



STATE OF NEVADA

BEFORE THE NEVADA COMMISSION ON ETHICS

In re **Davyd Pelsue**, Member,
Board of Veterinary Medical
Examiners, State of Nevada,

Ethics Complaint
Case Nos. 18-077C

Subject. /

REVIEW PANEL DETERMINATION

NRS 281A.730; NAC 281A.440

The Nevada Commission on Ethics ("Commission") received Ethics Complaint No. 18-077C ("Complaint") on September 4, 2018, regarding the alleged conduct of Davyd Pelsue ("Pelsue"), a member of the Board of Veterinary Medical Examiners ("Board"), State of Nevada, in violation of the Ethics in Government Law set forth in NRS Chapter 281A ("Ethics Law"). The Commission issued its *Order On Jurisdiction and Investigation* on October 22, 2018, accepting jurisdiction and directing the Executive Director to investigate the alleged violations implicating NRS 281A.400(1) and (2).

Pelsue is a public officer as defined in NRS 281A.160. The Commission has jurisdiction over this matter pursuant to NRS 281A.280 because the allegations contained in the Complaint relate to Pelsue's conduct as a public officer and have associated implications under the Ethics Law. Specifically, the Complaint alleged that Pelsue used his public position as a Board member to potentially influence an existing complaint filed with the Board regarding the conduct of employees of the veterinary medical practice co-owned by Pelsue in his private capacity.

On September 18, 2019, a Review Panel ("Panel") consisting of Commissioners Brian Duffrin (Presiding Officer), Teresa Lowry, Esq. and Amanda Yen, Esq., reviewed the following: 1) Ethics Complaint No. 18-077C; 2) Order on Jurisdiction and Investigation; 3) Subject's Response to the Complaint; and 4) Executive Director's Recommendation to the Review Panel with Summary of Investigatory Findings.¹

Under NAC 281A.430, the Panel unanimously finds and concludes that the facts do not establish credible evidence to support a determination that just and sufficient cause for the Commission to render an opinion in the matter regarding the alleged violations of NRS 281A.400(1) and (2). Accordingly, these allegations are dismissed.

However, the Panel unanimously finds and concludes that there is sufficient cause to issue a Confidential Letter of Instruction in the matter to ensure proper separation between Pelsue's role as a member of the Board and matters affecting his private business.

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¹ All materials provided to the Panel, except the Complaint and the Order on Jurisdiction and Investigation, represent portions of the investigatory file and remain confidential pursuant to NRS 281A.750.

IT IS HEREBY ORDERED:

The Panel dismisses the Complaint for lack of sufficient credible evidence of a violation and issues a Confidential Letter of Instruction in the matter.

Dated this 18th day of September, 2019.

NEVADA COMMISSION ON ETHICS

By: /s/ Brian Duffrin
Brian Duffrin
Commissioner/Presiding Officer

By: /s/ Amanda Yen
Amanda Yen, Esq.
Commissioner

By: /s/ Teresa Lowry
Teresa Lowry, Esq.
Commissioner

CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day in Carson City, Nevada, I transmitted a true and correct copy of the foregoing **REVIEW PANEL DETERMINATION** via U.S. Certified Mail and electronic mail addressed as follows:

Davyd Pelsue
c/o Douglas R. Brown, Esq.
Lemons, Grundy & Eisenberg
6005 Plumas Street, Third Floor
Reno, NV 89519

Certified Mail No.: 9171 9690 0935 0037 6383 96
Email: drb@lge.net
cc: susan@lge.net

Dated: 9/18/19



Employee, Nevada Commission on Ethics