

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
25 CVS 004344-400

Defendant.

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ORDER FOR PRELIMINARY
FILED INJUNCTION
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DATE: June 24, 2025
TIME: 12:08:50 PM
GUILFORD COUNTY
CLERK OF SUPERIOR COURT
BY: P. Williams

FINDINGS OF FACT

1. Plaintiff, North Carolina Board of Examiners for Speech and Language Pathologists and Audiologists (the “Plaintiff” or the “Board”), is an agency of the State of North Carolina, created under the authority of Chapter 90 of the General Statutes of North Carolina. Plaintiff’s principal office is located in Greensboro, Guilford County, North Carolina.
2. Defendant Kimberly Sade Guy (“Defendant”) is a resident of Rock Hill, South Carolina.

3. On March 12, 2025, Plaintiff filed a Verified Amended Complaint and Motion for Preliminary and Permanent Injunction, seeking an order to enjoin Defendant to prevent the unlicensed practice of Speech and Language Pathology.
4. On March 21, 2025, Plaintiff filed a Second Amended Notice of Hearing for its motion for injunctive relief against Defendant to be heard by this Court, setting the date, time, and location of the hearing for June 2, 2025, at 10:00 AM or as soon thereafter as the motion could be heard.
5. On April 10, 2025, Plaintiff filed an Affidavit of Service by Publication, per N.C. Gen. Stat. § 1A-1, R.4, detailing Plaintiff's due diligence to serve Defendant and a Notice of Service of Process by Publication for three successive weeks in a newspaper qualified for legal advertising and circulated in the area where Defendant is believed to be located.
6. On April 14, 2025, counsel for the Plaintiff sent an email correspondence with the pleadings filed with this Court to Defendant. On the same day, counsel for the Plaintiff received a phone call from Defendant confirming receipt of the emailed documents, her Rock Hill, South Carolina address, and the date and location of the hearing.
7. On June 2, 2025, this Court conducted a hearing on Plaintiff's motion for injunctive relief, Defendant did not appear.
8. Having reviewed the Motion and considered oral arguments presented by Plaintiff, the Court finds as follows beyond a reasonable doubt:

- a. Defendant is not now, and has never been, the holder of valid license to engage in the practice of speech and language pathology or audiology in North Carolina.
- b. Defendant has engaged in the practice of speech and language pathology or audiology in North Carolina, in violation of N.C. Gen. Stat. § 90-294(b), by holding herself out to be licensed speech and language pathologist, as follows:
 - i. On or about December 18, 2024, Defendant submitted an application for employment to Hopebridge Autism Therapy Centers (“Hopebridge”) in North Carolina.
 - ii. In support of her application for employment, Defendant submitted to Hopebridge her resume; an undergraduate diploma for Bachelor of Science in Communication Sciences & Disorders purportedly from Walden University; a graduate diploma for Master of Science for Speech Language Pathology purportedly from Strayer University; a license certificate purportedly issued by Plaintiff Board; and a Certificate of Clinical Competence purportedly from the Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association; and a copy of her Driver’s License.
 - iii. The educational credentials provided by Defendant to Hopebridge were fraudulent.

- iv. Defendant does not hold a Certificate of Clinical Competence from the Council for Clinical Certification in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association.
- v. The license certificate purportedly issued by Plaintiff Board that Defendant submitted to Hopebridge was fraudulent.
- vi. Defendant's resume provided that she is a "[c]ompassionate and dedicated Speech-Language Pathologist with 10+ years of experience evaluating, diagnosing, and treating speech, language, and swallowing disorders across diverse populations."
- vii. Defendant completed an interview for employment with Hopebridge on or about December 23, 2024, during which Defendant held herself out to be a licensed speech and language pathologist.

9. Defendant has violated N.C. Gen. Stat. § 90-294(b).

From the above Findings of Fact, the Court makes the following:

CONCLUSIONS OF LAW

- 1. This Court has jurisdiction both over the subject matter of this action and over the parties. Venue is proper.
- 2. Plaintiff is charged with the regulation of the practice of speech and language pathology and audiology in North Carolina and is authorized to bring this action under N.C. Gen. Stat. § 90-304, which provides:

§ 90-304(a)(7). To bring an action to restrain or enjoin violations of this Article in addition to and not in lieu of

criminal prosecution or proceedings to revoke or suspend licenses issued under this Article.

3. As part of its duties, the Board is charged with investigating the unauthorized practice of speech and language pathology or audiology. N.C. Gen. Stat. §§ 90-294, 90-306 makes illegal the unauthorized practice of speech and language pathology or audiology:

§ 90-294(b). No person may practice or hold himself or herself out as being able to practice speech and language pathology or audiology in this State unless the person holds a current, unsuspended, unrevoked license issued by the Board or is registered with the Board as an assistant.

§ 90-306. Any person, partnership, or corporation that willfully violates the provisions of this Article shall be guilty of a Class 2 misdemeanor.

4. N.C. Gen. Stat. § 90-293 defines “speech and language pathologist” as follows:

§ 90-293(5). Speech and language pathologist. – Any person who represents himself or herself to the public by title or by description of services, methods, or procedures as one who evaluates, examines, instructs, counsels, or treats persons suffering from conditions or disorders affecting speech and language or swallowing. A person is deemed to be a speech and language pathologist if the person offers such services under any title incorporating the words "speech pathology," "speech pathologist," "speech correction," "speech correctionist," "speech therapy," "speech therapist," "speech clinic," "speech clinician," "language pathologist," "language therapist," "logopedist," "communication disorders," "communicologist," "voice therapist," "voice pathologist," or any similar title or description of service.

5. N.C. Gen. Stat. §90-293 defines “the practice of speech and language pathology” as follows:

§ 90-293(7). The practice of speech and language pathology. – The application of principles, methods, and procedures for the measurement, testing, evaluation, prediction, counseling, treating, instruction, habilitation, or rehabilitation related to

the development and disorders of speech, voice, language, communication, cognitive-communication, and swallowing for the purpose of identifying, preventing, ameliorating, or modifying such disorders.

10. The conduct of Defendant, as set forth in the Findings of Fact above, violates N.C.

Gen. Stat. § 90-294(b).

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

1. Defendant shall not hold herself out as a speech and language pathologist or audiologist, by title or description, or engage in the practice of speech and language pathology or audiology, as that term is defined in N.C. Gen. Stat. § 90-294(b), until such time, if ever, that she becomes licensed in North Carolina to practice speech and language pathology or audiology.
2. The Superior Court of Guilford County, North Carolina, shall retain jurisdiction for the purposes of enforcing this Order, and Defendant shall therefore submit to the jurisdiction of this Court if future issues of compliance with this Order arise.
3. Any violation of this Order shall be deemed contempt of court and shall be punishable by both the civil and criminal contempt powers of this Court upon proper showing.
4. In the event that Defendant violates this Order, Plaintiff may avail itself of all remedies provided by law or equity. In the event of a motion to enforce this Order, and the Plaintiff being the prevailing party, Plaintiff shall be entitled to award for court costs and attorney fees as awarded by the Court.

SO ORDERED this the 20th day of June, 2025.

A handwritten signature in blue ink that reads "William Arnold Wood". The signature is written in a cursive style with a large, looped "W" at the end.

Honorable William A. Wood
Superior Court Judge Presiding