



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Stephanie A. ...
Executive Director of the Board

IN THE MATTER OF PERMANENT § BEFORE THE TEXAS
REGISTERED NURSE §
LICENSE NUMBER 701518 § BOARD OF NURSING
ISSUED TO MISTY ANN SMITH, §
RESPONDENT § ELIGIBILITY AND
§ DISCIPLINARY COMMITTEE

ORDER OF THE BOARD

TO: MISTY ANN SMITH
1336 ROEMER LANE
FLORESVILLE, TX 78114

During open meeting held in Austin, Texas, on **February 10, 2015**, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 701518, previously issued to MISTY ANN SMITH, to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

Entered this 10th day of February, 2015.

TEXAS BOARD OF NURSING



BY:

KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charge filed November 26, 2014.

d17r(2014.12.05)

Re: Permanent Registered Nurse License Number 701518
Issued to MISTY ANN SMITH
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of February, 2015, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested

MISTY ANN SMITH
1336 ROEMER LANE
FLORESVILLE, TX 78114

Via USPS First Class Mail

MISTY ANN COOK
2205 BROOKE BEND
JUNCTION CITY, KS 66441

MISTY ANN COOK
1201 SW FILLMORE ST
TOPEKA, KS 66604

BY:



KATHERINE A. THOMAS, MN, RN, FAAN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of § BEFORE THE TEXAS
Permanent Registered Nurse §
License Number 701518 §
Issued to MISTY ANN SMITH, §
Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, MISTY ANN SMITH, is a Registered Nurse holding License Number 701518, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about September 5, 2014, Respondent's Registered Nurse license was Revoked by the Kansas State Board of Nursing, Topeka, Kansas. A copy of the Kansas State Board of Nursing Summary Order to Revoke effective September 5, 2014, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.


NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, and for Fraud, Theft and Deception, which can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Eligibility Agreed Order dated September 22, 2003, and Kansas State Board of Nursing Summary Order to Revoke effective September 5, 2014.

Filed this 26th day of November, 2014.

TEXAS BOARD OF NURSING


James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Natalie E. Adelaja, Assistant General Counsel
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State Bar No. 50511847

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State Bar No. 00785533

John Vanderford, Assistant General Counsel
State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6811
F: (512) 305-8101 or (512)305-7401

Attachments: Eligibility Agreed Order dated September 22, 2003, and Kansas State Board of Nursing Summary Order to Revoke effective September 5, 2014.

D/2014.08.18

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of § ELIGIBILITY
MISTY ANN SMITH §
APPLICANT for Eligibility for Licensure § AGREED ORDER



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia Vianes-Cabrera
Executive Director of the Board

On the date entered below, the Board of Nurse Examiners for the State of Texas hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by MISTY ANN SMITH, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(b)(3), Texas Occupations Code.

A public meeting was held on August 12, 2003, by the Eligibility and Disciplinary Committee of the Board of Nurse Examiners (Board), at 333 Guadalupe, Tower 3, Suite 460, Austin, Texas, in which the application of MISTY ANN SMITH, APPLICANT, was considered.

APPLICANT appeared in person. APPLICANT was notified of her right to be represented by legal counsel and elected to waive representation by counsel.

Board Members in attendance were: Larry Canfield, CRNA, MSED; Linda R. Rounds, PhD, RN, FNP, APN; and Phyllis Rawley, Consumer Member. Staff present were: Joy Sparks, Assistant General Counsel; Anthony L. Diggs, Director, Enforcement Division; and Patricia Vianes-Cabrera, Legal Assistant.

FINDINGS OF FACT

1. On or about May 23, 2003, Applicant submitted a Temporary License/Endorsement Application as a professional nurse in the State of Texas in compliance with Section 301.260 *et seq.*, of the Texas Occupations Code.
2. Applicant waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Applicant received an Associate Degree in Nursing from Seward County Community College, Liberal, Kansas, in May 2002.
4. Applicant completed the application for licensure by endorsement and answered "yes" to Question Number Eleven (11), which reads as follows: "*Have you ever been convicted or received a deferred order for a crime other than minor traffic violations?.*"
5. Applicant disclosed the following criminal history, to wit:
 - A. On July 4, 1996, Applicant was charged with the felony offenses of Conspiracy to Possess Marijuana with Intent to Sell and No Kansas Drug Tax Stamp in the District Court of Haskell County, Kansas. Applicant entered a plea of guilty and was sentenced to nine (9) months confinement followed by three (3) years supervision.
6. The Board received letters of support/recommendation for Applicant from the following:
 - A letter of reference dated April 16, 2001, was submitted on behalf of Applicant by Amy Davis, RN, Long Term Supervisor.
 - A letter of recommendation dated June 5, 2002, was submitted on behalf of Applicant by Mary Knief, RN, Director of Nursing, Garden City, Kansas.
 - A letter of reference dated July 19, 2003, was submitted on behalf of Applicant by Kari Heimerich, RN.
 - A letter of reference dated July 21, 2003, was submitted on behalf of Applicant by Dalinda Garza, LPN.
 - A letter fo reference dated July 21, 2003, was submitted on behalf of Applicant by Mary E. Mason-Anton, RN.
 - A letter of reference dated July 22, 2003, was submitted on behalf of Applicant by Chris Small, RN, BSN.

- A letter of reference dated July 22, 2003, was submitted on behalf of Applicant by Sandra McIntosh, San Antonio, Texas.
7. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application her past behavior conforms to the Board's professional character requirements.
 8. Applicant presented no evidence of behavior since her conviction which is inconsistent with good professional character.
 9. On August 12, 2003, the Eligibility and Disciplinary Committee of the Board considered the evidence of the conviction and evaluated its direct relationship to nursing according to Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 Texas Administrative Code §213.28, including the nature and circumstance of the offenses, and the absence of any subsequent conviction.
 10. On August 12, 2003, the Eligibility and Disciplinary Committee of the Board considered evidence of Applicant's post conviction behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
 11. Licensure of Applicant poses no direct threat to the health and safety of patients or the public.
 12. The Committee's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
 13. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners (Board) has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.
2. Applicant has submitted an application in compliance with Section 301.260, Texas Occupations Code.
3. The evidence in Finding of Fact Number Five (5) is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.

4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. This Order is conditioned upon the accuracy and completeness of Applicant's disclosures. Any subsequently discovered discrepancies will result in investigation and disciplinary action.
6. The Board may license individuals who have been previously convicted of a crime upon consideration of the factors set out in 22 Texas Administrative Code §§213.27 and 213.28 and evaluating the direct relationship to nursing according to Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code.
7. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED that the application of MISTY ANN SMITH, APPLICANT, is hereby conditionally GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas, which shall bear the appropriate notation.

(3) APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

(4) IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

(5) IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(6) APPLICANT SHALL, within one (1) year of initial licensure, successfully complete a Texas course in nursing jurisprudence. APPLICANT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Registered Nurses. It shall be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses can be found on the Board's website, www.bne.state.tx.us (under BNE events).*

(7) APPLICANT SHALL, within one (1) year of initial licensure, successfully complete a course in nursing ethics. APPLICANT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Registered Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. APPLICANT SHALL

CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to verify APPLICANT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Board approved courses can be found on the Board's website, www.bne.state.tx.us (under BNE events).

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 22 Texas Administrative Code which are incorporated as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

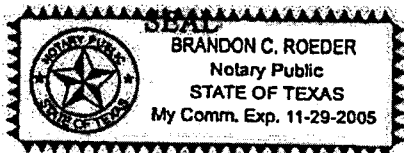
I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

Signed this 15th day of September, 2003.

Misty Ann Smith
MISTY ANN SMITH, APPLICANT

Sworn to and subscribed before me this 15th day of September, 2003.



Brandon Roeder
Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Eligibility Agreed Order that was signed on the 15th day of September, 2003, by MISTY ANN SMITH, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Effective this 22nd day of September, 2003.



Katherine A. Thomas, MN, RN
Executive Director on behalf
of said Board

BEFORE THE KANSAS STATE BOARD OF NURSING
Landon State Office Building, 900 S.W. Jackson #1051
Topeka, Kansas 66612-1230

FILED

AUG 21 2014

KSBN

IN THE MATTER OF
MISTY ANN COOK
License No. 14-90443-31

Case No. 13-519-9

SUMMARY ORDER TO REVOKE

Now this 21st day of August, 2014, the above matter comes before the Kansas State Board of Nursing (Board) pursuant to authority granted to the Board by K.S.A. 65-1120. The Board hereby proposes to find facts and take disciplinary action against the registered nurse license of Misty Ann Cook, (Licensee) by way of Summary Order as provided by K.S.A. 77-537.

FINDINGS OF FACT

1. a. Licensee is licensed to practice nursing in the state of Kansas as a registered nurse through 3/31/2015. The Board has jurisdiction over the licensee and the subject matter of this action.
- b. Licensee's address of record is 2205 Brooke Bend, Junction City, Kansas 66441.
- c. Licensee did not comply with her contract with the Kansas Nurse Assistance Program (KNAP) and her KNAP case was closed unsuccessfully on November 19, 2013.
- d. Licensee has a history of drug use and she has participated in KNAP for a number of years due to relapses and criminal convictions.
- e. Licensee first came to the attention of the Board in Case No. 01-232-1. She filed an initial LPN application. She had prior history of a felony conviction of conspiracy to possess and sell marijuana. She served prison time in Kansas. She was approved for licensure.
- f. In Case No. 10-438-9 licensee filed for reinstatement with Kansas and failed to report that she was disciplined by the Texas Board of Nursing. She was approved for reinstatement on 5/12/2010.
- g. In Case No. 10-1080-0 she was referred to KNAP by Geary County Hospital on 7/2/2010. Geary County Hospital hired her and less than a month after her hire, Geary County noticed a possible pattern of diversion. Licensee documented and checked out narcotics that patients reportedly did not receive. She resigned her position.
- h. She entered a contract with KNAP on 11/3/2010 for one year. She tested positive for hydrocodone on 1/17/2012 and again on 8/23/2013.

i. In Case No. 11-807-7, the Board was notified that the licensee relapsed on Fioricet on 1/19/2011. Respondent entered a three (3) year contract with KNAP.

j. In Case No. 12-156-7, the Board was notified that the licensee called in fraudulent prescriptions on 1/24/2012. She was arrested and charged in Johnson County District Court with the crime of fraudulently obtaining a prescription only drug in violation of K.S.A.21-5708. The drug she fraudulently obtained was hydrocodone. She was convicted and pled to the misdemeanor crime as charged on 3/29/2012. Her KNAP contract was extended to 1/24/2015.

k. In Case No. 13-519-9, the Board was notified that the licensee's KNAP case closed after three non-compliances on or about November 19, 2013. Licensee also failed to report the Board's pending investigation against her license on her 3/26/2013 renewal application. She failed to respond to the Board's investigator's attempts to contact her for a statement.

2. Pursuant to K.S.A. 65-1120(a), the Kansas State Board of Nursing may deny, revoke, limit or suspend any license, certificate of qualification or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced registered nurse practitioner or as a registered nurse anesthetist that is issued by the board or applied for under this act or may publicly or privately censure a licensee or holder of a certificate of qualification or authorization, if the applicant, licensee or holder of a certificate of qualification or authorization is found to have violated the Nurse Practice Act. The above fact findings establish evidence that the licensee violated the following provisions of the Nurse Practice Act:

(a) K.S.A. 65-1120(a)(8), to have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States or government, territory of the United States or country or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country.

(b) K.S.A. 65-1120(a)(1) to be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing;

(c) K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by K.A.R. 60-3-110(t) failing to furnish the board, its investigators, or its representatives with any information legally requested by the Board.

(d) K.S.A. 65-1120(a)(6) to be guilty of unprofessional conduct as defined by K.A.R. 60-3-110(s) failing to complete the requirements of the impaired provider program of the board;

(e) K.S.A. 65-1120(a)(4) to be unable to practice with skill and safety due to current abuse of drugs or alcohol;

(f) K.S.A. 65-1120(a)(2) to have been guilty of a felony or to have been guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust...;

3 Licensee's conduct described herein violates the Kansas Nurse Practice Act and demonstrates that she is not safe to practice nursing.


4 K.S.A. 77-511(a)(2)(A) of the Kansas Administrative Procedure Act authorizes the use of summary proceedings by a state agency if the use of summary proceedings does not violate any provision of law, the protection of the public interest does not require the state agency to give notice and an opportunity to participate to persons other than the parties, and the state agency believes in good faith, after investigation of the facts, that the allegations will be supported to the applicable standard of proof.

5 The role of the Kansas State Board of Nursing is to protect citizens of Kansas.

IT IS THEREFORE ORDERED BY THE KANSAS STATE BOARD OF NURSING THAT

1. Licensee's license is revoked.
2. Licensee shall not practice nursing in the state of Kansas.
3. Licensee shall pay \$70.00 costs of this action to the Board within thirty (30) days of the effective day of this Order.


Pursuant to K.S.A. 77-537, this decision, which is called a Summary Order, is subject to your request for a hearing. If you desire a hearing, you must submit or direct a written request for hearing to: Kansas State Board of Nursing, Legal Division, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230, (785) 296-4325. **THIS REQUEST MUST BE SUBMITTED WITHIN FIFTEEN (15) DAYS FROM THE DATE OF THIS ORDER.** If a hearing is not requested in the time and manner stated, this Summary Order becomes effective as a final order, without further notice, upon the expiration of the time for requesting a hearing. If a hearing is requested, the prior issuance of a summary order shall not affect the burden of proof. Pursuant to K.S.A. 77-531, if the Summary Order is served by mail, three days are added to the time limits set out above.


Judith Hiner, RN, BSN
Investigative Committee; Chair
Kansas State Board of Nursing

CERTIFICATE OF SERVICE

I certify that on the 21st day of August, 2014, the foregoing copy of the Summary Order was served by depositing the same in the United States Mail, first-class postage prepaid, addressed to the following:

Misty Ann Cook
2205 Brooke Bend
Junction City, Kansas 66441


Alma A. Heckler, #11555
Assistant Attorney General