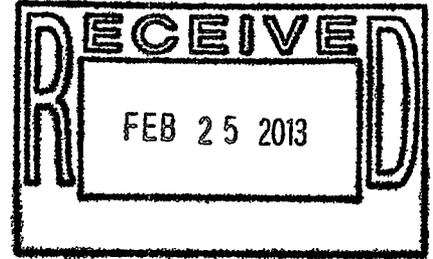


STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS



IN RE THE MATTER OF:

BLUE KEITH JAROD MCCOY

CASE NO. 2013-08-C

CONSENT ORDER

Blue Keith Jarod McCoy, a fundamentals of surveying examination candidate (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 he has never held a valid land surveyor intern certificate issued by the Board indicating he successfully completed the requirements for land surveyor intern certification in the State of Alabama.

Respondent stipulates the Board received an application for the Fundamentals of Land Surveying examination dated November 30, 2007 which allowed Respondent to apply for the October 27, 2012 examination to be administered at the Birmingham Jefferson Convention Complex located in Birmingham, Alabama. Respondent stipulates he subscribed to and agreed to conform with the Rules of Professional Conduct of the Board set forth in the Administrative Code, Rule 330-X-14 on the application for the Fundamentals of Surveying examination dated October 27, 2012.

Respondent stipulates he participated in the Fundamentals of Surveying examination administration on October 27, 2012 administered at the Birmingham Jefferson Convention Center located in Birmingham, Alabama. Respondent further stipulates he placed identifying information and responses to examination questions on a scantron answer sheet.

Respondent stipulates on December 10, 2012 the Alabama Board of Licensure for Professional Engineers and Land Surveyors received correspondence from the National Council of Examiners for Engineers and Surveyors (NCEES) in reference to possible irregularities in Respondent's October 27, 2012 Fundamentals of Surveying examination results contained on his scantron answer sheet.

Respondent stipulates that during the October 27, 2012 Fundamentals of Surveying Examination administered at the Birmingham Jefferson Convention Center located in Birmingham, Alabama, he obtained answers to examination questions by observing another exam candidate's scantron answer sheet.

STIPULATED CONCLUSIONS OF LAW

Respondent stipulates it 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 its conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-15(a), § 34-11-16(a)(4), and the Board's *Administrative Code* § 330-X-14-.06(1) and (5).

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

STIPULATED DISPOSITION

1. Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama, 1975 and the rules and regulations of the Administrative Code of the Board.

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

3. Respondent agrees to complete a continuing professional competency course in surveying ethics provided by the Department of Surveying Engineering at New Mexico State University.

4. Respondent understands he cannot submit an application for the Fundamentals of Surveying examination for a period of two (2) years from the date of Final Order and upon successful completion of the Department of Surveying Engineering at New Mexico State University surveying ethics course. Respondent understands that any future application must meet the eligibility requirements of current Law and Administrative Code

5. 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.

6. Respondent agrees any violation of the terms of this Consent Order, may result in the Board filing additional charges in accordance with the Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

7. 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 this discussion will take place at a regularly scheduled meeting of the Board in Montgomery Alabama.

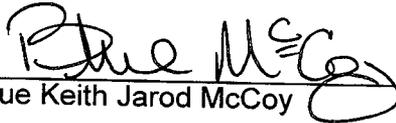
8. Respondent understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against it, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this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

9. 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.

10. 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 22 day of February, 2013


Blue Keith Jarod McCoy

APPROVED 
Benjamin H. Albritton
Assistant Attorney General

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

IN RE THE MATTER OF:

BLUE KEITH JAROD MCCOY

CASE NO. 2013-08-C

FINAL ORDER

On April 17, 2013, the Alabama Board of Licensure for Professional Engineers and Land Surveyors convened for a regularly scheduled meeting. The Board Members in attendance at the meeting were: Dr. Daniel S. Turner, Mr. Phillip E. Santora, Mr. Earl Foust, Mr. Marc S. Barter, Mr. W. Gerald Wilbanks and Mr. C. Michael Arnold.

This Final Order is based upon a Consent Order signed by Blue Keith Jarod McCoy (hereafter referred to as Respondent) and dated February 22, 2013. In the Consent Order, Respondent stipulated he violated the Code of Alabama 1975, § 34-11-15(a) and § 34-11-16(a) (4) and the Board's *Administrative Code* §330-X-14-.06(1) and (5).

Upon Consideration of the above it is **ORDERED** that the Consent Order dated February 22, 2013 is adopted by the Board and hereby made a part of this Final Order. It is further **ORDERED** that Respondent abide by the Final Order in this manner.

ENTERED this the 17th day of April, 2013.



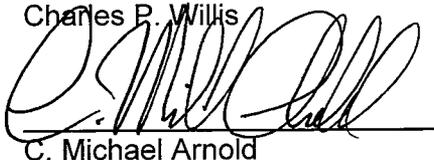
Daniel S. Turner

RECUSED

Earl R. Foust

DID NOT ATTEND

Charles P. Willis



C. Michael Arnold



Phillip E. Santora



Marc S. Barter



W. Gerald Wilbanks