

**STATE OF IOWA**  
**BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS & SCIENCES**

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<b>IN THE MATTER OF:</b>	*	
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<b>Regal Nails and Spa</b>	*	
<b>License No. 101932</b>	*	<b>CASE NO. 07-095</b>
<b>and</b>	*	
<b>Duyen Kim Pham</b>	*	
	*	
<b>RESPONDENT</b>	*	<b>BOARD ORDER</b>
	*	<b>DISMISSAL WITHOUT PREJUDICE</b>
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Now on July 8, 2008, Motion to Dismiss Notice of Hearing and Statement of Charges without prejudice is granted in the above entitled case that was scheduled for hearing on May 28, 2008 and continued pending further order of the Board. Motion in support thereof states:

1. During the investigation into this case, it appeared Respondent Duyen Kim Pham was the owner of record of the salon, Regal Nails and Spa, located at 3101 Floyd Blvd. #4, Sioux City, Iowa 51108. Respondent was issued Iowa salon license no. 010932 on June 21, 2007. Respondent's salon license was current and has not been surrendered.
2. A Notice of Hearing and Statement of Charges was filed against the Respondent on February 25, 2008. A contested case hearing in this matter was scheduled for May 28, 2008 and continued pending further order of the Board.
3. On May 30, 2008, the Board received a salon application for Respondent Salon, listing Diem Thi Pham as the owner. A bill of sale was attached to the application showing that Diem Thi Pham purchased the salon from Respondent Duyen Kim Pham on November 26, 2007.
4. The Notice of Hearing and Statement of Charges issued is factually incorrect in light of the new information obtained since the Board authorized the filing of said charges.
5. The above-captioned Notice of Hearing and Statement of Charges should be dismissed

without prejudice. A dismissal without prejudice will allow the State to file a Notice of Hearing and Statement of Charges with the correct owner information.

6. The dismissal is in the interest of justice.

**This board order dismissal without prejudice is approved by the board July 8, 2008.**