

STATE OF MAINE

ADMINISTRATIVE COURT  
DOCKET NO. 99-166

STATE OF MAINE and MAINE )  
STATE BOARD OF NURSING, )

Plaintiffs )

v. )

LINDA A. HOLBROOK, R.N., )  
a/k/a LINDA RICHARDSON, )

Defendants )

DECISION AND ORDER

*Based on Plaintiff's representations &*  
Plaintiffs' Motion for a Decision of Default Pursuant to M.Admin.C.R. 55 is

**GRANTED.** It is hereby **ORDERED** that defendant's nursing license, #R037393 is revoked effective immediately.

Dated:

*10/24/00*

  
\_\_\_\_\_  
JUDGE, ADMINISTRATIVE COURT

**NOTICE OF APPEAL RIGHTS**

Judicial review of this Decision may be had in the Superior Court by filing a notice of appeal within 30 days of entry of this Decision in accordance with M.Admin.C.R. 73 and M.R. Civ.P. 76(D).



ANDREW KETTERER  
ATTORNEY GENERAL

REGIONAL OFFICES:

84 HARLOW ST., 2ND FLOOR  
BANGOR, MAINE 04401  
TEL: (207) 941-3070  
FAX: (207) 941-3075

Telephone: (207) 626-8800  
TDD: (207) 626-8865

STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
6 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0006

44 OAK STREET, 4TH FLOOR  
PORTLAND, MAINE 04101-3014  
TEL: (207) 822-0260  
FAX: (207) 822-0259  
TDD: (877) 428-8800

October 18, 2000

Diane S. Sharpe, Clerk  
Administrative Court  
205 Newbury Street  
P.O. Box 7260 DTS  
Portland, ME 04112-7260

RE: State of Maine and Maine State Board of Nursing v. Linda A. Holbrook  
Docket No. 99-166

Dear Ms. Sharpe:

The above-referenced matter was originally scheduled for August 25, 2000 for default hearing/hearing. The day before the hearing the defendant Linda Holbrook communicated with the Maine State Nursing Board indicating that she did not wish to move forward with the hearing but was willing to sign a Consent Agreement for permanent revocation of her license. On August 25, I requested that the Court continue this matter pending receipt of Ms. Holbrook's signed Consent Agreement. A Consent Agreement was prepared and sent to Ms. Holbrook for her signature to be returned by September 9, 2000. To date, we have not received the signed Consent Agreement from Ms. Holbrook. Please schedule this matter again for default hearing/hearing.

Please note that I will be in Administrative Court on November 8, 2000 in the matter of State v. Lanning. In addition, I will need to be protected on the following dates: October 25, 2000, November 15-16, 2000.

Sincerely,

JOHN H. RICHARDS  
Assistant Attorney General

**RECEIVED**

JHR:sw

cc: Myra A. Broadway, J.D., M.S., R.N.  
Linda Holbrook

OCT 20 2000

MAINE STATE  
BOARD OF NURSING

STATE OF MAINE and MAINE )  
STATE BOARD OF NURSING, )  
) )  
Plaintiffs )  
) )  
v. )  
) )  
LINDA A. HOLBROOK, R.N., )  
a/k/a LINDA RICHARDSON, )  
) )  
Defendants )

PLAINTIFFS' MOTION FOR A  
DECISION BY DEFAULT PURSUANT  
TO M.ADMIN.C.R. 55(a)(2) WITH  
SUPPORTING AFFIDAVIT

NOW COMES the plaintiffs State of Maine and Maine State Board of Nursing, through counsel and respectfully request and represent the following:

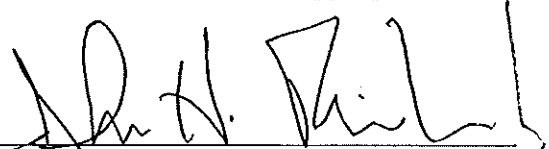
1. The above-captioned proceeding to revoke the nursing license of Linda A. Holbrook was commenced by filing a Complaint with this Court on June 22, 1999.
2. Upon completion of service of process, the defendant filed an Answer to the Complaint on November 9, 1999 through her former attorney, Toby H. Hollander.
3. On June 14, 2000, the Court granted Toby H. Hollander, Esq.'s Motion to Withdraw and issued an Order stating that the defendant either "secure the representation of another attorney, or shall write a letter to the Court (with a copy to all other attorneys or parties) stating that the client will be representing themselves."
4. As of the date of this Motion, defendant has failed to comply with paragraph 1 of the Court's Order by failing to enter an appearance, by failing to defend under the Maine Administrative Court Rules and to defend against the plaintiffs' cause of action.

5. Defendant is not an infant or an incompetent person or a person in military service as defined in Article A-1 of the "Soldiers and Sailors Civil Relief Act" of 1940. See Affidavit of John H. Richards attached hereto as Exhibit A.

WHEREFORE, the plaintiffs respectfully request that the Court hear this matter and take such evidence as may be necessary to enter a decision by default and for the revocation of the nursing license of Linda A. Holbrook or such other relief as this Court deems appropriate.

Dated:

7/11/00



JOHN H. RICHARDS  
Assistant Attorney General  
6 State House Station  
Augusta, ME 04333-0006  
Telephone: (207) 626-8800

Bar No. 2907

STATE OF MAINE

ADMINISTRATIVE COURT  
DOCKET NO. 99-166

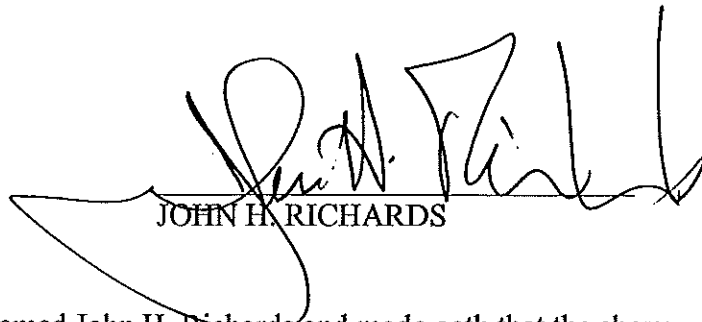
STATE OF MAINE and MAINE )  
 STATE BOARD OF NURSING, )  
 )  
 Plaintiffs )  
 )  
 v. )  
 )  
 LINDA A. HOLBROOK, R.N., )  
 a/k/a LINDA RICHARDSON, )  
 )  
 Defendants )

AFFIDAVIT OF  
JOHN H. RICHARDS

I, John H. Richards, having first been duly sworn, hereby depose and say as follows:

1. My name is John H. Richards, and I am the attorney for the plaintiffs in the above-entitled proceeding.
2. The defendant is not an infant or incompetent person.
3. The defendant's date of birth is July 9, 1965 and is 35 years of age and resides in Turner, Maine. She is not in the military service as defined in Article A-1 of the "Soldiers and Sailors Civil Relief Act" of 1940.

Dated: 7/11/00



JOHN H. RICHARDS

Personally appeared the above-named John H. Richards and made oath that the above-stated facts are true based on his own knowledge.

7/11/00

*Gayle L. Michaud*  
 NOTARY PUBLIC  
 GAYLE L. MICHAUD  
 Notary Public, Maine  
 My Commission Expires December 3, 2002