

STATE OF NORTH CAROLINA BY: S. Smallwood IN THE GENERAL COURT OF JUSTICE
WAKE COUNTY SUPERIOR COURT DIVISION
23CV036176-910

NORTH CAROLINA STATE BOARD)
OF DENTAL EXAMINERS,)
Plaintiff)
v.)
SHENEKA K. MORRIS, and)
HOUSE OF NIVED SPA & WELLNESS)
STUDIO LLC,)
Defendants)

**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 Defendants Sheneka K. Morris and House of Nived Spa & Wellness Studio LLC ("Defendants") (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 Defendants. 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 December 18, 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 Sheneka K. Morris has never been licensed to practice dentistry in North Carolina.

4) Defendant House of Nived Spa & Wellness Studio LLC is not a professional corporation owned by a licensed North Carolina dentist and registered with the Dental Board to provide dental services.

5) 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;

...

(4) Performs any phase of any operation relative or incident to the replacement or restoration of all or a part of a human tooth or teeth with any artificial substance, material or device;

(5) Corrects the malposition or malformation of the human teeth;

...

(7) Takes or makes an impression of the human teeth, gums or jaws;

(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;

[and]

(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.

6) The Dental Board provides evidence in the Verified Complaint for Permanent Injunction and its supporting affidavit that Defendants have 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 repairing composite and porcelain veneers; providing braces; repairing cracked, chipped, and missing teeth; and closing gaps between teeth;
- b. removing stains, accretions, or deposits from the human teeth, including tooth stain removal and whitening;
- c. performing any phase of any operation relative or incident to the replacement or restoration of all or a part of a human tooth or teeth with any artificial substance, material or device, including placing and repairing composite and porcelain veneers; and repairing cracked, chipped, and missing teeth;
- d. correcting the malposition or malformation of the human teeth, including providing braces; repairing cracked, chipped, and missing teeth; and closing gaps between teeth;
- e. taking or making an impression of the human teeth, gums, or jaws, including taking impressions for partial dentures and bridges;
- f. making, furnishing, supplying, or repairing any prosthetic 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 without a work order from a licensed dentist, including providing braces, partial dentures, and bridges;
- g. placing in the human mouth any prosthetic 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, including placing braces, partials, and bridges;
- h. owning, managing, controlling, and conducting enterprises -- House of Nived, "Majestic Smilez," and "Majestic Smilez NC" -- wherein the aforementioned acts are done or represented to be done; and
- i. claiming and advertising to the public the ability or qualification to do the aforementioned acts and to provide training to other persons to do one or more of the aforementioned acts, including on Facebook.com and on the

business websites <https://majesticmilez.as.me/schedule.php>, and <https://www.houseofnived.com>.

- 7) 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).
- 8) To resolve this matter, Defendants acknowledge that sufficient evidence exists such that a reasonable fact finder could sustain the Dental Board's allegations and asserted violations in this matter. Defendants' stipulations are solely for the purposes of this matter and any future proceedings involving the Dental Board, including in this matter.
- 9) Defendants voluntarily waive 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.

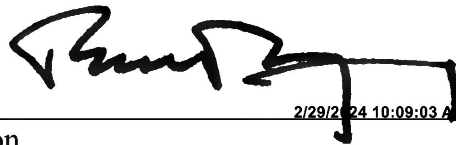
In accordance with the foregoing, and with the consent of the Parties hereto, it is hereby ORDERED, ADJUDGED, and DECREED that Defendants and any affiliates, related entities or successors, their officers, agents, servants, employees, directors, or others acting in concert or participation with them 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 repairing composite and porcelain veneers; providing braces; repairing cracked, chipped, and missing teeth; and closing gaps between teeth;
- b. removing stains, accretions, or deposits from the human teeth, including tooth stain removal and whitening;
- c. performing any phase of any operation relative or incident to the replacement or restoration of all or a part of a human tooth or teeth with any artificial substance, material or device, including placing and repairing

composite and porcelain veneers; and repairing cracked, chipped, and missing teeth;

- d. correcting the malposition or malformation of the human teeth, including providing braces; repairing cracked, chipped, and missing teeth; and closing gaps between teeth;
- e. taking or making an impression of the human teeth, gums, or jaws, including taking impressions for partial dentures and bridges;
- f. making, furnishing, supplying, or repairing any prosthetic 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 without a work order from a licensed dentist, including providing braces, partial dentures, and bridges;
- g. placing in the human mouth any prosthetic 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, including placing braces, partials, and bridges;
- h. 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;
- 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 Sheneka K. Morris is the holder of a license issued by the Dental Board and currently in effect.

Issued this 29th of February, 2024




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Hon.
Resident Superior Court Judge

Paul C. Ridgeway
Senior Resident Superior Court Judge

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

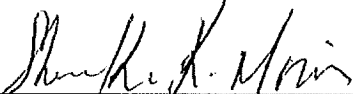
By: 
Dauna L. Bartley (N.C. State Bar No. 38016)
THE BROCKER LAW FIRM, P.A.
1135 Kildaire Farm Road, Suite 200
Cary, North Carolina 27511
Telephone (919) 415-2357
Counsel for Plaintiff

Date: 2/26/2024

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

Date: 26 FEB 2024

Consented to by and on behalf of Sheneka K. Morris and House of Nived Spa & Wellness Studio LLC.

By: 
Sheneka K. Morris, individually and as Member Manager of
House of Nived Spa & Wellness Studio LLC

Date: 2/22/23