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**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**JESSICA LYNN LEON
aka JESSICA LYNN LEONARD
aka JESSICA LEONARD
1115 N. Madsen Ave.
Sanger, CA 93657**

Registered Nurse License No. 653421

RESPONDENT

Case No. 2017-422

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about December 13, 2016, Complainant Joseph L. Morris, PhD, MSN, RN, in his official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2017-422 against Jessica Lynn Leon, aka Jessica Lynn Leonard, aka Jessica Leonard (Respondent) before the Board of Registered Nursing. (Accusation attached as Exhibit A.)
2. On or about February 25, 2005, the Board of Registered Nursing (Board) issued Registered Nurse License No. 653421 to Respondent. The Registered Nurse License expired on November 30, 2016, and has not been renewed.
3. On or about December 13, 2016, Respondent was served by Certified and First Class Mail copies of the Accusation No. 2017-422, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to

1 Respondent's address of record which, pursuant to Business and Professions Code section 136
2 and/Title 16, California Code of Regulation, section 1409.1, is required to be reported and
3 maintained with the Board, was and is:

4 1115 N. Madsen Ave.
5 Sanger, CA 93657.

6 4. Service of the Accusation was effective as a matter of law under the provisions of
7 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
8 124.

9 5. On or about December 28, 2016, the Board of Registered Nursing received the
10 Domestic Return Receipt signed by an individual named Kevin Conley on December 19, 2016,
11 acknowledging receipt of the Accusation served by Certified Mail.

12 6. Business and Professions Code section 2764 states:

13 The lapsing or suspension of a license by operation of law or by order or decision of
14 the board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive
15 the board of jurisdiction to proceed with an investigation of or action or disciplinary proceeding
16 against such license, or to render a decision suspending or revoking such license.

17 7. Government Code section 11506 states, in pertinent part:

18 (c) The respondent shall be entitled to a hearing on the merits if the respondent files a
19 notice of defense, and the notice shall be deemed a specific denial of all parts of the Accusation
20 not expressly admitted. Failure to file a notice of defense shall constitute a waiver of respondent's
21 right to a hearing, but the agency in its discretion may nevertheless grant a hearing.

22 8. Respondent failed to file a Notice of Defense within 15 days after service of the
23 Accusation upon her, and therefore waived her right to a hearing on the merits of Accusation No.
24 2017-422.

25 9. California Government Code section 11520 states, in pertinent part:

26 (a) If the respondent either fails to file a notice of defense or to appear at the hearing, the
27 agency may take action based upon the respondent's express admissions or upon other evidence
28 and affidavits may be used as evidence without any notice to respondent.

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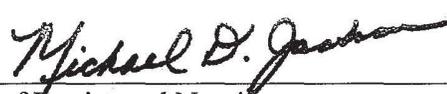
ORDER

IT IS SO ORDERED that Registered Nurse License No. 653421, heretofore issued to Respondent Jessica Lynn Leon, aka Jessica Lynn Leonard, aka Jessica Leonard, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on March 30, 2017.

It is so ORDERED February 28, 2017.



Board of Registered Nursing
Department of Consumer Affairs
State of California

Attachment:

Exhibit A: Accusation No. 2017-422

Exhibit A

Accusation No. 2017-422

1 KAMALA D. HARRIS
Attorney General of California
2 KENT D. HARRIS
Supervising Deputy Attorney General
3 JOSHUA B. EISENBERG
Deputy Attorney General
4 State Bar No. 279323
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 327-1466
Facsimile: (916) 327-8643
7. *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2017-422

12 **JESSICA LYNN LEON**
13 **aka JESSICA LYNN LEONARD**
14 **aka JESSICA LEONARD**
15 **1115 N. Madsen Ave.**
16 **Sanger, CA 93657**

A C C U S A T I O N

16 **Registered Nurse License No. 653421**

17 Respondent.

18
19 Joseph Morris, PhD, MSN, RN ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in his official capacity as the Executive
22 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

23 2. On or about February 25, 2005, the Board issued Registered Nurse License Number
24 653421 to Jessica Lynn Leon, also known as Jessica Lynn Leonard, also known as Jessica
25 Leonard ("Respondent"). The license was in full force and effect at all times relevant to the
26 charges brought herein. The license expired on November 30, 2016.

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1 **JURISDICTION**

2 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
3 the Board may discipline any licensee, including a licensee holding a temporary or an inactive
4 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
5 Practice Act.

6 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
7 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
8 to render a decision imposing discipline on the license.

9 **STATUTORY PROVISIONS**

10 5. Code section 2761 states, in pertinent part:
11 "The board may take disciplinary action against a certified or licensed nurse or deny an
12 application for a certificate or license for any of the following:

13 (a) Unprofessional conduct...

14 **COST RECOVERY**

15 6. Code section 125.3 provides, in pertinent part, that the Board may request the
16 administrative law judge to direct a licentiate found to have committed a violation or violations of
17 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
18 enforcement of the case.

19 **CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct)**

21 7. Respondent's license is subject to discipline under Code section 2761(f), in that
22 Respondent engaged in unprofessional conduct as follows:

23 a. On or about February 23, 2015, Respondent was arrested for shoplifting. On or
24 about April 17, 2015, in the matter of *The People of the State of California v. Jessica Lynn Leon*,
25 Fresno County Superior Court Case No. M15917235, Respondent was charged with a violation of
26 Penal Code section 484(a) (petty theft), a misdemeanor. The circumstances are that a Target asset
27 protection employee witnessed Respondent select and conceal various store merchandise.
28 Respondent was then seen walking to the registers and purchasing items other than those that she

1 concealed. Respondent then attempted to leave the Target store without purchasing the items she
2 had concealed.

3 b. On or about August 17, 2015, Respondent was again arrested for shoplifting.
4 On or about September 30, 2015, in the matter of *The People of the State of California v. Jessica*
5 *Lynn Leon*, Fresno County Superior Court Case No. M159128024, Respondent was charged with
6 a violation of Penal Code section 484(a) (petty theft), a misdemeanor. The circumstances are that
7 a Wal-Mart asset protection employee witnessed Respondent select items and place them in a
8 large tote bag. Respondent then proceeded to the point of sale to purchase items in her cart.
9 However, Respondent failed to purchase the items that were concealed in her tote bag before
10 exiting the store.

11 c. On or about October 16, 2015, Respondent was arrested for assault with a
12 deadly weapon, a violation of Penal Code section 245(A)(1). The circumstances are that during a
13 domestic dispute, Respondent drove directly at the victim's Chevrolet pickup, and hit the rear
14 passenger side of the pickup truck, causing extensive body damage to the vehicle.

15 d. On or about October 23, 2015, Respondent was arrested for violating a
16 domestic relations court order and possessing a firearm while subject to the restraining order. On
17 or about November 20, 2015, in the matter of *The People of the State of California v. Jessica*
18 *Lynn Leon*, Fresno County Superior Court Case No. M15931227, Respondent was charged with
19 violating Penal Code section 273.6(a) (violating a domestic relations courts order), a
20 misdemeanor, and Penal Code section 29825(b) (own or possess a firearm while subject to a
21 restraining order), a misdemeanor. The circumstances are that Respondent was required to have
22 no contact with her ex-husband pursuant to a domestic relations court order when she sent a text
23 message to her ex-husband. When Respondent was arrested, she began screaming at the officers
24 and became uncooperative. She told the officer she wanted to hang herself with the seatbelt and
25 that she was going to bang her head against the window. Respondent tried to kick the officer and
26 she had to be placed in a restraint. The officer placed Respondent on a 5150 hold due to her
27 statements regarding harming herself.

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1 e. On October 27, 2015, Respondent was again arrested for violating Penal Code
2 section 273.6(a) (disobeying domestic relations court order) when she violated a restraining order,
3 in that the protected party stated that she called his phone fifteen times during a short period of
4 time. When Respondent was arrested and taken to the jail, she again became angry and
5 uncooperative.

6 **PRAYER**

7 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Board of Registered Nursing issue a decision:

- 9 1. Revoking or suspending Registered Nurse License Number 653421, issued to
10 Jessica Lynn Leon, also known as Jessica Lynn Leonard, also known as Jessica Leonard;
11 2. Ordering Jessica Lynn Leon, also known as Jessica Lynn Leonard, also known as
12 Jessica Leonard to pay the Board of Registered Nursing the reasonable costs of the investigation
13 and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
14 3. Taking such other and further action as deemed necessary and proper.

15
16 DATED: December 13, 2016

17 *for* 
18 JOSEPH MORRIS, PhD, MSN, RN, M.ED., RN
19 Executive Officer
20 Board of Registered Nursing
21 Department of Consumer Affairs
22 State of California
23 Complainant

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