

DATE: November 20, 2023  
TIME: 11/20/2023 6:35:41 PM  
WAKE COUNTY  
SUPERIOR COURT JUDGES OFFICE

STATE OF NORTH CAROLINA  
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
23CV027221-910

NORTH CAROLINA STATE BOARD )  
OF DENTAL EXAMINERS, )  
Plaintiff )  
v. )  
DESTINY WASHINGTON, )  
Defendant )

**CONSENT ORDER GRANTING  
PERMANENT INJUNCTION**

This matter came before the undersigned Superior Court Judge upon consent of Plaintiff North Carolina State Board of Dental Examiners ("Dental Board") and Defendant Destiny Washington ("Washington") (collectively the "Parties"), and pursuant to N.C. Gen. Stat. §§ 90-40.1(b) and 1A-1, Rule 65, on a Verified Complaint for Permanent Injunction against Defendant. To resolve this matter, the Parties consent to and the undersigned Judge finds and concludes as follows:

- 1) The Dental Board's Verified Complaint for Permanent Injunction and its supporting affidavit, which were filed in this action on September 25, 2023, are incorporated by reference in their entirety.
- 2) Pursuant to N.C. Gen. Stat. § 90-29(a), only individuals who are licensed to practice dentistry by the Dental Board may engage in the practice of dentistry in North Carolina.
- 3) Defendant Washington has never been licensed to practice dentistry in North Carolina.

4) Pursuant to N.C. Gen. Stat. § 90-29(b):

A person shall be deemed to be practicing dentistry in this State who does, undertakes or attempts to do, or claims the ability to do any one or more of the following acts or things which, for the purposes of this Article, constitute the practice of dentistry:

- (1) Diagnoses, treats, operates, or prescribes for any disease, disorder, pain, deformity, injury, deficiency, defect, or other physical condition of the human teeth, gums, alveolar process, jaws, maxilla, mandible, or adjacent tissues or structures of the oral cavity;
- (2) Removes stains, accretions or deposits from the human teeth;
- ...
- (5) Corrects the malposition or malformation of the human teeth;
- ...
- (8) Makes, builds, constructs, furnishes, processes, reproduces, repairs, adjusts, supplies or professionally places in the human mouth any prosthetic denture, bridge, appliance, corrective device, or other structure designed or constructed as a substitute for a natural human tooth or teeth or as an aid in the treatment of the malposition or malformation of a tooth or teeth, except to the extent the same may lawfully be performed in accordance with the provisions of G.S. 90-29.1 and 90-29.2 [which requires that the services be performed exclusively, directly, and solely on the written work order of a licensed dentist and not for the public];
- ...
- (11) Owns, manages, supervises, controls or conducts, either himself, by and through another person or other persons, or by use of any electronic or other digital means, any enterprise wherein any one or more of the acts or practices set forth in subdivisions (1) through (10) above are done, attempted to be done, or represented to be done;
- (12) Uses, in connection with his name, any title or designation, such as "dentist," "dental surgeon," "doctor of dental surgery," "D.D.S.," "D.M.D.," or any other letters, words or descriptive matter which, in any manner, represents him as being a dentist able or qualified to do or perform any one or more of the acts or practices set forth in subdivisions (1) through (10) above;
- (13) Represents to the public, by any advertisement or announcement, by or through any media, the ability or qualification to do or perform any of the acts or practices set forth in subdivisions (1) through (10) above.

5) The Dental Board provides evidence in the Verified Complaint for Permanent Injunction and its supporting affidavit that Defendant has engaged in the unauthorized practice of dentistry in North Carolina by:

- a. treating a deformity, deficiency, defect, or other physical condition of the human teeth, including placing and removing braces;
  - b. removing stains, accretions or deposits from human teeth by cleaning teeth;
  - c. correcting the malposition or malformation of the human teeth, including placing and removing braces;
  - d. furnishing or supplying appliances or corrective devices designed as an aid in the treatment of the malposition or malformation of a tooth or teeth without a work order from a licensed dentist, including supplying braces;
  - e. placing in the human mouth appliances designed as an aid in the treatment of the malposition or malformation of a tooth or teeth, including placing braces;
  - f. repairing or adjusting appliances designed as an aid in the treatment of the malposition or malformation of a tooth or teeth, including removing braces;
  - g. managing, controlling, and conducting an enterprise, using the names "Brace Yourself LLC" and "Brace Yourself Dental," wherein the aforementioned acts are done or represented to be done;
  - h. in connection with Defendant's name, using titles, designations, words, or descriptive matter which represent her as being a dentist able or qualified to do or perform acts or practices constituting the practice of dentistry, including "Orthodontist," "Dental Doctor," and having a "Certificate of Completion" from "The Dental Course"; and
  - i. claiming and advertising to the public the ability or qualification to do the aforementioned acts, including on Facebook.com and Instagram.com.
- 6) The unlawful or unlicensed practice of dentistry in North Carolina is inimical to the public health and welfare and constitutes a public nuisance, as set out in N.C. Gen. Stat. § 90-40.1(a).
- 7) To resolve this matter, Defendant acknowledges that sufficient evidence exists such that a reasonable fact finder could sustain the Dental Board's allegations and asserted violations in this matter. Defendant's stipulations are solely for the

purposes of this matter and any future proceedings involving the Dental Board, including in this matter.

- 8) Defendant voluntarily waives the right to appeal or challenge the sufficiency of the findings, conclusions, and basis for this Consent Order in any future proceedings in this matter or any future proceedings involving the Dental Board.

In accordance with the foregoing, and with the consent of the Parties hereto, it is hereby ORDERED, ADJUDGED, and DECREED that Defendant and any affiliates, related entities or successors, her officers, agents, servants, employees, directors, or others acting in concert or participation with her are permanently enjoined from engaging in the unlicensed practice of dentistry in North Carolina, including:

- a. treating a deformity, deficiency, defect, or other physical condition of the human teeth, including placing and removing braces;
- b. removing stains, accretions or deposits from human teeth by cleaning teeth;
- c. correcting the malposition or malformation of the human teeth, including placing and removing braces;
- d. furnishing or supplying appliances or corrective devices designed as an aid in the treatment of the malposition or malformation of a tooth or teeth without a work order from a licensed dentist, including supplying braces;
- e. placing in the human mouth appliances designed as an aid in the treatment of the malposition or malformation of a tooth or teeth, including placing braces;
- f. repairing or adjusting appliances designed as an aid in the treatment of the malposition or malformation of a tooth or teeth, including removing braces;
- g. managing, controlling, and conducting an enterprise wherein any of the acts or practices set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10) are done, attempted to be done, or represented to be done;

- h. in connection with Defendant's name, using any title, designation, words, or descriptive matter which, in any manner, represents her as being a dentist able or qualified to do or perform any one or more of the acts or practices set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10), and
- i. representing to the public, by any advertisement or announcement, the ability or qualification to do or perform any of the acts or practices set forth in N.C. Gen. Stat. § 90-29(b)(1)-(10); and
- j. engaging in any other act constituting the practice of dentistry in North Carolina until such time, if ever, that Defendant is the holder of a license issued by the Dental Board and currently in effect.


Issued this 16 day of November, 2023.




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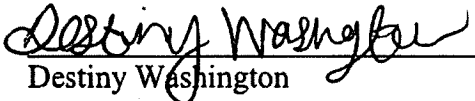
Hon.  
Resident Superior Court Judge

Consented to by and on behalf of The North Carolina Board of Dental Examiners.

By:  Date: 11/13/2023  
Dauna L. Bartley (N.C. State Bar No. 38016)  
THE BROCKER LAW FIRM, P.A.  
1135 Kildaire Farm Road, Suite 200  
Cary, North Carolina 27511  
Telephone (919) 415-2357  
*Counsel for Plaintiff*

By:  Date: 13 Nov. 2023  
Bobby D. White, Chief Executive Officer  
NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS

Consented to by Destiny Washington.

By:  Date: 11-3-23  
Destiny Washington