

BEFORE THE NEVADA STATE BOARD OF CERTIFIED COURT REPORTERS

NEVADA STATE BOARD OF
CERTIFIED COURT REPORTERS,

Case No. NV01-2018

Petitioner,

vs.

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

JUALITA STEWART, CCR #807.

Respondent.

This complaint came before the Nevada State Board of Certified Court Reporters ("Board") on January 28, 2019, with Board members Heidi Konsten, Lori Judd, and Peggy Elias present. Providing legal counsel for the Board was Sophia Long, Deputy Attorney General. The Executive Secretary was represented by counsel, Asheesh S. Bhalla, Deputy Attorney General. At the time of the hearing RESPONDENT, Jualita Stewart, License # 807 appeared before the Board.

FINDINGS OF FACT

1. Based on testimony and exhibits admitted at the hearing, the Board found that the notice of Hearing had been sent by regular and certified mail to RESPONDENT'S last known home address on file with the Board, which is sufficient legal service pursuant to NAC 656.440(3).

2. The Board proceeded to hear and decide the matter based on the Board's finding that RESPONDENT was provided proper notice of the complaint pursuant to NAC 656.440(3).

3. RESPONDENT ("JUALITA STEWART"), CCR #807 was at the relevant times mentioned in this Complaint and Notice of Hearing, licensed by the Board as a certified court reporter subject to the jurisdiction of the Board and the provision of NRS Chapter 656 and NAC Chapter 656.

4. On or about May 11, 2018 RESPONDENT received a renewed certified

1 court reporter's certificate from the State of Nevada.

2 5. On or about July 2, 2018 RESPONDENT took a deposition in the District
3 Court in Las Vegas, Nevada in Case NO.: A-17-751871-C.

4 6. On or about July 2, 2018, the Board received an email inquiring if "Imagine
5 Reporting" was registered with the Board.

6 7. On or about July 2, 2018 the Executive Secretary of the Board replied to
7 the email inquiry stating that "Imagine Reporting" is not registered with the Board.

8 8. On or about July 11, 2018, the Board emailed "Imagine Reporting" with a
9 courtesy notice of non-registration.

10 9. On or about July 11, 2018, "Imagine Reporting" responded to the Board by
11 stating they are not aware of state licensing requirements.

12 10. On or about July 13, 2018, the Board received confirmation via a phone
13 call from "Imagine Reporting" that confirmed RESPONDENT reported on the July 2,
14 2018 deposition.

15 16 CONCLUSIONS OF LAW

17 The Board, based upon the preponderance of the evidence, makes the following legal
18 conclusions:

19
20 1. RESPONDENT is subject to discipline before the Board pursuant to NRS
21 656.250(9) for failing to comply with the requirements of NAC 656.320 when
22 RESPONDENT engaged in the practice of certified court reporting for a non-
23 registered firm.
24
25
26
27
28

1 2. RESPONDENT is subject to discipline before the Board pursuant to NRS
2 656.250(9) for failing to comply with the requirements of NAC 656.320 when
3 RESPONDENT failed to verify whether the firm that solicited the reporting
4
5 engagement was registered with the Board before engaging in the practice of court
6 reporting on behalf of the firm.

7 ORDER

8 IT IS HEREBY ORDERED, by decision of the Board as follows:

9 1. RESPONDENT, Jualita Stewart, License # 807, is assessed a fine of Two
10 Hundred and Fifty Dollars (\$250) for each violation referenced above, a total amount of
11 Five Hundred Dollars (\$500) and this fine must be paid on or before December 31, 2019.

12 2. RESPONDENT shall complete 6.0 continuing education credits in addition to
13 the amount currently required for the calendar year. RESPONDENT shall also submit a
14 signed affidavit stating that RESPONDENT has read NRS 656 and NAC 656.
15 RESPONDENT shall submit said affidavit to the Executive Secretary on or before
16 December 31, 2019;

17 3. The Board may institute collection and recovery actions against
18 RESPONDENT if RESPONDENT fails to pay the costs and/or fines assessed above within
19 the time given for payment.

20 This Order shall become effective on the 4 day of FEBRUARY, 2019.

21 DATED this 4th day of February 2019.

24 NEVADA STATE BOARD OF
25 CERTIFIED COURT REPORTERS

26 By: Heidi Krugger
27 CHAIR
28