

REC'D NOV 04 2013

1 TOM HORNE  
Attorney General  
2 (Firm State Bar No. 14000)

3 ELIZABETH A. CAMPBELL  
Assistant Attorney General  
4 State Bar No. 018311  
1275 W. Washington, CIV/LES  
5 Phoenix, Arizona 85007-2997  
Tel: (602) 542-7681  
6 Fax: (602) 364-3202  
Attorneys for the State

7  
8 **BEFORE THE ARIZONA BOARD**  
9 **OF MASSAGE THERAPY EXAMINERS**

10 In the Matter of  
11 **JASON DYKSTRA, LMT,**  
12 Holder of License No. MT-15941  
13 As a Massage Therapist  
In the State of Arizona

Board Case No. 13-136  
**MOTION TO DEEM**

14  
15 The State of Arizona hereby requests that the Arizona Board of Massage Therapy  
16 Examiners (the "Board") vacate the hearing set for November 25, 2013, at 9:00 a.m. and  
17 deem the allegations contained in the Board's Complaint and Notice of Hearing admitted  
18 pursuant to A.R.S. § 32-4254(H).

19 The Complaint and Notice of Hearing notified Respondent that, pursuant to A.R.S.  
20 § 32-4254(H), Respondent was required to prepare and file with the Board a written  
21 Answer to the allegations in the Complaint within 30 days after service. It further  
22 notified Respondent that the Board could consider Respondent's failure to respond within  
23 30 days an admission by default to the allegations stated in the Complaint and that the  
24 Board could then take disciplinary action without conducting a hearing.  
25  
26

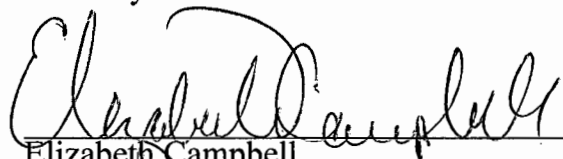
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

The Complaint and Notice of Hearing (copy attached) was mailed by first-class and certified mail on September 20, 2013, to Respondent's address of record with the Board. Notice of a complaint and hearing is effective by a true copy of it being sent by certified mail to the licensee's last known address if record. A.R.S. § 32-4254(N). Notice of the complaint is complete on the date of its deposit in the mail. *Id.*

Respondent has failed to file an Answer within the time permitted by statute. As such, the State requests that the scheduled hearing be vacated and that the allegations contained in the Complaint and Notice of Hearing be deemed admitted pursuant to A.R.S. § 32-4254(H).

RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of November, 2013.

TOM HORNE  
Attorney General



Elizabeth Campbell  
Assistant Attorney General



State of Arizona  
Governor: Janice K. Brewer

## Arizona State Board of Massage Therapy

1400 W. Washington, Ste. 300 ♦ Phoenix, AZ 85007  
Voice Telephone: 602-542-8604 ♦ Fax: 602-542-8804  
Website: [www.massageboard.az.gov](http://www.massageboard.az.gov) ♦ Dr. Craig Runbeck, Executive Director

July 23, 2014

Mr. Jason A. Dykstra  
2932 East Clarendon  
Phoenix, Arizona 85016

Mr. Dykstra;

Re: Case # 13-136

On November 25, 2013 a Formal Hearing was held by the Arizona State Board of Massage Therapy in reference to the complaint filed against Mr. Jason A. Dykstra. You were not present as requested by 1<sup>st</sup> class mail and Certified Mail. The Board voted to proceed with the hearing.

A.A.G. Elizabeth Campbell, attorney for the Board presented the allegations of Unprofessional Conduct and requested the Board to grant the motion to deem. The Board voted to accept the motion to deem.

The Board issued the following ORDER:

**“It is ordered that respondent’s license number MT-15941 is revoked. Additionally, pursuant to A.R.S. 32-4253 (I) respondent shall pay a civil penalty to the Board in the amount of \$1000.00. Pursuant to A.R.S. 32-4253 (F)(7), respondent shall pay restitution to complainant SK in the amount of \$60.00”.**

**Payments are to be by Money Order or Cashier’s Check ONLY.**

All payments are to be made to:  
Arizona State Board of Massage Therapy  
1400 W. Washington, Suite 300  
Phoenix, Arizona 85007

A handwritten signature in cursive script that reads "Stanley Conger".

Stanley Conger  
Investigator III  
602-542-8225