

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

IN THE MATTER OF: )

Fabricio R. Quinonez )  
386 Livingood Lane )  
Lake Oswego, OR 97034 )

Respondent )  
\_\_\_\_\_ )



Case No. 2013-30-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Fabricio R. Quinonez, Professional Engineer License Number 25916, 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(12), and § 330-X-13-.02(14)(a) & (b) § 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 9th day of April, 2014

Phillip E. Santora  
Phillip E. Santora

Marc S. Barter  
Marc S. Barter

Frazier Christy  
Frazier Christy

Daniel S. Turner  
Daniel S. Turner

RECUSED

Earl R. Foust

Charles P. Willis

W. Gerald Wilbanks  
W. Gerald Wilbanks

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

**IN RE THE MATTER OF:**

**FABRICIO R. QUINONEZ**

**CASE NO. 2013-30-B**

**CONSENT ORDER**

Fabricio R. Quinonez, an Alabama 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 he received Alabama professional engineer license (number 25916) from the Board on September 26, 2003.

Respondent stipulates on December 7, 2012 he reported on his 2013 professional engineer license renewal application that he had 10 carryover professional development hours from 2011, and had completed 18 professional development hours in 2012 in order to meet the license renewal requirements for 2013.

Respondent stipulates on February 27, 2013 he was informed via email that his 2013 professional engineer license renewal application had been selected at random for verification of reported continuing professional competency credits. Respondent also stipulates he was requested to provide documentation verifying his reported professional competency credits no later than April 1, 2013. Respondent did not respond.

Respondent stipulates on April 29, 2013 he was informed via regular and certified mail that his 2013 professional engineer license renewal application had been selected at random for verification of reported continuing professional competency credits. Respondent also stipulates he was requested to provide documentation verifying his reported professional competency credits no later than June 1, 2013. Respondent did not provide the requested documents.

Respondent stipulates he was notified via regular and certified mail in a letter dated July 9, 2013 that the Board had initiated a complaint, and that his professional engineer license was **suspended** (until the requested documents were submitted to the Board office), for his failure to provide documents that support the professional competency credits he reported on his 2013 professional engineer license renewal application. The letter further asked that he provide the documents prior to July 24, 2013. The certified mail was returned to the Board on July 12, 2013, with the label "Unclaimed".

Respondent stipulates on August 30, 2013, he contacted Special Investigator Herbert via email and indicated "I am currently unemployed and I will not be able to provide any of the documentation you are requesting from me."

### **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 Section 34-11-11(a) 2 and the Rules and Regulations of the Board's *Administrative Code* § 330-X-13-.02(12), § 330-X-13-.02(14)(a) & (b) and § 330-X-14-.06(a)(1).

Respondent stipulates his conduct as set forth in the "Stipulated Facts" is a violation of those statutes set forth above, and he 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 and the Rules of Professional Conduct promulgated together.

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

Respondent shall surrender his Alabama professional engineer license and shall not seek reissuance of the license.

Respondent shall submit to the Board via certified check a fine in the amount of one thousand dollars (\$1000.00) with this signed Consent Order.

Respondent understands his Alabama professional engineer license shall be subject to future audits of his reported continuing professional competency credits at the discretion of the Board.

Respondent agrees to provide documentation that supports he has obtained 15 professional development hours for his 2013 license renewal within 90 days of the date of the Final Order

Respondent understands his Alabama professional engineer license shall be subject to one (1) year **probation** to commence immediately upon the date a Final Order is issued. Respondent understands during this probationary period he is permitted to engage in the practice of engineering without limitation. This probationary period is un-supervised and compliance with the terms of the consent order will cause the probation period to automatically cease at the end of the specified time period.

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 in Montgomery, Alabama 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 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.

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.

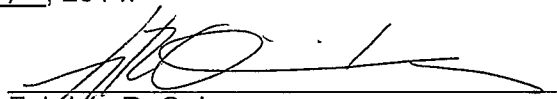
Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the

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 12 day of MARCH, 2014.

  
\_\_\_\_\_  
Fabricio R. Quinonez

APPROVED:  
  
\_\_\_\_\_  
Benjamin M. Albritton  
Assistant Attorney General