

**STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

IN THE MATTER OF:)
)
James Grey Joyce)
4490 Village Green Drive)
Birmingham, AL 35242)
)
)
Respondent)
_____)



Case No. 2015-09-B

CONSENT ORDER

James Grey Joyce, a licensed professional engineer (hereinafter referred to as “Respondent”) hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the “Board”) as follows:

STIPULATED FACTS

Respondent stipulates on February 3, 1998 the Board issued him certificate of licensure (number 22248) authorizing him to practice as a professional engineer in the State of Alabama.

Respondent stipulates on December 16, 2014 the Board, by and through its Executive Director, initiated a complaint alleging he failed to provide documents that support a portion of the professional development hours (pdh) he reported on his 2014 professional engineer license renewal application after being notified of his selection for audit of the reported pdh.

Respondent stipulates the Board sent him an email on May 21, 2014 that advised his 2014 professional engineer license renewal application had been selected at random for audit of the reported pdh. Respondent stipulates the email instructed him to provide the pdh documents to the Board office prior to June 3, 2014. Respondent further stipulates he did not respond.

Respondent stipulates he was notified by the Board in a letter dated June 17, 2014 sent via first class mail that his 2014 professional engineer license renewal application had been selected at random for audit of the reported pdh. Respondent stipulates the letter instructing him to provide the pdh documents to the Board office prior to July 11, 2014 was sent to his previous address and was not received until a few days before July 11, 2014. Respondent stipulates he provided documents to the Board office on July 11, 2014.

Respondent stipulates the documents he provided on July 11, 2014 verified completion of five of the fifteen pdh he reported on his 2014 professional engineer renewal application. Respondent further stipulates he did not respond to attempts by Board staff to communicate with him regarding the reported pdh activity referred to as Senior Executives Institute, Engineering Business Roundtable.

Respondent stipulates he provided a document to the Board office on March 17, 2015 that verified his attendance at the Senior Executives Institute, Engineering Business Roundtable on November 2, 2013.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing “Stipulated Facts” constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(2) and the Rules and Regulations of the Board’s Administrative Code § 330-X-13-.02(14)(b) and § 330-X-14-.06(a)(1).

Respondent stipulates his conduct as set forth in the “Stipulated Facts” is a violation of those statues set forth above, and it is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the Administrative Code of the Board.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

Respondent shall submit to the Board via a certified check made payable to PE/PLS Fund a fine in the amount of five hundred dollars (\$500) with this signed Consent Order.

Respondent must complete ten professional development hours (pdh) approved by the Board prior to December 31, 2015 to replace the Senior Executives Institute, Engineering Business Roundtable course reported on his 2014 professional engineer license renewal application.

Respondent understands that failure to comply with any term of this consent order shall cause his professional engineer license to be *revoked* pending ratification by the Board. Respondent further understands this matter would be presented to the Board at a regularly scheduled meeting at which he could attend and present evidence on his behalf.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

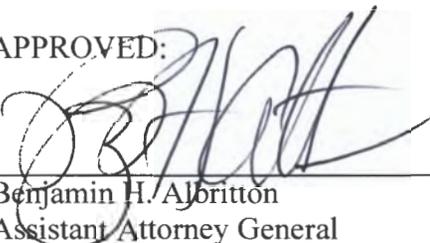
Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 7 day of SEPT, 2015


James Grey Joyce

APPROVED:


Benjamin H. Albritton
Assistant Attorney General

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_____)



Case No. 2015-09-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by James Grey Joyce, Professional Engineer, license number 22248, in which he stipulated he violated the Code of Alabama 1975, § 34-11-11(a)2, and the Rules and Regulations of the Board's Administrative Code § 330-X-13-.02(14)(b), and § 330-X-14-.06(a)(1), hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 24th day of September, 2015

RECUSED

Marc S. Barter

M. Elisabeth Hyde

M. Elisabeth Hyde

Richard G. Grace

Richard G. Grace

Randall D. Whorton

Randall D. Whorton

A. Frazier Christy

A. Frazier Christy

DID NOT ATTEND

Charles P. Willis

Nathan G. Johnson

Nathan G. Johnson