August 21, 2014

American DataBank

110 16th St, 8th Floor

Denver, CO 80202

 Re: Consumer Dispute of [[CLIENT NAME]]

To Whom This May Concern:

I am representing [[CLIENT NAME]] in a dispute of her criminal record report prepared by American DataBank. On August 1, 2014, American DataBank prepared a report that was provided to [[EMPLOYER]], where [[CLIENT NAME]] will be doing clinical work this fall in pursuit of her nursing degree with [[UNIVERSITY]]. I have enclosed a copy of the background report. As a result of this report, [[CLIENT NAME]] has been told she will not be able to do her clinical work. Because your background check was erroneous, you are liable for damages incurred.

Your report states that [[CLIENT NAME]] pled guilty/was convicted of a felony offense under the Controlled Substances, Drugs, Device, and Cosmetic Act, and that a misdemeanor charge under that same Act was a non-conviction/nolle prossed/withdrawn. **This is incorrect** **for two reasons**.

**First**, [[CLIENT NAME]] was originally charged with a felony offense, but that charge was changed to a misdemeanor offense and was ultimately nolle prossed. Erroneously stating that [[CLIENT NAME]] has a felony conviction is what caused her to be rejected by [[EMPLOYER]].

**Second**, [[CLIENT NAME]] does not have a conviction for the remaining misdemeanor offense. Rather, she was accepted into the Section 17 “Probation without Verdict” program. She completed this program, as evidenced by the attached certificate from the court. Therefore, she does not have a conviction for this charge either.

I have enclosed a copy of [[CLIENT NAME]] court summary to verify the correct charges and dispositions that should be reported. Kindly correct your report immediately and provide me with proof of same, and send a corrected version to [[EMPLOYER]].

You can contact me to discuss this further, at **[[ATTORNEY PHONE NUMBER]].**

 Very truly yours,

 [[ATTORNEY NAME]]

 Staff Attorney

Encl.

CC: [[CLIENT NAME]]