject to a $2.00 handling fee.

JAIL: Defendant shall serve 90 days in jail with 88 days suspended and credit for 2 days served.

Defendant shall report to jail every _______________________. County and Defendant shall report to jail immediately to make arrangements.

☐ Work release granted in                   County and Defendant shall report to jail immediately to make arrangements.

☐ Sheriff's Work Detail:                   days in lieu of               days. If the Defendant fails to report to the jail as ordered or at a time agreed upon with the jail, or fails to satisfactorily perform the Defendant's obligations with the Sheriff Inmate Labor Detail, then the Sheriff is ordered and directed to place the Defendant in custody to serve the Defendant's jail time that has not been suspended. This jail sentence is ☐ concurrent ☐ consecutive with any jail sentence previously ordered.

DRIVING PRIVILEGES suspended for ______ days/months beginning on
☐ the date of this Judgment. ☐

Reinstatement of driving privileges must be accomplished before you can drive. Apply to: Driver's Services, P. O. Box 7129, Boise, ID 83707-1129.

☐ D.W.P.—License suspended for ________ days following the end of any period of suspension, disqualification, or revocation existing at time of this offense.

PROBATION: The Defendant shall be placed on ☐ supervised ☐ unsupervised probation for ______ months.

During the period of probation, the Defendant shall:
☐ if on supervised probation, report to the Misdemeanor Probation Dept. in five days of this Order and comply with all rules and reporting requirements.
☐ keep Court informed in writing of Defendant's current mailing address and telephone number.
☐ not use any alcoholic beverages.
☐ not operate any motor vehicle upon a public roadway unless validly licensed and insured.
☐ not operate any motor vehicle after consuming any alcohol.
☐ perform ______ hours of community service for ______ and pay all community service fees.
☐ within ______ days enroll in, and then promptly complete, ______

Suspended penalties are subject to compliance with the above terms. Payment schedule and/or terms and conditions of probation accepted.
THIRD DISTRICT COURT, STATE OF IDAHO  
COUNTY OF CANYON  
JUDGMENT  

STATE OF IDAHO VS.  
Michael Pauriga  

3/2 Belmant  
Smelterville, ID 83868  

D.L. #: Ph306210  
D.O.B.: 01-04-1969  
CASE #: CE-98-02698 C  
CHARGE: 18-8001 (MPC)  

The Defendant, having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel, has pleaded guilty.  

☐ State moved to dismiss this charge.  ☐ Charge is dismissed.  
☐ Conviction is entered.  ☐ Judgment is withheld.  

JUDGMENT:  
☐ The bond is ☐ exonerated.  ☐ forfeited and case closed.  ☐ to be applied to the fine and costs.  

PAYMENTS:  
Defendant shall pay immediately, or as provided in payment agreement, as follows:  

$ 5,285.00, which includes fine and court costs.  

Pay $ by ☐  a $ per ☐ below ☐ to begin ☐ per month.  

☐ Reimburse for atty or P.D.  

☐ $ 365 restitution to  

Make payments payable to Canyon County Clerk, include case number, and send to Restitution Office, 1115 Albany Street, Caldwell, ID 83605. Telephone: 454-7494  

All installment payments are subject to a $2.00 handling fee.  

JAIL:  
Defendant shall serve 365 days in jail with 335 days suspended and credit for 30 days served.  

☐ Work release granted in ☐ County and Defendant shall report to jail immediately to make arrangements.  

☐ Sheriff's Work Detail:  

☐ days in lieu of  

days jail.  

This jail sentence is ☐ concurrent ☐ consecutive with any jail sentence previously ordered.  

DRIVING PRIVILEGES:  

Defendant shall report to jail  

Reinstatement of driving privileges must be accomplished before you can drive.  

Apply to: Driver's Services, P.O. Box 7129, Boise, ID 83707-1129.  

D.W.I. – License suspended for 366 days following the end of any period of suspension, disqualification, or revocation, existing at time of this offense.  

PROBATION:  

Defendant shall be placed on ☐ supervised ☐ unsupervised probation for 24 months.  

During the period of probation, the Defendant shall:  

☐ if on supervised probation, report to the Misdemeanor Probation Dept. within five days of this Order and comply with all rules and reporting requirements.  

☐ not refuse evidentiary test for alcohol or drugs requested by a peace officer.  

☐ keep Court informed in writing of Defendant's current mailing address and telephone number.  

☐ not commit a felony or a misdemeanor.  

☐ pay fine and fees and serve jail sentence as ordered above.  

☐ not operate any motor vehicle upon a public roadway unless validly licensed and insured.  

☐ not operate any motor vehicle after having consumed any quantity of alcohol.  

☐ perform ☐ hours of community service for ☐ to be completed by ☐ and pay all community service fees.  

☐ within ☐ days enroll in, and then promptly complete,  

Suspended penalties are subject to compliance with the above terms.  

Payment schedule and/or terms and conditions of probation accepted.  

Follow recommendations of evaluation through P.O.L.  

Dated: 6-11-98  

Copies to: ☐ Defendant ☐ Defense Attorney ☐ Misd. Prob.  
☐ Jail ☐ Pre-Trial Release ☐ Restitution ☐ Dr. Serv.  

JUDGMENT  

Exhibit: 12  

Page 1 of 1
THIRD DISTRICT COURT, STATE OF IDAHO  
COUNTY OF CANYON

JUDGMENT

STATE OF IDAHO VS.  
Michael Padula  

312 Bolmeut  
Sheltermile, ID 83898

D.O.B.: 01-01-1969  
CASE #: CR-92-2698  
CHARGE: Possession of Controlled Substance with Intent to Deliver  
AMENDED: Possession of Controlled Substance, Marijuana

The Defendant, having been fully advised of his/her statutory and constitutional rights, including the right to be represented by counsel, 
pleaded guilty.  □ was found guilty.  □ was found not guilty.
□ State moved to dismiss this charge.  □ Charge is dismissed.
□ Conviction is entered.  X Judgment is withheld.

JUDGMENT:
□ The bond is  □ exonerated.  □ forfeited and case closed.  □ to be applied to the fine and costs.

PAYMENTS: Defendant shall pay immediately, or as provided in payment agreement, as follows:
$50,000, which includes fine and court costs, $_________ to begin, $_________ per month, suspended to be paid.
Reimburse for any at P.D. $_________ pay $_________ by $_________ per month.
□ $_________ restitution to
Make payments payable to Canyon County Clerk, include case number, and send to Restitution Office, 1115 Albany Street, Caldwell, ID 83605, Telephone: 404-7494. All installment payments are subject to a $2.00 handling fee.

JAIL: Defendant shall serve 365 days in jail with 350 days suspended and credit for 30 days served.
Defendant shall report to jail.
□ Work release granted in County and Defendant shall report to jail immediately to make arrangements.
□ Sheriff's Work Detail: _______ days in lieu of _______ days jail. If the Defendant fails to report to the jail as ordered or at a time agreed upon with the jail, or fails to satisfactorily perform the Defendant's obligations with the Sheriff's Inmate Labor Detail, then the Sheriff is ordered and directed to place the Defendant in custody to serve the Defendant's jail time that has not been suspended.
This jail sentence is □ concurrent.  □ consecutive with any jail sentence previously ordered.

DRIVING PRIVILEGES suspended for _______ days/months beginning on _______.
□ the date of this judgment.
□ Reinstatement of driving privileges must be accomplished before you can drive. Apply to: Driver's Services, P.O. Box 7129, Boise, ID 83707-1129.
□ D.W.P. — License suspended for _______ days following the end of any period of suspension, disqualification, or revocation existing at time of this offense.

PROBATION: The Defendant shall be placed on □ supervised □ unsupervised probation for _______ months.
During the period of probation, the Defendant shall:
□ if on supervised probation, report to the Misdemeanor Probation Dept. within five days of this Order and comply with all rules and reporting requirements.
□ not refuse evidentiary test for alcohol or drugs requested by a peace officer.
□ keep Court informed in writing of Defendant's current mailing address and telephone number.
□ not commit a felony or a misdemeanor.
□ pay fine and fees and serve jail sentence as ordered above.
□ not operate any motor vehicle upon a public roadway unless validly licensed and insured.
□ not operate any motor vehicle after having consumed any quantity of alcohol.
□ perform _______ hours of community service for _______ to be completed by _______ and pay all community service fees.
□ within _______ days enroll in, and then promptly complete,

□ Suspended penalties are subject to compliance with the above terms.
□ Payment schedule and/or terms and conditions of probation accepted.

Follow recommendations through P.I.T. evaluation

Dated: 06/11/98  
Signed:  
Judge  
Judge No. 176

Copies to: □ Defendant  □ Defense Attorney □ Misd. Prob.  
□ Jail  □ Pre-Trial Release  □ Restitution  □ Dr. Serv.  □ Sup. Ct.  □ Cor. Ser.  □ Counseling

Exhibit 13

Page 1 of 1

JUDGMENT

6/97
February 3, 1999

Sandra Evans, M.A.Ed., R.N.
Executive Director
Idaho State Board of Nursing
P.O. Box 83720
Boise, ID 83720-0061

Re: Michael John Padula, BON-98-076

Dear Ms. Evans:

Enclosed for your files please find the original Complaint reference the above individual. A copy has been sent to the respondent, and a copy has been retained for our records. Thank you.

Sincerely,

[Signature]

COLLEEN FUNK
Legal Secretary

/cjfl
Enclosure
BEFORE THE IDAHO STATE BOARD OF NURSING

In the Matter of the License of:

MICHAEL JOHN PADULA,
License No. PN-10536,
Respondent.

Case No. BON-98-076

COMPLAINT

To: Michael John Padula
115 S. Asbury #5
Moscow, ID 83843

STATEMENT OF CHARGES

1.

The Idaho State Board of Nursing (hereafter the “Board”) is empowered by Idaho Code § 54-1404 to regulate the practice of nursing in the State of Idaho.

2.

Michael John Padula (hereinafter “Respondent”), is licensed by the Idaho State Board of Nursing under License No. PN-10536 to engage in the practice of professional nursing.

COUNT ONE

3.

On December 20, 1994, Respondent made application to the State of Idaho Board of Nursing to practice nursing in the State of Idaho. A true and correct copy of Respondent’s Application for Licensure is attached hereto as Exhibit 1.

4.

On his application, Respondent answered “no” to question number 14: “Have you been convicted of or had a stayed conviction of a criminal offense other than minor traffic violations, such as speeding?”
5.

Respondent pled guilty and was convicted of driving while under the influence on July 19, 1989, in Kootenai County Case No. M59011. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 2.

6.

Respondent pled guilty and was convicted of having an invalid driver’s license on July 19, 1989, in Kootenai County Case No. M59011. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 3.

7.

Respondent pled guilty and was convicted of driving while under the influence on August 12, 1991, in Shoshone County Case No. 20874. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 4.

8.

Respondent’s fraudulent answer on his application to practice nursing in the State of Idaho constitutes a violation of Idaho Code § 54-1413(1)(a) and IDAPA 23.01.01.100.01.a and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

COUNT TWO

9.

The allegations contained in paragraphs 1 through 8 above are hereby incorporated by reference.

10.

On February 8, 1995, Respondent pled guilty to and was convicted of petit theft in Kootenai County Case No. CR-94-05898. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 5.
11.

Respondent’s conviction in Kootenai County Case No. CR-94-05898 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

COUNT THREE

12.

The allegations contained in paragraphs 1 through 11 above are hereby incorporated by reference.

13.

On August 25, 1995, Respondent pled guilty to and was convicted of having an invalid driver’s license in Shoshone County Case No. 24361. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 6.

14.

Respondent’s conviction in Shoshone County Case No. 24361 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

COUNT FOUR

15.

The allegations contained in paragraphs 1 through 14 above are hereby incorporated by reference.

16.

On January 24, 1996, Respondent pled guilty to and was convicted of driving under the influence in Kootenai County Case No. CR-95-05056. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 7.
17.

Respondent’s conviction in Kootenai County Case No. CR-95-05056 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

COUNT FIVE

18.

The allegations contained in paragraphs 1 through 17 above are hereby incorporated by reference.

19.

On January 24, 1996, Respondent pled guilty to and was convicted of driving without privileges in Kootenai County Case No. CR-95-05056. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 8.

20.

Respondent’s conviction in Kootenai County Case No. CR-95-05056 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

COUNT SIX

21.

The allegations contained in paragraphs 1 through 20 above are hereby incorporated by reference.

22.

On March 23, 1998, Respondent pled guilty to and was convicted of failure to purchase/invalid driver’s license in Canyon County Case No. CR-98-00459. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 9.
23.

Respondent's conviction in Canyon County Case No. CR-98-00459 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent's license to practice nursing in the State of Idaho.

COUNT SEVEN

24.

The allegations contained in paragraphs 1 through 23 above are hereby incorporated by reference.

25.

On March 23, 1998, Respondent pled guilty to and was convicted of driving without privileges in Canyon County Case No. CR-98-00506. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 10.

26.

Respondent's conviction in Canyon County Case No. CR-98-00506 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent's license to practice nursing in the State of Idaho.

COUNT EIGHT

27.

The allegations contained in paragraphs 1 through 26 above are hereby incorporated by reference.

28.

On March 23, 1998, Respondent pled guilty to and was convicted of theft of labor/services in Canyon County Case No. CR-98-00693. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 11.
29.

Respondent's conviction in Canyon County Case No. CR-98-00693 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent's license to practice nursing in the State of Idaho.

COUNT NINE

30.

The allegations contained in paragraphs 1 through 29 above are hereby incorporated by reference.

31.

On June 11, 1998, Respondent pled guilty to and was convicted of driving without privileges, second offense, in Canyon County Case No. CR-98-02698. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 12.

32.

Respondent's conviction in Canyon County Case No. CR-98-02698 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent's license to practice nursing in the State of Idaho.

COUNT TEN

33.

The allegations contained in paragraphs 1 through 32 above are hereby incorporated by reference.

34.

On June 11, 1998, Respondent pled guilty to and received a withheld judgment for possession of controlled substance in Canyon County Case No. CR-98-02698. A true and correct copy of the judgment of conviction is attached hereto as Exhibit 13.

COMPLAINT - 6
35.

Respondent’s plea of guilt and receipt of a withheld judgment in Canyon County Case No. CR-98-02698 constitutes a violation of Idaho Code § 54-1413(1)(c) and (g) and IDAPA 23.01.01.100.04 and .08.k and constitutes grounds for discipline against Respondent’s license to practice nursing in the State of Idaho.

WHEREFORE, the Idaho State Board of Nursing prays for the following action:

1. That a hearing commence at a designated time to allow evidence on the allegations contained in the Complaint to be presented before the Board or the Board’s designated hearing officer;

2. That subsequent to taking evidence, the waiver of a hearing, or the failure of the Respondent to file an Answer to this administrative Complaint, that the Board, or its designated hearing officer, shall issue findings of fact and conclusions of law finding the violations of law alleged herein and the Board shall determine whether the license of Respondent Michael John Padula should be revoked, suspended or other disciplinary sanction imposed pursuant to the statutory and regulatory authority of the Board of Nursing; and

3. For such other and further relief as the Board deems just and proper in the circumstances.

DATED this 28 day of January, 1999.

IDAHO STATE BOARD OF NURSING

By Sandra Evans, M.A.Ed., R.N.
Executive Director

COMPLAINT - 7
NOTIFICATION OF PROCEDURAL RIGHTS

Pursuant to the provisions of the Administrative Procedure Act codified at title 67, chapter 52, Idaho Code, and the Idaho Rules of the Administrative Procedure of the Attorney General, promulgated at IDAPA 04.11.01, if you wish to contest the charges set forth in this Complaint, you must: (1) file with the Idaho State Board of Nursing a verified Answer to the allegations contained herein within twenty-one (21) days after you are served with this Complaint and (2) request an evidentiary hearing on the charges. You are further notified that if you fail to answer and/or request a hearing, the Board may enter a default against you and be granted the relief sought in this Complaint. Upon receipt of your Answer and request for hearing, the matter will be reviewed and a hearing scheduled. You will then be notified of the date, time and place of the hearing, the name of the hearing officer appointed by the Board (if any) and further notification of your procedural rights and responsibilities.

You also have the right to be represented by legal counsel, at your own expense, during this administrative proceeding.

Copies of the Administrative Procedure Act and the Idaho Rules of the Administrative Procedure of the Attorney General may be obtained at the Idaho State Law Library.

All original official documents must be filed with the Board at the following address:

Idaho State Board of Nursing
280 N. Eighth Street, Suite 210
P.O. Box 83720
Boise, ID 83720-0061
telephone: (208) 334-3110
facsimile: (208) 334-3262

A copy of the Answer and every pleading, motion or subsequent document filed with the Board must also be served upon legal counsel for the Board at the following address:

Kirsten L. Wallace
Deputy Attorney General
Civil Litigation Division
P.O. Box 83720
Boise, ID 83720-0010
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of January, 1999, I caused to be served a true and correct copy of the foregoing by placing a copy thereof in the United States Mail, certified mail, return receipt requested, and regular mail, postage prepaid, addressed to:

Michael John Padula
115 S. Asbury #5
Moscow, ID 83843

Kirsten L. Wallace
Deputy Attorney General
November 16, 1998

CERTIFIED MAIL

Mike Padula
Box 477
Smelterville ID 83868

Dear Mr. Padula:

Information has been received from you that we would like to discuss with you personally.

Please contact Linda Coley, Administrative Assistant, (208/334-3110 x 25) upon receipt of this letter to schedule a time to meet with me by telephone to discuss this information.

If you do not respond within seven (7) days following receipt of this letter, it will be necessary to proceed with formal disciplinary action.

Sincerely,

SIMONNE deGLEE, MSN, RN
Associate Executive Director

SdG: lhc
**Domestic Return Receipt**

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<th>4a. Article Number</th>
<th>4b. Service Type</th>
<th>7. Date of Delivery</th>
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<td>Certified</td>
<td>12-4-98</td>
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<tr>
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<td></td>
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<td></td>
</tr>
</tbody>
</table>

**Control Numbers**: 1. Addressee's Address 2. Restricted Delivery

Consult postmaster for fees.

**Signatures**:
- **Received By**: (Print Name)
- **Address of Amt**

**Form 3811, December 1994**