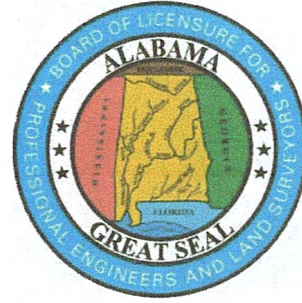


**STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

IN THE MATTER OF:

James A. Holman
Professional Land Surveyor

Respondent



Case No. 2020-12

CONSENT ORDER

James A. Holman, an Alabama licensed professional land surveyor, (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 to the following facts asserted by the Board:

On January 9, 2020, the Board received a complaint regarding Respondent possibly violating Title 34 of the Code of Alabama. Said complaint specifically alleged that, between 2013 and 2019, Respondent was unable to perform the surveying services bearing his professional seal and signature and allowed another individual to complete the required continuing professional competency course work due to a medical condition. The Board has investigated those allegations and found no supporting evidence to suggest that Respondent was unable to perform surveying services or that Respondent allowed others to complete his required continuing professional competency course work.

As part of the Board’s investigation, four (4) surveys bearing Respondent’s professional seal and signature dated between 2013 – 2019 were reviewed by a Board Technical Advisor for compliance with the standards of practice for land surveying. The Board’s Technical Advisor provided a report that indicated each survey bearing his professional seal and signature contained violations of the standards of practice for land surveying which are categorized as

minor in nature, but still actionable by the Board as violations of the applicable standards of practice.

STIPULATED CONCLUSIONS OF LAW

Respondent stipulates to the following conclusion of law, as follows:

Respondent is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board, and his conduct, as set forth in the foregoing "Stipulated Facts" constitutes a violation of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(2) and the Rules of the Administrative Code of the Board § 330-X-14.05g and § 330-X-14-06(a)(1). Respondent's conduct in this regard amounts to a violation of one or more of those statutes set forth above, and it is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975.

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975.

Respondent understands this Consent Order and subsequent Final Order will be a public record, and this information will be placed on the Board's website, in its newsletter, and on Enforcement Exchange of the NCESS website.

Respondent agrees to pay a fine of one thousand dollars (\$1,000) and to pay three hundred and sixty-three dollars (\$363) for the cost of the investigation via checks made payable to the PE/LS Fund.

Respondent understands that he is responsible for completing the course work to meet the continuing education requirements for license renewal. Respondent further agrees to refrain in the future from participating in any remote/on-line continuing professional competency course work in the presence of any person who is not likewise licensed through the Board.

Respondent understands that 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.

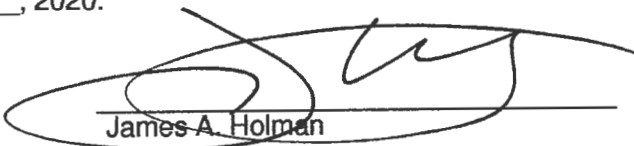
Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

Respondent understands that, 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 occur at a 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.

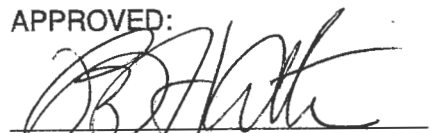
Respondent, for the purpose of avoiding further administrative action with respect to this Cause executes this Consent Order. It is agreed that presentation to and consideration of the Consent Order by the Board requires certain factual information related to this matter be disclosed to the Board members. Should the Consent Order not be accepted by the Board, it is therefore, expressly agreed that the reviewing, and consideration of this Consent Order, and the information provided to the Board for their review, shall not unfairly prejudice the Board and shall in no way act to disqualify any Board member from any further participation in this matter through its resolution, including, but not limited to, any contested hearing on this matter should one be necessary. 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 and all stipulations hereinabove are thereby rescinded.

SIGNED this the 26 day of October, 2020.



James A. Holman

APPROVED:



Benjamin H. Albritton
Assistant Attorney General

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

IN THE MATTER OF:)

James A. Holman
Professional Land Surveyor)

Respondent)

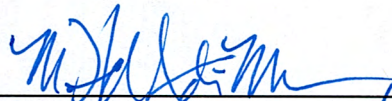


Case No. 2020-12

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by James A. Holman, professional land surveyor, in which he stipulated he violated Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(2) and the Rules of the Administrative Code of the Board § 330-X-14.05g and § 330-X-14.06(a)(1), approves the Consent Order and issues this Final Order.

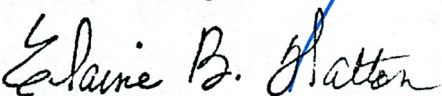
The Consent Order and Final Order take immediate effect and James A. Holman is **ORDERED** to abide by the Consent Order and Final Order as agreed upon by the Board. **ENTERED** this the 17th day of November 2020.



M. Helen Adams-Morales




Donald W. Vaughn



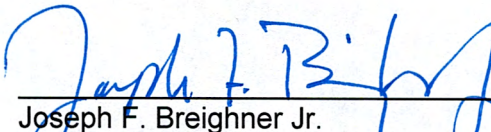
Elaine B. Walten



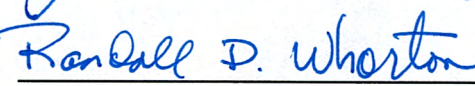
John E. Averrett



Marc S. Barter




Joseph F. Breighner Jr.



Randall D. Whorton

RECUSED

Nathan G. Johnson



Nanette T. Baldwin