ROB BONTA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General
CAITLIN ROSS
Deputy Attorney General
State Bar No. 271651
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3615
Fax: (415) 703-5480
E-mail: Caitlin.Ross@doj.ca.gov
Attorneys for Respondent
Medical Board of California

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Automatic Revocation Order Against: **JAY LIN, M.D.** **Baylor College of Medicine** **One Baylor Plaza MS 360** **Houston, TX 77030** **Physician's and Surgeon's Certificate No. A 116175,** Respondent	Case No. 800-2019-059880 **NOTICE OF AUTOMATIC REVOCATION OF LICENSE**

TO: RESPONDENT JAY LIN, M.D.:

YOU ARE HEREBY NOTIFIED that the Medical Board of California, Department of Consumer Affairs (Board), has automatically revoked Physician's and Surgeon's Certificate No. A 116175 by operation of law after having received and reviewed a copy of the record of criminal conviction described below:

1. On November 29, 2021, Respondent entered a plea of guilty in the case of *The State of Texas v. Jay Lin*, State of Texas, Montgomery County, District Court Case No. 19-08-10484.

2. The court record establishes that Respondent was convicted of 1 count of violating Texas Penal Code section 33.021(c) [Online Solicitation of a Minor]. The criminal convictions require Respondent to register as a sex offender. (Cal. Pen. Code, §§ 290.005, 290.)

3. Attached hereto and incorporated by reference are documents from District Court Case No. 19-08-10484, State of Texas, Montgomery County, supporting these findings:

Attachment A: Admonition to the Defendant for Plea to Court; Waivers, Consent, Judicial Confession & Plea Agreement

Attachment B: Case Summary

SEX OFFENDER REGISTRATION: AUTOMATIC REVOCATION

4. Section 2232 of the California Business and Professions Code states in pertinent part:

"(a) Except as provided in subdivisions (c), (d), and (e), the board shall automatically revoke the license of any person who, at any time after January 1, 1947, has been required to register as a sex offender pursuant to the provisions of Section 290 of the Penal Code, regardless of whether the related conviction has been appealed. The board shall notify the licensee of the license revocation and of his or her right to elect to have a hearing as provided in subdivision (b).

"(b) Upon revocation of the physician's and surgeon's certificate, the holder of the certificate may request a hearing within 30 days of the revocation. The proceeding shall be conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part I of Division 3 of Title 2 of the Government Code)."

WHEREFORE, THE MEDICAL BOARD OF CALIFORNIA, DEPARTMENT OF CONSUMER AFFAIRS, HEREBY NOTIFIES YOU THAT, by virtue of said conviction and requirement to register as a sex offender, Physician's and Surgeon's Certificate No. A116175, issued to Jay Lin, M.D. is automatically revoked by operation law, effective January 6, 2022, pursuant to Business and Professions Code section 2232. You shall cause to be delivered to the Board both your wall and pocket license certificate within 15 days from the date of the service of this Order.

YOU ARE FURTHER NOTIFIED THAT you have a right to a hearing as provided by Business and Professions Code section 2232, subdivision (b), as set forth above. A request for a hearing may be made by delivering or mailing such a request to: Caitlin Ross, Supervising Deputy Attorney General, Department of Justice, Office of the Attorney General, 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102. This Notice is being served by a designee of the Board upon Jay Lin, M.D. at his designated address of record with the Medical Board. The Notice is also being served on:

1.) the address of Respondent's attorney listed in the Notice of Defense: Nicole Goldstein, 3345 Bee Cave Road, Austin, Texas 78746.

DATED: JAN 06 2022

KRISTINA D. LAWSON, J.D.
President
Medical Board of California
Department of Consumer Affairs
State of California

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ATTACHMENT A

State's Exhibit No.

CASE NO. 19-08-10484
COUNT
INCIDENT NO./TRN: 928082323X

RECEIVED AND FILED
FOR RECORD
At 2:45 O'Clock P M.
NOV 29 2021
Melisa Miller, District Clerk
Montgomery County, Texas
By [signature] Deputy

THE STATE OF TEXAS	§	IN THE 435th
	§	
V.	§	DISTRICT COURT
	§	
JAY LIN	§	MONTGOMERY COUNTY, TEXAS
	§	
STATE ID NO.: TX-11925947	§	

ADMONITIONS TO THE DEFENDANT FOR PLEA TO COURT

1. The range of punishment attached to the offense to which Defendant is pleading, including enhancements, if any, is:

☐ (Capital Felony - death penalty waived) confinement in the Institutional Division for life.

☐ (Habitual Offender) confinement in the Institutional Division for life or a term of not more than 99 years or less than 25 years.

☐ (First Degree Felony + Repeat Offenders) confinement in the Institutional Division for life or a term of not more than 99 years or less than 15 years; in addition, a fine not to exceed $10,000 may be imposed.

☐ (First Degree Felony) confinement in the Institutional Division for life or a term of not more than 99 years or less than 5 years; in addition, a fine not to exceed $10,000 may be imposed.

☒ (Second Degree Felony) confinement in the Institutional Division for a term of not more than 20 years or less than 2 years; in addition, a fine not to exceed $10,000 may be imposed.

☐ (Third Degree Felony) confinement in the Institutional Division for a term of not more than 10 years or less than 2 years; in addition, a fine not to exceed $10,000 may be imposed.

☐ (State Jail Felony) confinement in state jail for not more than 2 years or less than 180 days; in addition, a fine not to exceed $10,000 may be imposed. Under § 12.44(a), PC, confinement in county jail for not more than one year and/or a maximum fine of $4,000. If the offense is possession of a controlled substance (Penalty Group 1 or 2), LSD (5 abuse units or less), or marihuana (1 lb. Or less) or fraud (by prescription for schedule II or III drugs), and the Defendant has no prior felony conviction, judge shall suspend sentence and place the Defendant on probation.

☐. (Class A Misdemeanor or Punishment assessed under 12.44 (b) of the Penal Code) confinement in county jail for not more than one year and/or a maximum fine of $4,000. For a second DWI committed after 8/31/95, the minimum confinement in jail is 30 days.

☐. (Class B Misdemeanor) confinement in county jail for not more than 180 days and/or a maximum fine of $ 2,000.00. For a first DWI committed after 8/31/94, the minimum confinement in county jail is 72 hours.

☐. (Special punishment range) _____.

2. The recommendation of the District Attorney is not binding on the court. The court will inquire as to the existence of a plea agreement and, if any exists, inform Defendant in open court before any finding on the plea whether the court will follow such agreement. Should the court reject a plea agreement, Defendant shall be permitted to withdraw the plea of guilty or no contest.

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Montgomery County District Clerk
PAGE 1 of 20
month day year initials

State's Exhibit No. 1

3. If the punishment assessed does not exceed the punishment recommended by the District Attorney and agreed to by Defendant and his attorney, Defendant must request and receive the trial court's permission before he or she may pursue an appeal on any matter in his or her case, except for those matters raised by written motions filed prior to trial.

4. **I am / am not (circle one) a citizen or legal resident of the United States of America. If not a US citizen, I am a citizen of and hereby waive all potential rights afforded me by treaty.** If I am not a citizen of the United States of America, a plea of guilty or no contest for the offense charged may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law.
JL

5. If I am convicted of or placed on deferred adjudication for an offense triggering the Sex Offender Registration Program, Defendant will be required to meet the registration requirements of that law. For a list of offenses triggering sex offender registration and the details of that law, see Chapter 62, CCP. Defendant understands that the sex offender registration laws include many details other than those listed in these admonitions, are subject to change, and may be applied retroactively. Failure to comply with the registration law is a felony criminal offense.
JL

6. If I am placed on deferred adjudication, upon violation of a condition of community supervision, the Defendant may be arrested and detained. The Defendant is entitled to a hearing limited to the determination by the judge whether it proceeds with an adjudication of guilt on the original charge. After an adjudication of guilt, all proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision, and defendant's appeal continue as if the adjudication of guilt had not been deferred.
JL

I, Jackson, Stephen D , have reviewed and explained all of the above indicated admonishments with the Defendant. I believe the Defendant is competent and aware of the consequences of the plea.

11/29/21
Date

Defense Counsel

I, Jay Lin, have reviewed and understand the above indicated admonishments. I am competent and aware of the consequences of the plea.

11/29/21
Date

Defendant

The court finds that Defendant received and understood the above admonitions, is sane and competent, and is aware of the consequences of the plea.

11/29/2021
Date

District Judge

Waivers, Consent, Judicial Confession & Plea Agreement

I (the Defendant) understand the admonitions from the Court on this document and am aware of the consequences of my plea. In addition, my attorney has explained the admonitions to me. If the Grand Jury has not returned an indictment, I waive the right to be accused by indictment. I waive the right to service of a copy of the indictment or information and the time allowed by law to file motions and pleadings and to prepare for trial and the discovery of exculpatory evidence, if any exists. The Defendant waives the right to a trial, including the right to trial by jury and a speedy trial, the appearance and confrontation and cross-examination of the witnesses against him, the right to remain silent, and the right to not to be compelled to give evidence against himself (at both the guilt and punishment stages).

I waive reading of the indictment or information. I waive and abandon all motions, pleadings and objections made before the entry of the plea. I waive the appearance of a court reporter at this hearing and consent to an oral stipulation of the evidence and testimony and to the introduction of testimony by affidavits, written statements of the witnesses, and any other documentary evidence.

I **JUDICIALLY CONFESSES** to committing the offense of: **ONLINE SOLICITATION OF A MINOR**

as charged by the indictment or information or as a lesser-included offense to the offense charged in the indictment or information. If the information or indictment is amended, I further waive my notice requirements.

A plea agreement exists in this cause as follows:

Defendant agrees to plead **guilty** to the above specified offense(s), **true** to enhancement allegations, if any, judicially confess, **waive** any right to appeal this case. In addition, I waive the preservation of all evidence seized in connection with the arrest and consent to its destruction/forfeiture.

State agrees to recommend: **The Defendant has plead guilty to the above named offense, and has elected to go to the Court for punishment**

As part of this agreement, the State and Defendant agree to the following jail time credit: ANY AND ALL

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Montgomery County District Clerk

month day year Initials

State's Exhibit No. 1

(If any form of community supervision is recommended, the Defendant understands that the Court, without rejecting the plea agreement, has the discretion to impose any additional reasonable condition of supervision not listed in or prohibited by the plea agreement.)

Defendant

24094708 for SDS 00784

Defendant's Attorney (and State Bar No.)

Sworn and subscribed before me On This The 29th Day Of November, 2021.

Deputy District Clerk

The State consents to and approves the foregoing matters.

Assistant District Attorney

The Court finds the defendant sane and competent and consents to and approves the waivers, consent to stipulation and introduction of evidence.

District Judge

Waiver of Right to Appeal

Having been informed of whatever right to appeal may exist, and having agreed to waive my right to appeal, and after having consulted with my attorney, I voluntarily, knowingly and intelligently waive my right to appeal.

Defendant

It clearly appears to the Court that the Defendant is sane and competent and understands the consequences of waiving the right to appeal. The Defendant voluntarily, knowingly and intelligently waived such right. Said waiver is accepted by the Court and ordered filed in the record of this case.

District Judge

State of Texas, County of Montgomery, I, Melissa Miller, District Clerk of Montgomery County, Texas Certify pages in cause no. 19-08-10484 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office this the 29 day of November 2021.

Signed

Clerk or Deputy

ATTACHMENT B

435TH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. 19-08-10484

State of Texas	§	Location:	**435th Judicial District Court**
Vs.	§	Judicial Officer:	**Maginnis, Patty**
Lin, Jay	§	Filed on:	**08/02/2019**
	§	Prosecutor Control Number:	**19F-003876**
	§		

CASE INFORMATION

Offense	Statute	Deg	Date		
1. ONLINE SOLICITATION OF A MINOR TRN: 928082323X TRS: A001 ACN: 19D025515 Arrest: 07/31/2019 CONP1 - Constable Pct 1	33.021(c)	F2	07/31/2019	Case Type:	**Adult Felony - Filed by Information**

Bonds

Surety Bond $30,000.00
8/1/2019 Surety Bond Posted
Counts: 1

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	19-08-10484
Court	435th Judicial District Court
Date Assigned	08/02/2019
Judicial Officer	Maginnis, Patty

PARTY INFORMATION

		Lead Attorneys
State	**State of Texas** *207 W. Phillips* *2nd Floor* *Conroe, TX 77301* *Other*	
Defendant	**Lin, Jay** *4604 PARK CT* *BELLAIRE, TX 77401* *Asian Male* *DOB: 01/15/1979 Age: 40* [redacted]	**Jackson, Stephen D** *Retained* 936-756-5744(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
08/01/2019	Surety Bond	
08/02/2019	Information (OCA) *Information and Complaint*	
08/02/2019	Ancillary Conditions of Bond *Amended Ancillary Conditions of Bond*	
08/05/2019	Standard Discovery Order	
08/05/2019	Motion (No Fee) *Motion to Modify Conditions of Bond*	
08/05/2019		

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PAGE 1 of 4
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Printed on 12/20/2021 at 3:18 PM

	Proposed Order *Proposed Order on Motion to Modify Conditions of Bond*
08/05/2019	Docket Entry *Defendant's Attorney Steve Jackson appeared. Amended Ancillary Conditions of Bond signed by Judge Paul Damico, s/a 435th. *Deft copy distributed in court / e-mailed to jail. rf*
08/05/2019	Ancillary Conditions of Bond *Amended Ancillary Conditions of Bond*
08/06/2019	Ancillary Conditions of Bond
08/21/2019	Finance - Bill of Cost
08/27/2019	**Information** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *Per bond (has ACOB)*
08/27/2019	Notice *Defendant's Notice Revoking Consent to Search*
08/27/2019	Motion (No Fee) *Motion to Modify Conditions of Bond*
08/27/2019	Proposed Order *Proposed Order on Motion to Modify Conditions of Bond*
09/09/2019	Request *Defendant's Request for Discovery and Brady Material*
09/09/2019	Request *Accused Citizen's Request for Notice of Extraneous Crimes or Acts*
09/09/2019	Request *Accused Citizen's Request for Noitce Pursuant to Texas Rules of Crimes Evidence 609 (f)*
09/17/2019	Proposed Order *Proposed Supplemental Ancillary Conditions of Bond*
09/25/2019	Ancillary Conditions of Bond *2nd Amended*
10/22/2019	Indictment Non-mapped *Indictment*
10/29/2019	**Arraignment** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *Indicted 10/22 -- And hearing on Second Motion to Amend ACOB*
10/29/2019	Finance - Bill of Cost
12/09/2019	Motion (No Fee) *Motion to Inspect, Examine, and Independently Test Physical Evidence*

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PAGE ___ of ___
month day year initials

12/09/2019	Proposed Order *Proposed Order on Motion to Inspect, Examine, and Independently Test Physical Evidence*
12/13/2019	Finance - Bill of Cost
12/17/2019	**Plea Acceptance** (9:00 AM) (Judicial Officer: Maginnis, Patty)
02/20/2020	**Plea Acceptance** (1:30 PM) (Judicial Officer: Maginnis, Patty) *SECOND – Waiting on forensics*
02/20/2020	Finance - Bill of Cost
07/27/2020	Finance - Bill of Cost
02/04/2021	**Plea Acceptance** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *5th appearance - Negotiations/Set for Trial Dates -HMD*
04/22/2021	**Pre-Trial Conference** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom)
06/25/2021	Motion for Continuance *Unopposed Motion for Continuance*
07/06/2021	Signed Order File Date: 06/25/2021 *Order on State's Unopposed Motion for Continuance signed by Judge Patty Maginnis*
07/07/2021	Finance - Bill of Cost
07/08/2021	**Docket Call** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom)
09/09/2021	Notice *State's Response to Standard Discovery Order, State's Notice of Extraneous Offenses under 404(b), 609, Art. 38.37, and Art. 37.07(3)(g), and State's Designation of Expert Witnesses*
10/07/2021	**Docket Call** (1:00 PM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *State's unopposed MFC granted 07.06.21. RS from 07.26.21 trial docket. JMW*
10/07/2021	Motion (No Fee) *Defendant's Unopposed Motion for Continuance*
10/07/2021	Signed Order File Date: 10/07/2021 *Order for Continuance signed by Judge Patty Maginnis (12.13.21 @ 9:00 AM)*
11/09/2021	Notice *Defendant's Notice of Experts*
11/24/2021	Finance - Bill of Cost
11/29/2021	**Docket Call** (1:30 PM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *Judge approved new Trial date. EBState's unopposed MFC granted 07.06.21. RS from 07.26.21 trial docket. JMW*

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PAGE 3 of 4
12 20 2021
month day year initials

CASE SUMMARY

CASE NO. 19-08-10484

11/29/2021	Docket Entry *Defendant appeared with Attorney; Open Plea-Guilty; Admonitions; Trial Court's Certification; Order for Destruction of Evidence; all signed by Judge David Bluestein, sitting as 435th; CSR Donna Whiteside. Case reset for Sentencing on March 23, 2022. LH*
11/29/2021	Evidence and Discovery Log *eDiscovery Audit Log*
11/29/2021	Order for Destruction of Evidence File Date: 11/29/2021
11/29/2021	Trial Court's Certification of Defendant's Right of Appeal File Date: 11/29/2021
11/29/2021	Admonitions to the Defendant for Plea to Court File Date: 11/29/2021
11/29/2021	**Plea** (Judicial Officer: Bluestein, David) 1. ONLINE SOLICITATION OF A MINOR Guilty TRN: 928082323X TRS: A001
12/13/2021	*CANCELED* **Jury Trial** (9:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *Other*
03/23/2022	**Sentencing Hearing** (10:00 AM) (Judicial Officer: Maginnis, Patty ;Location: 435th Courtroom) *Open plea. Reset for long PSI. EB*

DATE	FINANCIAL INFORMATION	
	Defendant Lin, Jay	
	Total Charges	315.00
	Total Payments and Credits	0.00
	Balance Due as of 12/20/2021	**315.00**

State of Texas, County of Montgomery, I, Melisa Miller, District Clerk of Montgomery County, Texas Certify 24 pages in cause no. 19-08-10484 as a true and correct copy of the original record electronically or physically filed in my office, as it appears on this date. Witness my official hand and seal of office, this the 20 day of [illegible] 2021

Signed [illegible]

Clerk or Deputy