

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

**IN THE MATTER OF:**

Mr. Russell W. Duke



**Respondent**

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**Case No. 2015-50-B**

**ORDER**

On July 13, 2016, the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as “Board”), accepted a consent order signed by Mr. Russell W. Duke (hereinafter referred to as “Respondent”) and issued a final order regarding a complaint filed against Respondent. In the consent order Respondent agreed to pay a fine of \$1,000.00 (one thousand dollars), to pay \$212.00 (two hundred and twelve dollars) for the cost of the investigation, and to provide documentation that showed completion of five professional development hours of continuing education to the Board prior to July 15, 2016. In the consent order Respondent also agreed that failure to comply with any term of the consent order would cause his professional engineer license to be *revoked*, pending ratification by the Board.

A copy of the consent order and final order were sent to Respondent’s address identified in the records of the Board via regular and certified mail on July 20, 2016. An invoice for the amount of the monetary penalties was also enclosed. The certified mail was returned to the Board office unclaimed on August 19, 2016.

A letter dated October 6, 2016, was sent to Respondent via regular and certified mail that informed him that his non-compliance with the agreed upon consent order of July 13, 2016,

would be discussed by the Board at its regularly scheduled meeting on November 16, 2016. The letter further advised him that he could appear at the meeting and present information to the Board when the matter was discussed. The letter was also sent to Respondent via email on October 17, 2016. The certified mail was returned to the Board office unclaimed on November 4, 2016.

At its November 16-17, 2016, regularly scheduled meeting, the Board reviewed the information relative to Respondent's non-compliance with the agreed upon consent order and the consequences of non-compliance contained in the consent order. After this review and discussion, the Board determined Respondent's license to practice engineering in the State of Alabama is *Revoked*.

Done this the 16<sup>th</sup> day of November, 2016

  
A. Frazier Christy

  
Nathan G. Johnson

RECUSED  
Randall D. Whorton

  
M. Elisabeth Hyde

  
Richard G. Grace

  
Marc S. Barter