

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

IN RE THE MATTER OF:

MAURICE L. NORTHCUTT

Case No. 03-35-C

FINAL ORDER

On February 28, 2008 at 9:00 a.m. the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as "Board") convened for an Administrative Hearing concerning the allegations filed against Mr. Maurice L. Northcutt (hereinafter referred to as "Respondent"). The Board Members in attendance at the Hearing were: Mr. Veston W. Bush, Mr. William C. Ulrich, Mr. Al I. Reisz, Mr. Don T. Arkle, and Mr. Preston L. Jackson. Mr. Ulrich, as the Board Member assigned to the investigation, was excluded from the Hearing. The Honorable Walter Turner, Chief Administrative Law Judge for the Administrative Hearings Division of the Attorney General's Office, presided over the Hearing. Also present at the Board Meeting were Ms. Regina Dinger, Executive Director of the Board (hereinafter referred to as "Claimant"), and Mr. William R. Huett, Assistant Executive Director and Investigator for the Board. Mr. Benjamin Albritton, Assistant Attorney General, represented the Board at the hearing. Mr. Northcutt did not attend the hearing.

STATEMENT OF ISSUES

Respondent's license to practice engineering in the State of Alabama (license number 5560) expired on June 30, 1995. Since that date Respondent has not held a valid professional engineers license in the State of Alabama. Respondent's mailing address is 7106 Hilltop Drive, Covington, GA 30209.

On or about March 17, 2003, the Claimant received a complaint alleging violations of the Code of Alabama 1975. The alleged violations are as follows:

Count One

Respondent provided observations and reviewed calculations about an engineering service done by another non-licensed individual in expert testimony in civil suit without an Alabama Professional Engineer's License.

The conduct of Respondent in Count One is a violation of one or more of the following licensure laws proscribed by Title 34, Chapter 11, Code of Alabama 1975.

1. (a) Any person who shall practice, offer to practice, or hold himself or herself out as qualified to practice engineering or land surveying in this state or use in connection with his or her name or otherwise assume, use, or advertise any title or description including, but not limited to, the term engineer, engineers, engineering, or professional engineer, professional engineers, or professional engineering, or land surveyor, land surveyors, land surveying, or professional land surveyor, professional land surveyors, professional land surveying, without being licensed or exempted in accordance with this chapter, or any person presenting or attempting to use as his or her own the certificate of licensure or the seal or facsimile thereof of another, or permitting his or her own certificate of licensure, seal or facsimile thereof to be used by

another person, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining, or attempting to obtain a certificate of licensure, or any person who shall falsely impersonate any other licensee of like or different name, or any person who shall attempt to use an expired, suspended, surrendered, or revoked certificate of licensure, or any person who shall violate this chapter, shall be guilty of a Class A misdemeanor and punished as provided by law. Each day of the violation shall be a separate offense. This violation is proscribed by Title 34, Chapter 11, Code of Alabama 1975 § 34-11-15(a).

2. (1) Engaging in the practice of offer to practice of engineering or land surveying in this jurisdiction without being licensed in accordance with this chapter. This violation is proscribed by Title 34, Chapter 11, Code of Alabama 1975 § 34-11-16(a)(1).

CONCLUSIONS OF LAW

The Board hereby stated that Respondent is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-15(a).

CONCLUSION

After hearing the testimony of all the witnesses presented by the Respondent and the Claimant and after considering all the evidence presented in the above-referenced case, the Board finds that the Respondent is **Guilty** of the allegations made against him. The Board hereby **Orders** as follows:

1. Respondent shall pay the State of Alabama General Fund a civil penalty of \$1,000.00 (one thousand dollars) in accordance with Title 34 Chapter 11, Code

of Alabama 1975, § 34-11-16(b), no later than thirty days after receipt of the Final Order.

2. Respondent shall pay the Board \$627.51 (six hundred twenty seven dollars and fifty-one cents) as administrative cost of this investigation in accordance with Title 34 Chapter 11, Code of Alabama 1975, § 34-11-16(b), no later than thirty days after receipt of the Final Order.
3. Respondent shall *cease and desist* the offer to practice or practice of engineering in the State of Alabama until such time as he receives a license to practice engineering from this Board.

Done this the 17th day of March 2008.



Mr. Veston W. Bush, Jr.



Mr. Al Reisz



Mr. Preston L. Jackson



Mr. Don T. Arkle