

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
BOARD OF NURSING
DISCIPLINARY SUBCOMMITTEE

In the Matter of

HAROLETTA MARIE LILLY, R.N., C.N.P.
License No. 47-04-169927
Respondent.

File No. 47-18-000710

ADMINISTRATIVE COMPLAINT

The Michigan Department of Licensing and Regulatory Affairs, by Cheryl Wykoff Pezon, Director, Bureau of Professional Licensing, complains against Respondent as follows:

1. The Michigan Board of Nursing is an administrative agency established by the Public Health Code, MCL 333.1101 *et seq.* Pursuant to MCL 333.16226, the Board's Disciplinary Subcommittee is empowered to discipline persons for violations of the Public Health Code.

2. Respondent is currently licensed to practice as a registered nurse in the state of Michigan and has a current certified nurse practitioner specialty license.

3. On August 27, 2013, Respondent was convicted of Disorderly Person, a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both, in the 7th Circuit Court, File Number 13-033249-FH, in Flint, Michigan. Respondent was ordered to pay restitution in the amount of \$4,284.00. The conviction was based on Respondent's actions as the guardian of an estate. On May

20, 2013, Respondent admitted on the record in the Genesee County Probate Court to failing to pay the ward's bills and converting the funds to her own personal use. A copy of the conviction documents, marked Exhibit A, is attached and incorporated.

4. Respondent failed to notify the Department of the August 27, 2013, conviction within 30 days after the date of the conviction.

COUNT I

Respondent's conduct, as set forth above, demonstrates Respondent's lack of a "propensity . . . to serve the public in the licensed area in a fair, honest, and open manner," MCL 338.41(1), and accordingly a lack of "good moral character," in violation of MCL 333.16221(b)(vi).

COUNT II

Respondent's conviction, as set forth above, constitute a misdemeanor conviction that is reasonably related to or that adversely affect the licensee's ability to practice in a safe and competent manner, in violation of MCL 333.16221(b)(xi).

COUNT III

Respondent's conduct, as set forth above, evidences a failure to notify the Department of a criminal conviction within 30 days after the date of the conviction, as required by MCL 333.16222(3), in violation of MCL 333.16221(f).

This Complaint is based upon files and records maintained by the Department and the attached Affidavit of Rudy Litterini.

RESPONDENT IS NOTIFIED that, pursuant to MCL 333.16231(8), Respondent has 30 days from the date of receipt of this Complaint to answer this Complaint in writing and to show compliance with all lawful requirements for licensure. Respondent shall submit the response to the Bureau of Professional Licensing, Department of Licensing and Regulatory Affairs, P.O. Box 30670, Lansing, MI 48909.

Respondent's failure to submit an answer within 30 days is an admission of the allegations in this Complaint. If Respondent fails to answer, the Department shall transmit this Complaint directly to the Board's Disciplinary Subcommittee to impose a sanction, pursuant to MCL 333.16231(9).

Dated: November 20, 2018



Cheryl Wykoff Pezon, Director
Bureau of Professional Licensing

Attachments
se

2013002341 JS

Information - Circuit Court
Original Complaint - Court
Warrant - Court

Bind over/Transfer - Circuit/Juvenile Court
Complaint copy - Prosecutor
Complaint copy - Defendant/Attorney

STATE OF MICHIGAN 68th JUDICIAL DISTRICT 7th JUDICIAL CIRCUIT	COMPLAINT FELONY	CASE NO.: 2013002341 DISTRICT: 13-1013FY CIRCUIT: 13-1013FY
District Court ORI: MI- MI250035J 630 S. SAGINAW ST. FLINT, MI 48502 810-257-3165	Circuit Court ORI: MI- MI250015J 900 S. Saginaw St. Flint, MI, 48502	

Defendant's name and address THE PEOPLE OF THE STATE OF MICHIGAN V HAROLETTA LILLY B/F	Victim or complainant LT MATT RULE
	Complaining Witness LT MATT RULE

Co-defendant(s)	Date: On or about 11/01/2012
-----------------	--

City/Twp./Village CITY OF FLINT	County in Michigan Genesee	Defendant TCN	Defendant CTN 25-13002341-01	Defendant SID	Defendant DOB
Police agency report no. 25GCS 13-2493	Charge See below	DLN Type: Oper./Chauf	Vehicle Type	Defendant DLN	

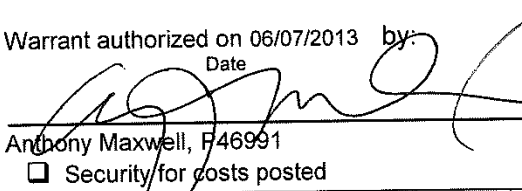

Witnesses

STATE OF MICHIGAN, COUNTY OF GENESEE
The complaining witness says that on or about 11/01/2012 in Genesee County, Michigan the defendant contrary to law:

EMBEZZLEMENT - AGENT OR TRUSTEE \$1,000.00 OR MORE BUT LESS THAN \$20,000.00
did, being trustee, bailee, or custodian of the property of _____ convert to his/her own use, without the consent of his/her principal, U.S. currency, money, or personal property of his/her principal, having a value of \$1,000.00 or more but less than \$20,000.00, that came into the defendant's possession or under the defendant's charge or control by virtue of his/her relationship with the principal; contrary to MCL 750.174(4)(a) [750.1744A] FELONY: 5 Years and/or \$10,000.00, or 3 times the amount embezzled, whichever is greater. To impose a fine of 3 times the value, the defendant must admit the amount, or it must be determined by the trier of fact at trial.

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

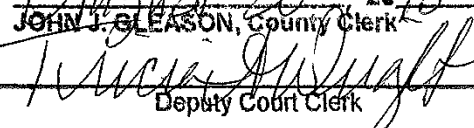
The complaining witness asks that the defendant be apprehended and dealt with according to law.

Warrant authorized on 06/07/2013 by: _____ Date	Complaining Witness Signature 
Subscribed and sworn to before me on _____ Date	6/7/13
Anthony Maxwell, F46991 <input type="checkbox"/> Security for costs posted	Judge/Magistrate/Clerk 
	Bar no.

RECEIVED
SEP 24 2010

DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
BUREAU OF PROFESSIONAL LICENSING
COMPLAINT INTAKE SECTION

State of Michigan
County of Genesee
I, **JOHN J. GLEASON**, Clerk of the Circuit Court of Genesee County, do hereby certify that this is a true and correct copy of the original document of record now on file in the office of the Clerk of said County and Court in Testimony Whereof, I have hereunto set my hand and Official seal of said Court and County, on

August 30, 2010
JOHN J. GLEASON, County Clerk
By 
Deputy Court Clerk

2013002341 bc
07/11/2013

Information - Circuit Court
Original Complaint - Court
Warrant - Court

Bind over/Transfer - Circuit/Juvenile Court
Complaint copy - Prosecutor
Complaint copy - Defendant/Attorney

STATE OF MICHIGAN 68th JUDICIAL DISTRICT 7th JUDICIAL CIRCUIT		INFORMATION FELONY		JUDGE: ARCHIE HAYMAN DISTRICT: 13-1013FY CIRCUIT: 13-033249-FH	
District Court ORI: MI- MI250035J 630 S. SAGINAW ST. FLINT, MI 48502 810-257-3165			Circuit Court ORI: MI- MI250015J 900 S. Saginaw St. Flint, MI, 48502		
Defendant's name and address THE PEOPLE OF THE STATE OF MICHIGAN V HAROLETTA LILLY B/F				Victim or complainant LT MATT RULE	
Co-defendant(s)				Complaining Witness LT MATT RULE	
Date: On or about 11/01/2012					
City/Twp./Village CITY OF FLINT	County in Michigan Genesee	Defendant TCN	Defendant CTN 25-13002341-01	Defendant SID	Defendant DOB
Police agency report no. 13-2493	Charge See below	DLN Type: Oper./Chauf	Vehicle Type	Defendant DLN	

Witnesses

STATE OF MICHIGAN, COUNTY OF GENESEE

IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN: The prosecuting attorney for this county appears before the court and informs the court that on the date and at the location described above, the defendant

EMBEZZLEMENT - AGENT OR TRUSTEE \$1,000.00 OR MORE BUT LESS THAN \$20,000.00
did, being trustee, bailee, or custodian of the property of _____ convert to his/her own use, without the consent of his/her principal, U.S. currency, money, or personal property of his/her principal, having a value of \$1,000.00 or more but less than \$20,000.00, that came into the defendant's possession or under the defendant's charge or control by virtue of his/her relationship with the principal; contrary to MCL 750.174(4)(a) [750.1744A] **FELONY: 5 Years and/or \$10,000.00, or 3 times the amount embezzled, whichever is greater. To impose a fine of 3 times the value, the defendant must admit the amount, or it must be determined by the trier of fact at trial.**

Upon conviction of a felony or an attempted felony court shall order law enforcement to collect DNA identification profiling samples.

(* Witnesses the People intend to produce at trial; MCL 767.40a(3))

and against the peace and dignity of the State of Michigan.

Prosecuting Attorney (FOR DAVID S. LEYTON)

By: *[Signature]*

7-10-13
Date

State of Michigan

County of Genesee

I, JOHN J. GLEASON, Clerk of the Circuit Court of Genesee County, do hereby certify that this document of record now on file in the office of the Clerk of said County and Court is a true and correct copy of the original In Testimony Whereof, I have hereunto set my hand and Official seal of said Court and County, on _____

August 30 2013
JOHN J. GLEASON, County Clerk

By: *[Signature]*
Deputy Court Clerk

STATE OF MICHIGAN
 IN THE DISTRICT COURT FOR THE COUNTY OF GENESSEE
 7TH JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF MICHIGAN
 Plaintiff,
 VS.

DC# _____
 CC# 13-33249 FH
 JUDGE: Hayman

Harolotta Lilly
 Defendant.

PLEA AGREEMENT

Attorney for Plaintiff:

Attorney for Defendant:

DAVID S. LEYTON, P-35086
 Prosecuting Attorney
 Genesee County, Michigan

F. Manley

The Defendant having been charged with the following: ct. 1 Embodiment \$1K-2

The following constitutes the full and complete plea negotiation entered into by the parties and the defendant agreed upon by the parties and the defendant for the following considerations.

State of Michigan
 County of Genessee
 I, JOHN J. GLEASON, Clerk of the Circuit Court and County Clerk of Genessee County, do hereby certify that this document of record now on file in the office of the Clerk of said County and Court and County, on _____, is a true and correct copy of the original. In Testimony Whereof, I have hereunto set my hand and Official seal of said Court and County, on _____.

The People will amend ct. 1 to Attempt

August 30, 2018
 JOHN J. GLEASON, County Clerk

The People will dismiss Nothing

By [Signature]
 Deputy Court Clerk

Defendant will plead guilty to Attempt Embodiment \$1K - \$20K
(2 1/2 yr.)

Cobbs/Sentence Agreement N/A
 Drug/Sentence Enhancement N/A
 Consecutive Sentencing N/A
 Holmes Youthful Trainee Status N/A
 7411 Status N/A

FILED
 AUG 27 2018
 GENESSEE COUNTY CLERK
 BY [Signature]

Restitution Yes as determined by court.
 Additional Considerations ct. to take if restitution is paid charge to be amended to Discretionary Person

Dated: 8-27-13
 Dated: 8-27-13
 Dated: 8-27-13

[Signature]
 Assistant Prosecuting Attorney
[Signature]
 Attorney for Defendant
[Signature]
 Defendant

STATE OF MICHIGAN 7TH JUDICIAL CIRCUIT GENESEE COUNTY	JUDGMENT OF SENTENCE <input type="checkbox"/> COMMITMENT TO JAIL	CASE NO. 13-033249-FH-H
---	---	----------------------------

ORI MI-250015J Court Address COUNTY CLERK 900 S. SAGINAW FLINT, MI 48502 Court Telephone no. 810-257-3220
 Police Report No. 25GCS 13-2493

THE PEOPLE OF <input checked="" type="checkbox"/> The State of Michigan <input type="checkbox"/> _____ _____	V	Defendant name, address, and telephone no. HAROLETTA MARIE LILLY _____ _____ _____
CTN/TCN 251300234101		SID _____ DOR _____

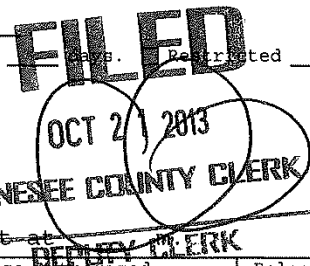
THE COURT FINDS:

1. Defendant was found guilty on 8/27/13 of the crime(s) as stated below:
 Date

Count	CONVICTED BY			DISMISSED BY*	CRIME	CHARGE CODE(S) MCL citation/PACC code
	Plea*	Court	Jury			
1	G				DISORDERLY PERSON	750.167

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: MANLEY, FRANK J.
 advised of right to counsel and appointed counsel and knowingly, intelligently, and voluntarily waived that right.
3. Conviction reportable to Secretary of State.
 Defendant's driver's license number is _____
4. Sanctions reportable to State Police. Revoked. Suspended _____ days. Restricted _____ days.
5. HIV testing and sex offender registration is completed.
6. Defendant has been fingerprinted according to MCL 28.243.



IT IS ORDERED:

7. Probation is revoked.
8. Deferred status is revoked. HYTA status is revoked.
9. Defendant is sentenced to jail as follows: Report at _____

Count	Date Sentence Begins	Sentenced		Credited		To Be Served		Release Authorized for the Following Purpose	Release Period	
		Mos.	Days	Mos.	Days	Mos.	Days		From	To
1					0			<input type="checkbox"/> Upon payment of fine/costs <input type="checkbox"/> To work or seek work..... <input type="checkbox"/> For attendance at school.. <input type="checkbox"/> For medical treatment..... <input type="checkbox"/> Other _____		

10. Defendant shall pay: \$4284.00 RESTITUTION \$250.00 PENAL FINES
 \$4534.00 TOTAL

The due date for payment is 10/21/13. Fine, costs, and fees not paid within 56 days of the due date are subject to a 20% late penalty on the amount owed. Only the fine and some costs may be satisfied by serving time in jail. Defendant shall serve _____ days in jail beginning _____ for failure to pay on time.

11. Defendant shall be placed on probation for _____ months and abide by the terms of probation. (See separate order.)
12. Defendant shall complete the following rehabilitative services.
 Alcohol Highway Safety Education
 Treatment (outpatient, inpatient, residential, mental health).
 Specify: _____
13. The vehicle used in the offense shall be immobilized or forfeited. (See separate order.)
14. The concealed weapon board shall suspend for _____ days permanently revoke the concealed weapon license, permit number _____, issued by _____ County.

STATE OF MICHIGAN 7TH JUDICIAL CIRCUIT GENESEE COUNTY	JUDGMENT OF SENTENCE <input type="checkbox"/> COMMITMENT TO JAIL	CASE NO. 13-033249-FH-H
---	---	----------------------------

15. Other:

State of Michigan
 County of Genesee
 I, JOHN J. GLEASON, Clerk of the Circuit Court of Genesee County, do hereby certify that this document of record now on file in the office of the Clerk of said County and Court is a true and correct copy of the original in Testimony Whereof, I have hereunto set my hand and Official seal of said Court and County, on August 30, 2018
 JOHN J. GLEASON, County Clerk
 By Terrill A. Houghton
 Deputy Court Clerk

10/21/13
 Date

(SEAL)

Archie L. Haxman
 Judge/Magistrate ARCHIE L. HAXMAN

37516
 Bar no.