



# North Carolina Department of Public Safety

## Alarm Systems Licensing Board

Roy Cooper, Governor  
Eddie M. Buffaloe, Jr., Secretary

Caroline Brown, Chair  
Paul Sherwin, Director

### MINUTES OF THE NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

Date: September 19, 2024  
Time: 12:15 p.m.  
Location: Hampton Inn & Suites – Raleigh/Crabtree Valley  
3920 Arrow Dr  
Raleigh, NC 27609

#### **Board Members Present**

Caroline Brown  
Robert “Wike” Graham  
Mack Donaldson  
Mary Wood  
Jamie Brown  
Tommy Whisnant

#### **Board Members Absent**

Thomas Vermillion

#### **Board Staff Present**

Director Paul Sherwin  
Deputy Director Ray Bullard  
Attorney Jeff Gray  
Field Services Supervisor Kim Odom  
ASLB Secretary Syconda Marrow  
Registration Processor Shirrell Everett

#### **Visitors** (9 in person, 1 virtual)

Joseph McLeod  
Duncan Hubbard  
Steven Smith  
Jason Lindquist  
Jeramie Hockman  
Adam Koch  
Mac Brown  
Raphael Allen  
Tonika Dunbar  
Kurt Becker

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#### **Call to Order**

The September 19, 2024, meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chair Caroline Brown at 12:15 p.m.

#### **State Ethics Law**

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and the appearance of conflict. If any Member has any known conflict of interest or appearance of conflict with respect to any matter coming before this Board today, please identify the conflict or appearance of conflict and refrain from the deliberation and vote in that matter."

### **Welcome Guests**

Chair Caroline Brown welcomed all guests.

### **Final Agency Decision(s)**

Attorney Jeff Gray recused himself as counsel to the Board to present the final agency decision from the Office of Administrative Hearings for Steven Daniel Smith - 24 DOJ 00396. Mr. Smith was present. This case was heard by Administrative Law Judge John C. Evans, on February 27, 2024. This case involved whether Respondent should suspend Petitioner's alarm systems license pursuant to N.C. Gen. Stat. § 74D-10 for lack of good moral character for a conviction of the Class F felony "Embezzlement of Funds by Public Officers and Trustees" in violation of N.C. Gen. Stat. § 14-92.

Motion: Mr. Graham motioned to go into a closed session to discuss the final agency decision. Caroline Brown seconded. The motion carried unanimously. Closed session began 12:33 p.m.

Motion: Mr. Whisnant motioned to return to open session. Mr. Graham seconded. The motion carried unanimously. Closed session ended at 12:42 p.m.

Motion: Ms. Brown motioned to accept the administrative law judge's recommendation that Mr. Smith's alarm license be suspended. Mr. Graham seconded. The motion carried unanimously.

### **Approval of the July 2024 Meeting Minutes**

Motion: Jamie Brown motioned to accept the July 2024 Board meeting minutes. Mr. Graham seconded. The motion carried unanimously.

### **Attorney's Report**

Attorney Jeff Gray presented his Attorney's Report, which included updates about the status of consent agreements, pending administrative rules changes, and legislative updates.

Motion: Mr. Graham motioned to accept the Attorney's Report. Mr. Brown seconded. The motion carried unanimously.

*See the attachment for the full Attorney's Report.*

### **Committee Reports**

**Grievance Committee:** Grievance Committee members Mack Donaldson and Tommy Whisnant met on September 19, 2024, from 9:01 a.m. to 10:20 a.m. and heard eight cases. Committee Chair Mack Donaldson presented the Grievance Committee report.

Motion: Mary Wood motioned to accept the Grievance Committee report. Mr. Brown seconded. The motion carried unanimously.

*See the attachment for the full Grievance Committee report.*

**Screening Committee:** Screening Committee members Caroline Brown, Robert Graham, Mack Donaldson, Mary Wood, Jamie Brown, and Tommy Whisnant met on September 19, 2024, from 10:45 a.m. to 11:20 a.m. to review 14 license applications. Committee Chair Robert Graham presented the Screening Committee report.

**Motion:** Jamie Brown motioned to accept the Screening Committee report. Tommy Whisnant seconded. The motion carried unanimously.

*See the attachment for the full Screening Committee report.*

**Training and Education Committee:** Tommy Whisnant presented the Training and Education Committee report. Mr. Whisnant reported the Committee reviewed five applications for new continuing education courses and 59 applications to renew continuing education courses. The Committee recommended denying three courses submitted by FED Learning Center because the course content was not related to alarm systems and approving all others.

**Motion:** Mr. Brown motioned to approve the Training and Education Committee report. Mr. Graham seconded. The motion carried unanimously.

*See the attachment for the full Training and Education Committee report.*

### **Old Business**

Director Sherwin discussed changing the 2025 meeting dates to coincide with the Private Protective Services Board. He proposed moving ASLB meetings from Thursdays to Tuesdays.

**Motion:** Mr. Graham motioned to approve the revised 2025 meeting schedule. Mack Donaldson seconded. The motion carried unanimously.

### **New Business**

Director Sherwin presented a letter from the Private Protective Services Board that requested the ASLB consider amending its statute to create an exemption for the monitoring of security cameras by PPSB-licensed security guard and patrol companies. Director Sherwin suggested forming a joint committee formed of members of both Boards for further discussion.

**Motion:** Ms. Brown motioned to allocate select ASLB members to participate on a joint committee with the PPSB. Mary Wood seconded. The motion carried unanimously.

### **Director's Report**

Director Paul Sherwin presented the Director's Report. The report included information about personnel changes, the status of the Board's active licensees and registrants, and a Board finances update.

**Motion:** Mr. Whisnant motioned to accept the Director's Report. Mr. Brown seconded. The motion carried unanimously.

*See the attachment for the full Director's Report.*

**Good of the Order and Public Comment**

None.

**Closed Session**

Motion: Mr. Brown motioned to go into closed session to discuss the Board's employment contract for legal services. Mack Donaldson seconded. The motion carried unanimously.

Closed session began at 1:16 p.m.

Motion: Mr. Whisnant motioned to end the closed session. Mr. Brown seconded. The motion carried unanimously.

Closed session ended at 1:19 p.m.

Motion: Mr. Graham motioned to renew the Board's 2-year contract with Jeff Gray, Of Counsel, Bailey & Dixon, LLP, for legal representation to the Board. Mr. Donaldson seconded. The motion carried unanimously.

Motion: Mr. Brown motioned to adjourn the meeting. Mr. Whisnant seconded. The motion carried unanimously.

Meeting adjourned at 1:20 p.m.

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Paul Sherwin, Director

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Syconda Marrow, Board Secretary

## ASLB Grievance After Report for September 19, 2024 9:00 am

| Case Number      | Complaint Against  | Allegation(s)        | Grievance Committee Recommendation  | Board Action |
|------------------|--|----------------------|---|--------------|
| 1. 2024-ASLB-002 | Scott Strother<br>S2 Technology Services<br>1000 Centregreen Way<br>Cary, NC 27513                                 | NCGS 74D-2           | Find a violation of NCGS 74D-2. Continue the cease and desist order previously issued to Scott Strother and 2 Technology Services. Refer this matter to the Screening Committee should Mr. Strother apply for a license.          |              |
| 2. 2024-ASLB-007 | Steven Svalina<br>Creative Wiring Solutions, Inc.<br>P O Box 605<br>Fuquay-Varina, NC 27526                        | NCGS 74D-2           | Find a violation of NCGS 74D-2. Continue the cease and desist order previously issued to Steven Svalina and Creative Wiring Solutions, Inc.. Refer this matter to the Screening Committee should Mr. Svalina apply for a license. |              |
| 3. 2024-ASLB-012 | Wendy Heiks<br>Genxvision Security Solutions<br>P O Box 26524<br>Greenville, SC 296160000                          | 14B NCAC 17 .0206(b) | Find a violation of 14B NCAC 17 .0206(b). Wendy Heiks and Genxvision Security Solutions enter into and pay a consent agreement in the amount of \$408.00 for 2 registration violations.   |              |
| 4. 2024-ASLB-013 | James Brian Griffith<br>Griffiths, Inc.<br>PO Box 3424<br>Hickory, NC 286030000                                    | 14B NCAC 17 .0210    | Find a violation of 74D-(a)(3) Enter into and pay civil penalty in the amount of \$2000.00 for unlicensed activity.   |              |
| 5. 2024-ASLB-016 | William H. Brookshire<br>Audio Video Solutions<br>5335 Robinhood Village Dr<br>Unit 145<br>Winston-Salem, NC 27106 | NCGS 74D-2           | Find violation of 74D-2. No action taken.   |              |
| 6. 2024-ASLB-017 | Michael McCloskey<br>KNC Technologies, LLC<br>12845 Old US Highway 52<br>Winston-Salem, NC 271070000               | NCGS 74D-2(c)(3)     | Find violation of NCGS 74D-2(c)(3). Enter into a consent agreement with Michael McCloskey and KNC Technologies, LLC in the amount of \$255.00 for unlicensed activity..   |              |

| <b>Case Number</b> | <b>Complaint Against</b>   | <b>Allegation(s)</b> | <b>Grievance Committee Recommendation</b>   | <b>Board Action</b> |
|--------------------|--|----------------------|---|---------------------|
| 7. 2024-ASLB-018   | Christopher Fredette<br>Carolina Custom Sound<br>285 Bridle Lane<br>Advance, NC<br>27006         | NCGS 74D-2           | Find violation of 74D-2. Continue the cease and desist order previously issued to Christopher Fredette and Carolina Custom Sound apply. Refer this matter to the Screening Committee should Christopher Fredette apply for a license. |                     |
| 8. 2024-ASLB-021   | Mark Eugene Kobuszewski<br>Navco Security Systems<br>1335 S ACACIA AVE<br>FULLERTON,<br>CA 92831 | NCGS 74D-2           | Find a violation of NCGS 74D-2. Mark Kobuszewski and Navco Security Systems enter into and pay a consent agreement in the amount of \$680.00 for 18 months of unlicensed activity.  |                     |

# Board Meeting Report

Board Date 09/19/2024

|    | <b>Name<br/>Company<br/>Address</b>  | <b>License</b>          | <b>Committee Recommendation</b>  | <b>Board<br/>Action</b> |
|----|--|-------------------------|--|-------------------------|
| 1. | Mia Denise Bailey<br>AIM<br>2623 Dutch Grove<br>Circle<br>Raleigh, NC 27610                              | Alarm                   | Approve  |                         |
| 2. | Rodney Allen Bethea<br>Master Security<br>Systems<br>7158 Pecan Street<br>Wade , NC 28395                | Alarm                   | Approve  |                         |
| 3. | Bradley Carl Colwell<br>Pro Secure<br>Contracting LLC<br>3929 Gracemont Dr<br>Winston Salem, NC<br>27106 | Alarm                   | Approve  |                         |
| 4. | Joshua Lee Crawford<br>Omega Systems Inc<br>2528 State Park Rd<br>Greenville, SC 29609                   | Alarm                   | Approve  |                         |
| 5. | Christopher Stephen<br>Fredette<br>Carolina Custom<br>Sound<br>285 Bridle In<br>Advance , NC 27006       | Alarm                   | Approve<br>Christopher Fredette and Carolina Custom Sound enter into<br>and pay a consent agreement of \$2950.00 for unlicensed<br>activity. |                         |
| 6. | Shawn Bradley Hunt<br>General Security, Inc.<br>1507 Union Cross Rd<br>Kernersville, NC<br>27284         | New<br>Branch<br>Office | Approve  |                         |
| 7. | Mark Eugene<br>Kobuszewski<br>004770P9M<br>1825 CROSS BEAM<br>DR<br>CHARLOTTE, NC<br>28217-2890          | Alarm                   | Approve<br>Mark Kobuszewski and enter into and pay a consent agreement<br>of \$680.00 for unlicensed activity.                               |                         |

|     | <b>Name<br/>Company<br/>Address</b>   | <b>License</b> | <b>Committee Recommendation</b>   | <b>Board<br/>Action</b> |
|-----|---|----------------|---|-------------------------|
| 8.  | Jesse James Koryciak<br>S.A.L.T. I LLC<br>4377 Motorsports Dr<br>Sw<br>Concord, NC 28027                                  | Alarm          | Approve   |                         |
| 9.  | Michael Ray<br>McCloskey<br>KNC Technologies,<br>LLC<br>12845 Old US<br>Highway 52<br>Winston Salem, NC<br>27107          | Alarm          | Approve<br>Michael McCloskey and KNC Technologies, LLC enter into and pay a consent agreement of \$\$255.00 for two months of unlicensed activity.. |                         |
| 10. | James Maxwell Moore<br>Veterans Lock and<br>Security Solutions<br>3029 S. Main St<br>High Point, NC 27263                 | Alarm          | Approve   |                         |
| 11. | Anthony Robert<br>Perrone<br>STS Security<br>Solutions, LLC<br>3540 Toringdon Way,<br>Ste 200 #329<br>Charlotte, NC 28277 | Alarm          | Approve   |                         |
| 12. | Joseph Robinson<br>Harris Technology<br>Services Inc<br>3505 Brookshire Dr<br>Pensacola, PA 32504                         | Alarm          | Approve   |                         |
| 13. | Marvin Scott Robinson<br>Ironclad Alarm<br>Systems LLC<br>2071 Parker Fork Rd<br>Kinston, NC 28504                        | Alarm          | Approve   |                         |
| 14. | Robert Raymond<br>Viehmeyer<br>IoT Deployment<br>4420 Taggart Creek<br>Charlotte, NC 28208                                | Alarm          | Approve   |                         |



ASLB Screening BEFORE Report for September 19, 2024

Addendum

| <b>Name<br/>Company Name<br/>Address</b>   | <b>License/Registration</b> | <b>Recommendation</b> | <b>Action</b> |
|--|-----------------------------|-----------------------|---------------|
| Jerry Lopez Camarillo<br>Lake Norman Security Patrol Inc.<br>312 Security Dr.<br>Statesville, NC 28677 | Alarm Registration          | Discussion            |               |



## North Carolina Alarm Systems Licensing Board Continuing Education Committee Report - September 2024

| Item # | Course Sponsor                          | Course Title   | New or Renewal | # CEU's    | Course Format    | Committee Recommends | Comments  |
|--------|---|--|----------------|------------|------------------|----------------------|---|
| 1      | Nicole Smith/FED Learning Center        | Fire Alarm Systems   | New            | 13 Hours   | Online           | Deny                 | 13.0 Contact Hours; 2 days @ 6.5 Hours per day. |
| 2      | Nicole Smith/FED Learning Center        | Honeywell Fire-Lite Fire Academy   | New            | 13 Hours   | Online           | Deny                 | 13.0 Contact Hours; 2 days @ 6.5 Hours per day. |
| 3      | Nicole Smith/FED Learning Center        | Honeywell Silent Knight Fire Academy   | New            | 19.5 Hours | Online           | Deny                 | 19.5 Contact Hours; 3 days @ 6.5 Hours per day. |
| 4      | Thomas Bryant/Circuit 13 Technology LLC | Understanding Chapter 74D: Alarm Systems Licensing Act                           | New            | 2 Hours    | Online/Classroom | Approve              |   |
| 5      | Patrick Salmon/Hikvision                | Solar Powered Security Camera Setups   | New            | 1 Hour     | Online/Classroom | Approve              |   |
| 6      | Kaleb Brashear/Elite CEU, Inc.          | Alarm Level 1  | Renewal        | 6 Hours    | Online           | Approve              | ASLB-12-731<br>Previously approved for 3 hours  |
| 7      | Kaleb Brashear/Elite CEU, Inc.          | IP Addressing for LANS and the internet (IPPS Part 2)                            | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-220                                     |
| 8      | Kaleb Brashear/Elite CEU, Inc.          | Internet Connections for Physical Security Devices (IPPS Part 4)                 | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-221                                     |
| 9      | Kaleb Brashear/Elite CEU, Inc.          | Router Functions & Programming Options for Security Device IP Comm (IPPS Part 5) | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-222                                     |
| 10     | Kaleb Brashear/Elite CEU, Inc.          | Network Switches & Physical Security (IPPS Part 6)                               | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-223                                     |
| 11     | Kaleb Brashear/Elite CEU, Inc.          | Common Network Problems and Solutions (IPPS Part 7)                              | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-224                                     |
| 12     | Kaleb Brashear/Elite CEU, Inc.          | Network Testing and Cable Troubleshooting  | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-225                                     |
| 13     | Kaleb Brashear/Elite CEU, Inc.          | Proper Wiring Techniques   | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-226                                     |
| 14     | Kaleb Brashear/Elite CEU, Inc.          | False Alarm Reduction  | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-227                                     |
| 15     | Kaleb Brashear/Elite CEU, Inc.          | Video Forensics  | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-228                                     |
| 16     | Kaleb Brashear/Elite CEU, Inc.          | Designing a Functional & Reliable Intrusion Alarm System                         | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-229                                     |
| 17     | Kaleb Brashear/Elite CEU, Inc.          | Z-Wave Wireless Implementation   | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-231                                     |
| 18     | Kaleb Brashear/Elite CEU, Inc.          | Z-Wave Wireless Basics   | Renewal        | 1 Hour     | Online           | Approve              | ASLB-17-232                                     |

|    |                                |   |         |         |        |         |             |
|----|--------------------------------|---|---------|---------|--------|---------|-------------|
| 19 | Kaleb Brashear/Elite CEU, Inc. | Troubleshooting a CCTV System                                 | Renewal | 1 Hour  | Online | Approve | ASLB-17-233 |
| 20 | Kaleb Brashear/Elite CEU, Inc. | CCTV Testing Procedures                                       | Renewal | 1 Hour  | Online | Approve | ASLB-17-234 |
| 21 | Kaleb Brashear/Elite CEU, Inc. | Designing a Video Surveillance System                         | Renewal | 1 Hour  | Online | Approve | ASLB-17-235 |
| 22 | Kaleb Brashear/Elite CEU, Inc. | Lighting: Surveillance Systems                                | Renewal | 1 Hour  | Online | Approve | ASLB-17-236 |
| 23 | Kaleb Brashear/Elite CEU, Inc. | Powering a Surveillance System                                | Renewal | 1 Hour  | Online | Approve | ASLB-17-237 |
| 24 | Kaleb Brashear/Elite CEU, Inc. | Site Survey: Meeting Clients CCTV Needs                       | Renewal | 1 Hour  | Online | Approve | ASLB-17-238 |
| 25 | Kaleb Brashear/Elite CEU, Inc. | CCTV – Recording Devices                                      | Renewal | 1 Hour  | Online | Approve | ASLB-17-239 |
| 26 | Kaleb Brashear/Elite CEU, Inc. | Monitors for CCTV Systems                                     | Renewal | 1 Hour  | Online | Approve | ASLB-17-240 |
| 27 | Kaleb Brashear/Elite CEU, Inc. | Simple Networking for CCTV                                    | Renewal | 1 Hour  | Online | Approve | ASLB-17-241 |
| 28 | Kaleb Brashear/Elite CEU, Inc. | CCTV Lenses   | Renewal | 1 Hour  | Online | Approve | ASLB-17-242 |
| 29 | Kaleb Brashear/Elite CEU, Inc. | CCTV Camera Types   | Renewal | 1 Hour  | Online | Approve | ASLB-17-243 |
| 30 | Kaleb Brashear/Elite CEU, Inc. | SWGIT/FBI Guidelines for CCTV Systems                         | Renewal | 2 Hours | Online | Approve | ASLB-17-244 |
| 31 | Kaleb Brashear/Elite CEU, Inc. | Transmission Methods for Video Surveillance Systems and CCTV  | Renewal | 1 Hour  | Online | Approve | ASLB-17-245 |
| 32 | Kaleb Brashear/Elite CEU, Inc. | An Advanced Perspective of Residential Application and Layout | Renewal | 1 Hour  | Online | Approve | ASLB-17-246 |
| 33 | Kaleb Brashear/Elite CEU, Inc. | An Advanced Perspective of System Programming                 | Renewal | 1 Hour  | Online | Approve | ASLB-17-247 |
| 34 | Kaleb Brashear/Elite CEU, Inc. | An Expert Approach to Commercial Interior Detection           | Renewal | 1 Hour  | Online | Approve | ASLB-17-248 |
| 35 | Kaleb Brashear/Elite CEU, Inc. | An Expert Approach to Commercial Perimeter Detection          | Renewal | 1 Hour  | Online | Approve | ASLB-17-249 |
| 36 | Kaleb Brashear/Elite CEU, Inc. | Best Practices in Troubleshooting Burglar Alarm Systems       | Renewal | 1 Hour  | Online | Approve | ASLB-17-250 |
| 37 | Kaleb Brashear/Elite CEU, Inc. | Off-Premises Reporting  | Renewal | 1 Hour  | Online | Approve | ASLB-17-251 |
| 38 | Kaleb Brashear/Elite CEU, Inc. | Output Device Proficiency                                     | Renewal | 1 Hour  | Online | Approve | ASLB-17-252 |
| 39 | Kaleb Brashear/Elite CEU, Inc. | Perimeter and Interior Detection                              | Renewal | 2 Hours | Online | Approve | ASLB-17-253 |
| 40 | Kaleb Brashear/Elite CEU, Inc. | Practical Guide to Control Panels                             | Renewal | 1 Hour  | Online | Approve | ASLB-17-255 |
| 41 | Kaleb Brashear/Elite CEU, Inc. | Detection Devices in Specialized Applications                 | Renewal | 1 Hour  | Online | Approve | ASLB-17-256 |

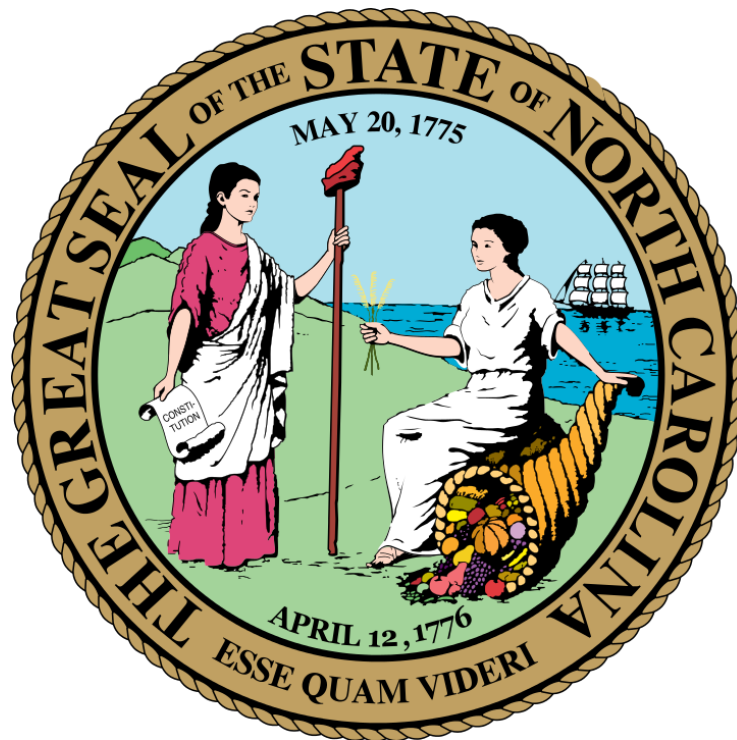
|    |   |   |         |         |        |         |             |
|----|---|---|---------|---------|--------|---------|-------------|
| 42 | Kaleb Brashear/Elite CEU, Inc.                    | Applications of Electrical Theory for Alarm Professionals                               | Renewal | 1 Hour  | Online | Approve | ASLB-17-257 |
| 43 | Kaleb Brashear/Elite CEU, Inc.                    | An Advanced Perspective of Commercial Application and Layout                            | Renewal | 1 Hour  | Online | Approve | ASLB-17-258 |
| 44 | Kaleb Brashear/Elite CEU, Inc.                    | Introduction to IP Networking for Physical Security (IP Series Part 1)                  | Renewal | 1 Hour  | Online | Approve | ASLB-17-259 |
| 45 | Kaleb Brashear/Elite CEU, Inc.                    | Wired and Wireless Connection of Devices (IP Series Part 3)                             | Renewal | 1 Hour  | Online | Approve | ASLB-17-260 |
| 46 | Kaleb Brashear/Elite CEU, Inc.                    | Auxiliary CCTV Components   | Renewal | 1 Hour  | Online | Approve | ASLB-17-261 |
| 47 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Basics of Customer Service  | Renewal | 3 Hours | Online | Approve | ASLB-18-620 |
| 48 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Conflict Resolution   | Renewal | 2 Hours | Online | Approve | ASLB-18-621 |
| 49 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Customer Support  | Renewal | 2 Hours | Online | Approve | ASLB-18-622 |
| 50 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Incident Reports for Security Professionals   | Renewal | 1 Hour  | Online | Approve | ASLB-18-623 |
| 51 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Job Safety Reminders  | Renewal | 1 Hour  | Online | Approve | ASLB-18-624 |
| 52 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Maintenance & Inspection Processes to Avoid Trouble                                     | Renewal | 1 Hour  | Online | Approve | ASLB-18-625 |
| 53 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Managing Project Effectively  | Renewal | 3 Hours | Online | Approve | ASLB-18-626 |
| 54 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 101 – Basis CEU  | Renewal | 1 Hour  | Online | Approve | ASLB-18-627 |
| 55 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 102 – Protocols CEU  | Renewal | 1 Hour  | Online | Approve | ASLB-18-628 |
| 56 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 103 – Data Transmission CEU  | Renewal | 1 Hour  | Online | Approve | ASLB-18-629 |
| 57 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 104 – Hardware CEU   | Renewal | 1 Hour  | Online | Approve | ASLB-18-630 |
| 58 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 105 – Administration of Networks CEU   | Renewal | 1 Hour  | Online | Approve | ASLB-18-631 |
| 59 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Networking 106 – Basic Network Troubleshooting CEU                                      | Renewal | 1 Hour  | Online | Approve | ASLB-18-632 |
| 60 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Structured Wiring and the Security Industry   | Renewal | 6 Hours | Online | Approve | ASLB-18-633 |
| 61 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Troubleshooting Closed Circuit Video Systems/Troubleshooting Video Surveillance Systems | Renewal | 1 Hour  | Online | Approve | ASLB-18-634 |
| 62 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Wireless Systems 101 Standards  | Renewal | 1 Hour  | Online | Approve | ASLB-18-635 |
| 63 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Wireless Systems 102 Components   | Renewal | 1 Hour  | Online | Approve | ASLB-18-636 |
| 64 | Sheryl Tricocci/ Electronic Security Assoc. (ESA) | Wireless Systems 103 Troubleshooting  | Renewal | 1 Hour  | Online | Approve | ASLB-18-637 |



# NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

September 19, 2024

## DIRECTOR'S REPORT



**Paul Sherwin, Director**

## **DIRECTOR'S REPORT**

- I. PPS information and updates, page 3**
- II. Registration and licensing summary, page 5**
- III. Budget summary, page 6**
- IV. Budget graphics, page 7**

# PPS INFORMATION AND UPDATES

## **Personnel**

Private Protective Services currently has two vacant positions:

- Registration Processor – Hiring in progress
- Receptionist – Hiring in progress

Shirell Everett started with Private Protective Services on August 5, 2024, as a registration processor. Shirell has worked in various administrative positions within state government since 2009, including with the Departments of Revenue, Health and Human Services, and DPS Emergency Management. Shirell holds a bachelor's degree in mass communications and electronic media from Winston-Salem State University.

MiKaila DeVaughn started with Private Protective Services on August 12, 2024, as a registration processor. MiKaila recently graduated from North Carolina Central University with a bachelor's degree in criminal justice. She is passionate about advocacy and exploring innovative ways to support child development and community enrichment through non-profit programs.

## **Operations**

### **Registration Unit**

- Registration applications received year-to-date: 3,174
  - Same period 2023: 3,359
  - Same period 2022: 2,968
  - Same period 2021: 3,094
  - Same period 2020: 2,884
  - Same period 2019: 3,462

### **Licensing Unit**

- License applications received year-to-date: 272
  - Same period 2023: 329
  - Same period 2022: 255
  - Same period 2021: 344
  - Same period 2020: 285
  - Same period 2019: 364

### **Investigations Unit**

- New license applicant background investigations completed year-to-date: 49
  - Same period 2023: 41
  - Same period 2022: 42



- Same period 2021: 37
- Same period 2020: 70
- Same period 2019: 78
  
- Complaint investigations completed year-to-date: 20
  - Same period 2023: 23
  - Same period 2022: 19
  - Same period 2021: 25
  - Same period 2020: 19
  - Same period 2019: 23

### **OTHER**

Board members Caroline Brown and Tommy Whisnant, and Board staff members Bill Raften, Mercedes Sierra, Paul Sherwin and Jeff Gray, will attend the 2024 International Association of Security and Investigative Regulators conference Oct. 9-11 in Charlotte.

# REGISTRATION AND LICENSING SUMMARY

**Total active in Permitium: 7,823**  
**(+1.2% from July 2024 meeting)**

|                           |                        |              |
|---------------------------|------------------------|--------------|
| <b>Registration</b>       |                        |              |
|                           | Alarm Registrant       | 6,915        |
| <b>Registration Total</b> |                        | <b>6,915</b> |
| <b>License</b>            |                        |              |
|                           | Burglar Alarm Business | 908          |
| <b>License Total</b>      |                        | <b>908</b>   |

# FINANCIAL REPORTS

## Alarm Systems Licensing Board Financial Report

Fiscal Year 2024

July 1, 2023 - June 30, 2024

### ASLB Operating Fund Revenue and Expenditures

|                                       |                 |
|---------------------------------------|-----------------|
| FY24 Revenue                          | \$ 591,631.84   |
| FY24 Expenditures                     | \$ (597,779.82) |
| FY24 Fund Balance Increase/(Decrease) | \$ (6,147.98)   |

### ASLB Operating Fund Cash Flow

|                                  |                 |
|----------------------------------|-----------------|
| Beginning Balance (July 1, 2023) | \$ 960,258.90   |
| FY24 Revenue                     | \$ 591,631.84   |
| FY24 Expenditures                | \$ (597,779.82) |
| Current Fund Balance             | \$ 954,110.92   |

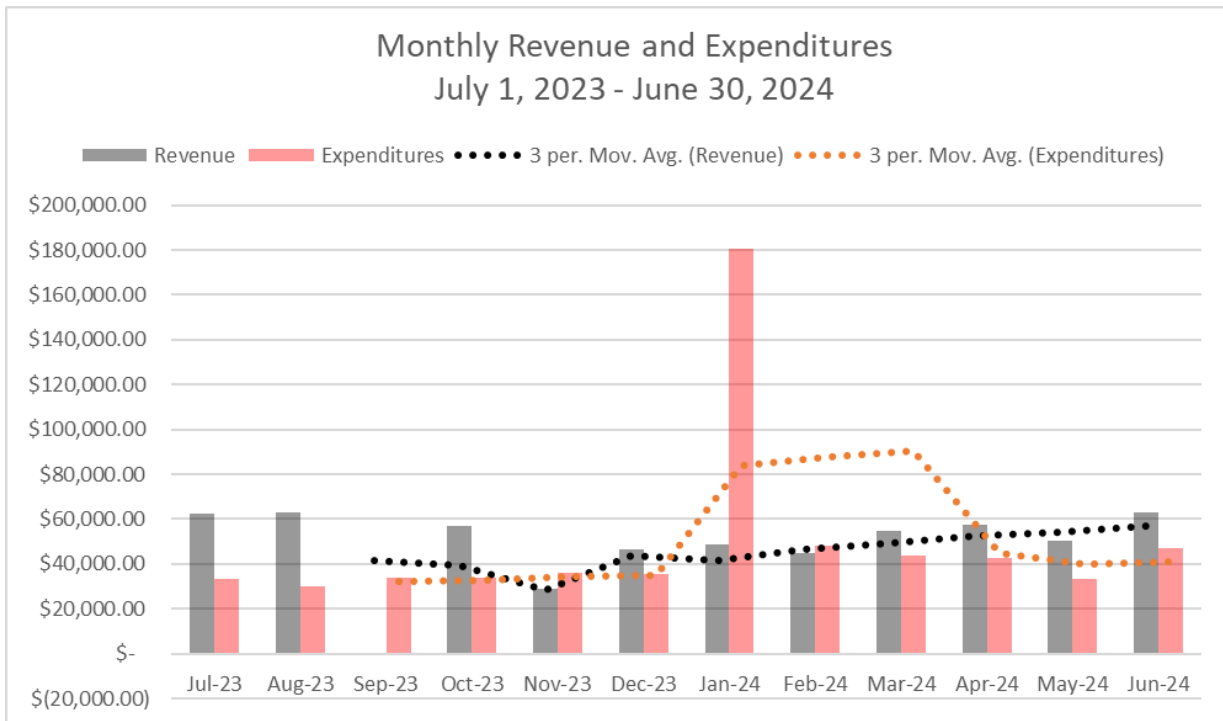
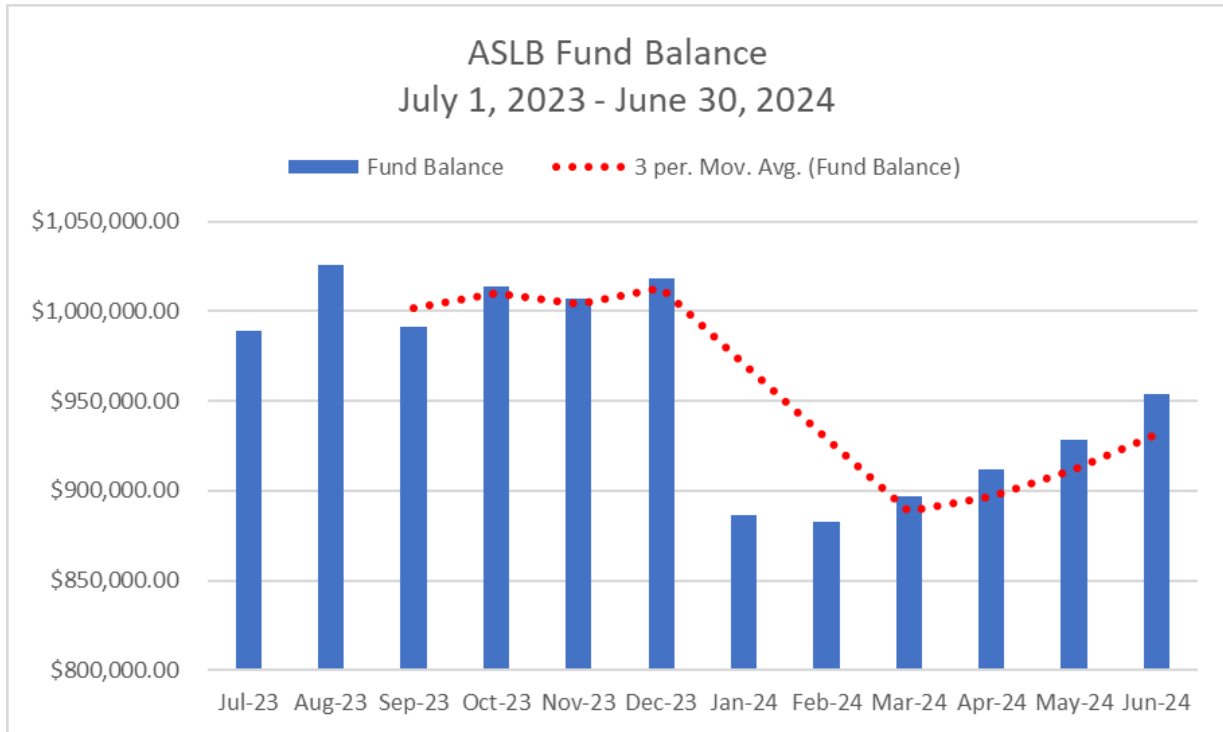
### ASLB Education Fund Revenue and Expenditures

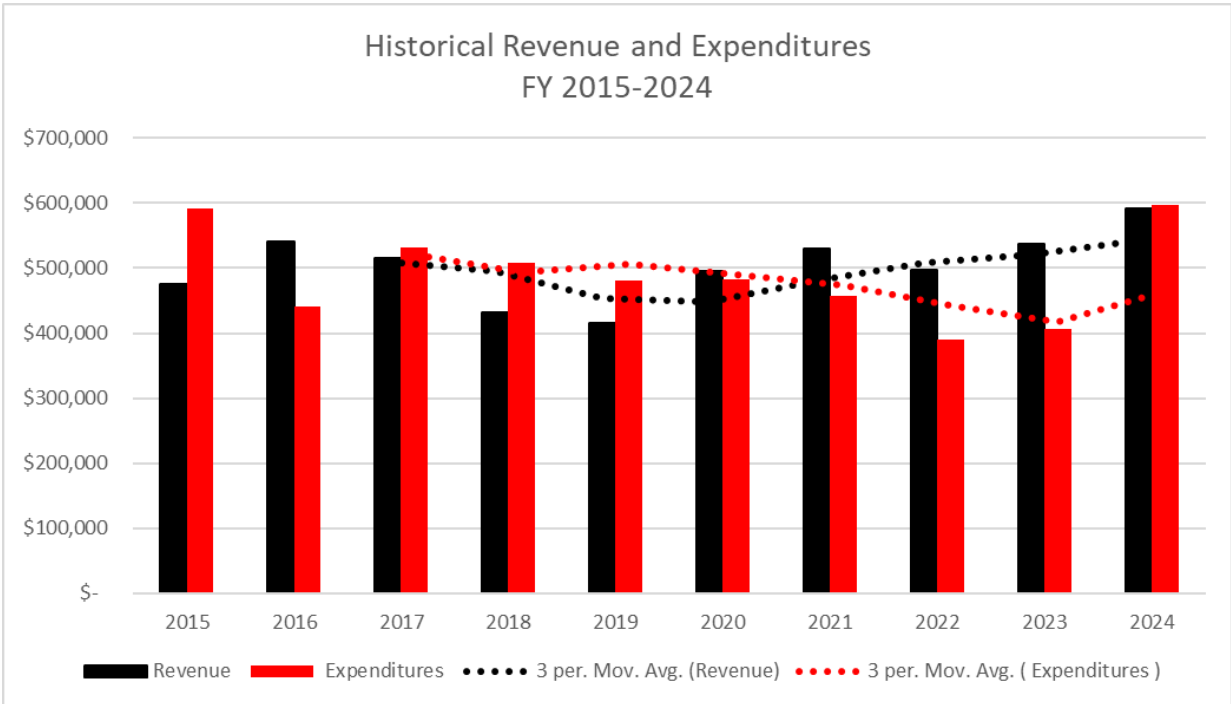
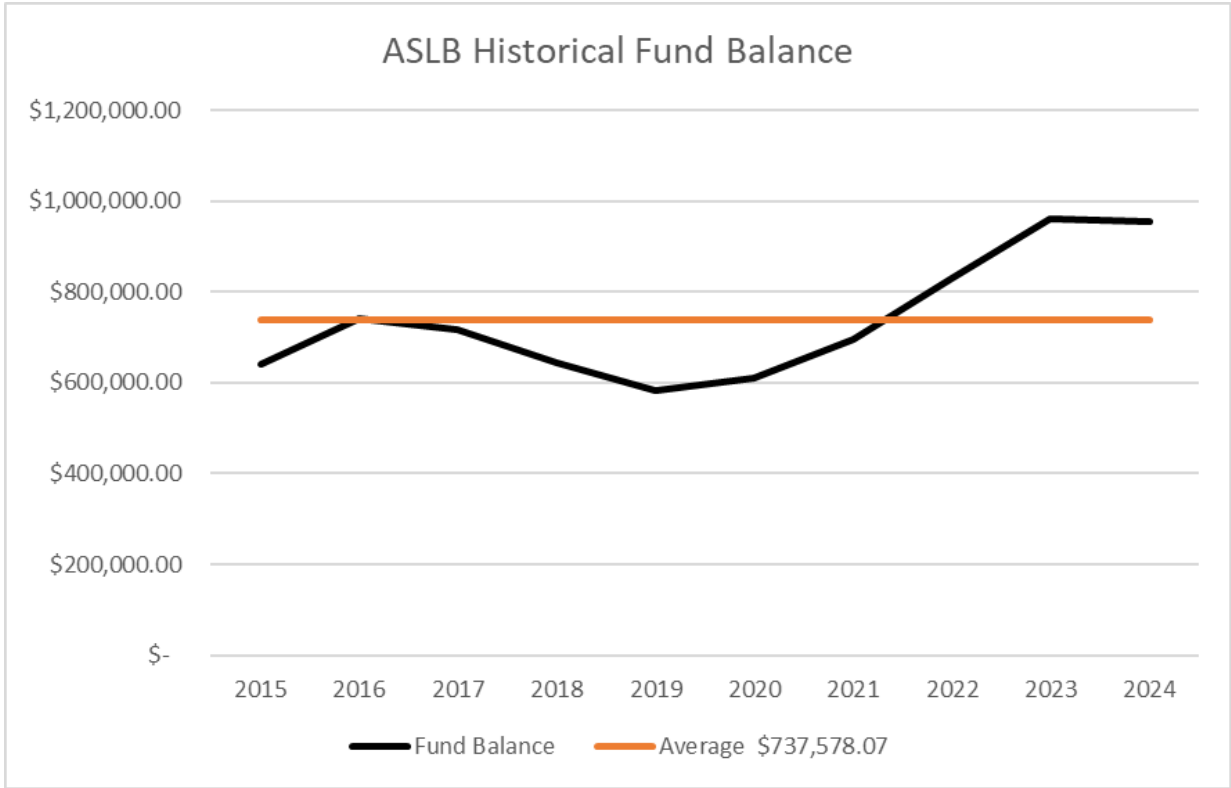
|                                       |               |
|---------------------------------------|---------------|
| FY24 Revenue                          | \$ 2,300.00   |
| FY24 Expenditures                     | \$ (6,000.00) |
| FY24 Fund Balance Increase/(Decrease) | \$ (3,700.00) |

### ASLB Education Fund Cash Flow

|                                  |               |
|----------------------------------|---------------|
| Beginning Balance (July 1, 2023) | \$ 97,834.68  |
| FY24 Revenue                     | \$ 2,300.00   |
| FY24 Expenditures                | \$ (6,000.00) |
| Current Fund Balance             | \$ 94,134.68  |

# BUDGET GRAPHICS





**ALARM SYSTEMS LICENSING BOARD**

Raleigh, North Carolina

September 19, 2024

ATTORNEY'S REPORT



ALARM SYSTEMS LICENSING BOARD

Raleigh, North Carolina

September 19, 2024

I. CONSENT AGREEMENTS & CIVIL PENALTIES

On July 8, 2024, Ralph Taylor and Flock Group, Inc. entered into a Consent Agreement in the amount of \$2500.00 for registration violations. Payment has been received. (PAID IN FULL)

II. OFFICE OF ADMINISTRATIVE HEARINGS

*See, Hearings List (attachment 1.)*

III. PENDING LITIGATION

After numerous attempts to resolve a licensure issue informally, the Board instructed me at its February 2023 meeting to file a Complaint for Injunctive Relief against Flock Group, Inc. d/b/a Flock Safety for unlicensed activity. It was filed on March 3, 2023.

On the Friday before the Monday April 10<sup>th</sup> hearing on my Motion for Temporary Restraining Order the attorney for Flock Safety assured me his client would consent to the TRO. Based on those assurances I advised the presiding Judge that a consent order was forthcoming and the matter was continued. Thereafter, Flock Safety refused to sign the Consent Order for TRO, which its attorney drafted(!) and I agreed to.

Defendant Flock Group filed its Answer on May 2, 2023.

Thereupon representatives of Flock Group Inc., its in-house legal counsel and its North Carolina attorney, met in Closed Session with the Board at its May meeting and presumedly resolved the issue of licensure through a Consent Order, however Flock Safety refused to sign the Consent Order and failed to abide by the handwritten version of the agreement signed at the Board's May meeting.

It also failed to meet the agreed application deadline (but applied late) and by every indicator had no intention of completing the application process as

agreed. At its September 21, 2023 meeting, following a Closed Session, the Board voted to withdraw the offer of settlement.

Having learned through media reports and other sources that Flock Safety had recently signed at least two more contracts for installations I re-calendared the Motion for Temporary Restraining Order, which was granted. On October 30, 2023 a Wake County Superior Court Judge granted a partial Preliminary Injunction barring Flock Safety from any further installations or servicing of its camera systems.

Flock Safety withdrew its application for licensure on December 12, 2023.

A "status report" was calendared for February 5, 2024, and following that Court appearance I proceeded with calendaring the hearing on the merits, which was set for Wednesday, March 27, 2024.

The attorneys for Flock Safety met with the Board on March 21<sup>st</sup> and this matter was resolved by entry of a Consent Order which, among other things, extended the Preliminary Injunction on certain conditions.

A new application was received on April 19, 2024 and that application was approved by the Screening Committee, then the full Board, at its July meeting. In addition, a Consent Agreement for unlicensed activity was entered into and has been paid. (*See, I, above.*)

A Notice of Voluntary Dismissal with Prejudice of the March 3, 2023 Complaint was filed on September 12, 2024.

#### IV. ADMINISTRATIVE RULES

Permitium advised Board staff that it was increasing its transaction fee by \$1.00, from \$4.00 to \$5.00, effective September 1, 2024, which necessitated an amendment to five administrative rules. Those amendments were attached as Attachment 3 to my March 21, 2024, Attorney's Report and the Board voted to approve them.

The Notice of Text was filed the following day (March 22<sup>nd</sup>), the Public Hearing was held on Tuesday, April 30, 2024, and the Public Comment Period ended June 14, 2024. There were no comments oral or written.

The Board voted to approve the amendments at its July 18, 2024 meeting.



These rules were approved by the Rules Review Commission at its August 28, 2024 meeting and were effective September 1<sup>st</sup>.

## V. LEGISLATION

a. The Board's bill, the "Alarm Systems Licensing Act Modernization," was introduced on March 2, 2023 by Senator Warren Daniel as Senate Bill 345. A copy was attached as Attachment 2 to my May 2023 Attorney's Report.

It passed the Senate State and Local Government Committee with a favorable report and referred to the Senate Finance Committee where it was amended with an unrelated provision regarding the Machinery Act and received a favorable report.

It passed the Senate on June 28, 2023, on a vote of 46-0 and was referred to the House Rules Committee. It did not pass prior to the legislature's adjournment on October 30, 2023, however, it remained eligible for consideration in the "short session" this year.

Susanna Davis, Legislative Liaison for the Department of Public Safety, has diligently pushed for enactment. On June 26<sup>th</sup> Ms. Davis was successful in having the language from SB 345 amended in a bill that had already passed the Senate, Senate Bill 640, in a process called a "committee substitute." It passed the House later the same day and was referred to the Senate Committee on Rules. Unfortunately, the legislature adjourned two days later before it could be heard.

So, the Board's bill (along with some other language) is now **Senate Bill 640**. It is still eligible for consideration.

b. House Bill 385, "Regulation of Battery-Charged Security Fences," passed the House on April 25, 2023 and was referred to the Senate Committee on Rules this bill saw no further action for over 15 months, until the language from it suddenly appeared as a committee substitute in the House to Senate Bill 607, "Regulatory Reform Act of 2024."

It was ratified as Session Law 2024-45, effective June 28, 2024, and will prohibit counties and cities from adopting certain ordinances, rules, and regulations related to battery-charged security fences and defines and establishes requirements for those fences.

A copy is attached as Attachment 2.

## VI. FINAL AGENCY DECISIONS

Steven Daniel Smith (*see*, Attachment 2.)

**ASLB  
MASTER HEARINGS LIST  
as of September 5, 2024**

1.

| OAH HEARING DATE  | PETITIONER  | TYPE OF APPLICATION                             | FAD HEARING DATE   |
|-------------------|---|---|--|
| November 28, 2017 | Daniel Carl Hagerty /<br>Guardian Eagle Security,<br>LLC d/b/a AVSX<br>Technologies<br>17 DOJ 06331 | Letter of Reprimand<br>(business license)       | FAD served April 12, 2018.<br>Petition for Judicial Review<br>filed in Wake County Superior<br>Court May 25, 2018. |
| February 27, 2024 | Nathan Orion Taylor<br>24 DOJ 00314   | Suspension of Alarm<br>Systems Business License | May 2, 2024  |
| February 27, 2024 | Steven Daniel Smith<br>24 DOJ 00396   | Suspension of Alarm<br>Systems Business License | September 19, 2024   |
| May 9, 2024       | Seth Brewer Beddes/Alder<br>Holdings, LLC<br>23 DOJ 02590   | Suspension of Alarm<br>Systems Business License | Awaiting Proposal for<br>Decision from ALJ.  |

(c) Nothing in this section is intended to change the method by which an applicant is required to apply for a permit or to prohibit an agency from adopting policies to exercise due diligence in verifying a permittee's identity."

**SECTION 22.1.(d)** Each executive branch agency, county agency, and city agency shall adopt the policy required by G.S. 143-162.6, 153A-461, and 160A-499.6, as enacted by this section, no later than September 1, 2024.

**SECTION 22.1.(e)** This section is effective when it becomes law.

**CLARIFY PROHIBITION ON COUNTIES AND CITIES ENACTING AND ENFORCING CERTAIN ORDINANCES, RULES, AND REGULATIONS RELATED TO BATTERY-CHARGED SECURITY FENCES**

**SECTION 22.5.(a)** G.S. 153A-134.1 reads as rewritten:

**"§ 153A-134.1. Regulation of battery-charged security fences.**

(a) No county may adopt an ordinance, rule, or regulation or enforce an existing ordinance, rule, or regulation that does any of the following:

- (1) Requires any type of permit, fee, review, or approval for the installation or use of a battery-charged security fence in addition to a permit that may be required by an ordinance adopted by the governing board as authorized by G.S. 74D-11(c).
- (2) Imposes installation or operational requirements for battery-charged security fences that are inconsistent with the requirements and standards described in subsection (b) of this section.
- (3) Prohibits the installation or use of a battery-charged security fence on property that has been zoned exclusively for nonresidential use.

(b) For purposes of this section, the term "battery-charged security fence" means an alarm system and ancillary components, or equipment attached to that system, including a fence, a battery-operated energizer that is intended to periodically deliver voltage impulses to the fence, and a battery charging device used exclusively to charge the battery. A battery-charged security fence shall meet the following requirements:

- (1) Interfaces with a monitored alarm device enabling the alarm system to transmit a signal intended to summon the business or law enforcement in response to an intrusion or burglary.
- (2) Is located on property that is not designated by a county or city exclusively for residential use.
- (3) Has an energizer that is powered by a commercial storage battery that is not more than 12 volts of direct current.
- (4) Has an energizer that meets the standards established by the most current version of the International Electrotechnical Commission Standard 60335-2-76.
- (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5 feet in height.
- (6) ~~Does not exceed~~ Is 10 feet in height or 2 feet higher than the non-electric perimeter fence or wall, whichever is higher.
- (7) Is marked with conspicuous warning signs that are located on the battery-charged security fence at not more than 30-foot intervals and read: "WARNING-ELECTRIC FENCE".

**SECTION 22.5.(b)** G.S. 160A-194.1 reads as rewritten:

**"§ 160A-194.1. Regulation of battery-charged security fences.**

(a) No city may adopt an ordinance, rule, or regulation or enforce an existing ordinance, rule, or regulation that does any of the following:

- (1) Requires any type of permit, fee, review, or approval for the installation or use of a battery-charged security fence in addition to a permit that may be required by an ordinance adopted by the governing board as authorized by G.S. 74D-11(c).
- (2) Imposes installation or operational requirements for battery-charged security fences that are inconsistent with the requirements and standards described in subsection (b) of this section.
- (3) Prohibits the installation or use of a battery-charged security fence on property that has been zoned exclusively for nonresidential use.

(b) For purposes of this section, the term "battery-charged security fence" means an alarm system and ancillary components, or equipment attached to that system, including a fence, a battery-operated energizer that is intended to periodically deliver voltage impulses to the fence, and a battery charging device used exclusively to charge the battery. A battery-charged security fence shall meet the following requirements:

- (1) Interfaces with a monitored alarm device enabling the alarm system to transmit a signal intended to summon the business or law enforcement in response to an intrusion or burglary.
- (2) Is located on property that is not designated by a county or city exclusively for residential use.
- (3) Has an energizer that is powered by a commercial storage battery that is not more than 12 volts of direct current.
- (4) Has an energizer that meets the standards established by the most current version of the International Electrotechnical Commission Standard 60335-2-76.
- (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5 feet in height.
- (6) ~~Does not exceed~~ Is 10 feet in height or 2 feet higher than the non-electric perimeter fence or wall, whichever is higher.
- (7) Is marked with conspicuous warning signs that are located on the battery-charged security fence at not more than 30-foot intervals and read: "WARNING-ELECTRIC FENCE".

**SECTION 22.5.(c)** This section is effective when it becomes law and applies to the ordinances adopted before the effective date and to ordinances adopted on or after the effective date.

## **ADVANCED AIR MOBILITY RADAR SYSTEMS**

**SECTION 23.(a)** Article 9 of Chapter 160D of the General Statutes is amended by adding a new Part to read:

"Part 6. Unmanned Aircraft Traffic Control Devices.

### **"§ 160D-970. Advanced air mobility radar.**

(a) A local government may plan for and regulate the siting, installation, modification, maintenance, and removal of advanced air mobility radar for traffic control of unmanned aircraft systems flown in accordance with Article 10 of Chapter 63 of the General Statutes.

(b) Nothing contained in this Part shall amend, modify, or otherwise affect any easement between private parties. Any and all rights for the use of a right-of-way are subject to the rights granted pursuant to an easement between private parties.

(c) A local government may require a permit applicant to remove abandoned advanced air mobility radar within 180 days of abandonment. If not timely removed, the local government may remove the abandoned advanced air mobility radar and may recover the actual cost of such removal, including legal fees, if any, from the permit applicant.

3.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 00396

|  |                                     |
|--|-------------------------------------|
| <p>Steven Daniel Smith<br/>Petitioner,</p> <p>v.</p> <p>North Carolina Alarm Systems Licensing<br/>Board<br/>Respondent.</p> | <p><b>PROPOSAL FOR DECISION</b></p> |
|--|-------------------------------------|

On February 27, 2024, Administrative Law Judge John C. Evans heard this contested case in Raleigh, North Carolina, pursuant to N.C. Gen. Stat. § 150B-40(e), after Respondent's requested designation of an Administrative Law Judge to preside at a hearing of a contested case under Article 3A, Chapter 74D of the North Carolina General Statutes.

**APPEARANCES**

**FOR PETITIONER:** Steven Daniel Smith, *pro se*  
350 Mince Hill Road  
Seven Springs, NC 28578

**FOR RESPONDENT:** Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
Attorney for Respondent

**ISSUE**

Whether Respondent should suspend Petitioner's alarm systems license pursuant to N.C. Gen. Stat. § 74D-10 for lack of good moral character for a conviction of the Class F felony "Embezzlement of Funds by Public Officers and Trustees" in violation of N.C. Gen. Stat. § 14-92.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case: N.C. Gen. Stat. § 74D-10, and 14B NCAC 17 .0101 *et seq.*

**EXHIBITS ADMITTED INTO EVIDENCE**

For Petitioner:       None  
For Respondent:       Resp Exhibit 1-2

**WITNESSES**

For Petitioner:       Steven Daniel Smith  
For Respondent:       Paul Sherwin, Director of NC Alarms Systems Licensing Board

Based upon careful consideration of the exhibits admitted into evidence, the entire record in this proceeding, and the credibility and believability of witness testimony at hearing including the witnesses' credibility, demeanor, any interests, biases or prejudices, the opportunity of the witnesses to see, hear, know or remember the facts or occurrences about which the witnesses testified, and whether the testimony of the witnesses are reasonable and consistent with other believable evidence in the case, the undersigned finds as follows:

**PROPOSED FINDINGS OF FACT**

1. Steven Daniel Smith, ("Petitioner"), holds an alarm systems license.
2. Alarm Systems Licensing Board, ("Respondent"), is established pursuant to N.C. Gen. Stat. § 74D-4, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the alarm systems business.
3. On July 28, 2023, Petitioner pled guilty to the Class F felony of "Embezzlement of Funds by Public Officers and Trustees." The Judgment Suspending Sentence ("Judgment") was admitted into evidence as Respondent's Exhibit 1.
4. Petitioner was sentenced on the intermediate punishment level and received a minimum of 16 months and a maximum of 29 months in the custody of the North Carolina Department of Adult Correction. The sentence was suspended, and the Petitioner was placed on supervised probation for 60 months. As part of the intermediate punishment, Petitioner received a 30-day active sentence in the Wayne County Detention Center.
5. When Respondent received a copy of the Judgment, it initiated a complaint investigation of the Petitioner. Upon completion of the investigation, including providing the Petitioner an opportunity to address the Respondent, Respondent issued its Board Findings.
6. By Notice dated January 23, 2024, (the Board Findings), Respondent notified Petitioner that pursuant to N.C. Gen. Stat. § 74D-10(a)(13) ("Notice"), the Alarm Systems Licensing Board Grievance Committee made the recommendation to suspend Petitioner's alarm systems license for five years or until the Petitioner completes his probation sentence,

whichever occurs first and, that the matter be referred to the Screening Committee should the Petitioner apply to reinstate his license. The Notice further advised the Petitioner that the Respondent had accepted the Committee's recommendations and advised the Petitioner of the appeal process should he wish to appeal the findings.

7. Respondent's default recommendation for a new alarm systems license applicant convicted of a Class F felony, is to deny the issuance of the license for a period of up to 15 years from the date of conviction.
8. By Notice of Hearing dated February 1, 2024, and mailed via certified mail, Respondent notified Petitioner that a hearing on the suspension of his alarm systems license would be held on February 27, 2024, at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609.

### PROPOSED CONCLUSIONS OF LAW

1. The parties are properly before the Tribunal in that venue, subject matter jurisdiction, and personal jurisdiction are proper, and there is no objection to Administrative Law Judge John C. Evans presiding over this matter.
2. After notice and an opportunity for hearing, Respondent may suspend or revoke a license if it is determined that the licensee has "[a] lack of temperate habits or good moral character. The acts that are prima facie evidence of lack of temperate habits or good moral character under G.S. 74D-6(3) are prima facie evidence of the same under this subdivision." N.C. Gen. Stat. § 74D-10(a)(13),
3. The following are prima facie evidence that the applicant does not have good moral character: The conviction, including a plea of guilty, for a crime "involving the illegal use, carrying, or possession of a firearm; ...the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverages; ... felonious assault or an act of violence; ...unlawful breaking or entering, burglary or larceny or **of any offense involving moral turpitude**; or a history of addiction to alcohol or a narcotic drug;" (emphasis added) N.C. Gen. Stat. § 74D-6(3)
4. The North Carolina Supreme Court defines crimes involving moral turpitude as "acts of baseness, vileness, or depravity in the private and social duties that a man owes to his fellowman or to society in general." *Jones v. Brinkley*, 174 N.C. 23, 27, 93 S.E. 372, 373 (1917). *See also State v. Mann*, 317 N.C. 164, 170, 345 S.E.2d 365, 369 (1986).
5. "If an officer, agent or employee of an entity, , or a person having or holding money or property **in trust** for one of the listed entities, ..... shall embezzle or otherwise willfully and corruptly use or misapply the same for any purpose other than that for which such moneys or property is held, such person shall be guilty of a felony." N.C. Gen. Stat. § 14-92. [emphasis added] It is a Class F felony if the value taken is less than \$100,000.00.

6. The crime of Embezzlement of Funds by Public Officers and Trustees is an offense involving moral turpitude.
7. Petitioner pled guilty to the Class F felony of Embezzlement of funds by public officers and trustees, served 30 days in the Wayne County Detention Center and is currently on supervised probation for 5 years. As such, Petitioner's conviction constitutes *prima facie* evidence of a lack of good moral character and is sufficient to support the suspension of the Petitioner's alarm systems license.

### **PROPOSED PROPOSAL FOR DECISION**

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that Respondent suspend Steven Daniel Smith's alarm systems license for five years or until his probation is terminated, whichever occurs first.

### **NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this Proposal for Decision, to submit proposed Findings of Fact and to present oral and written arguments to the agency. N.C.G.S. § 150B-40(e).

The agency that will make the final decision in this contested case is the North Carolina Alarm Systems Licensing Board.

A copy of the final agency decision or order shall be served upon each party personally or by certified mail addressed to the party at the latest address given by the party to the agency and a copy shall be furnished to any attorney of record. N.C.G.S. § 150B-42(a). A copy of the Final Agency Decision shall be forwarded to the Office of Administrative Hearings.

**IT IS SO ORDERED.**

This the 8th day of April, 2024.



John C Evans  
Administrative Law Judge



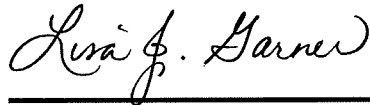
**CERTIFICATE OF SERVICE**

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Steven Daniel Smith  
Locktite Security & Electric, Inc.  
350 Mince Hill Rd  
Seven Springs NC 28578  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
[jgray@bdixon.com](mailto:jgray@bdixon.com) (served electronically on April 8, 2024)  
Attorney For Respondent

This the 9<sup>th</sup> day of April, 2024.



---

Lisa J Garner  
North Carolina Certified Paralegal  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 984-236-1850

***State of North Carolina  
Office of Administrative Hearings  
Certification***

*I hereby certify the attached (1 zip drive) to be a true copy of the Official Record as required by G.S. 150B-42 of the proceedings in the Office of Administrative Hearings, in case (s):*

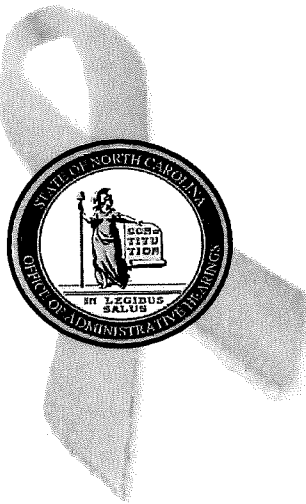
***"24 DOJ 00396", "Steven Daniel Smith, Petitioner, v. North Carolina Alarm Systems Licensing Board, Respondent."***

*the original of which is filed in this office in conformance with Chapter 150B of the General Statutes of the State of North Carolina.*

*In witness whereof, I authorize this certification and affix the official seal of the North Carolina Office of Administrative Hearings at Raleigh this the 23rd day of May, 2024.*

*Donald Robert van der Vaart  
Chief Administrative Law Judge, Director*

By:



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ \_\_\_\_\_

STEVEN DANIEL SMITH,                            )  
   )  
   )                                     )  
   )                                     )  
v.    )                                     )  
   )                                     )  
N.C. ALARM SYSTEMS LICENSING BOARD,    )  
   )                                     )  
   )                                     )  
   )                                     )  
   )                                     )  
   )                                     )  
Respondent.                                        )  
\_\_\_\_\_  )  
\_\_\_\_\_)

**NOTICE OF HEARING**

FOR:                Steven Daniel Smith  
                      Locktite Security & Electric, Inc.  
                      350 Mince Hill Road  
                      Seven Springs, NC 28578

DATE:             Tuesday, February 27, 2024

TIME:             2:00 p.m.

PLACE:            Office of Administrative Hearings  
                      1711 New Hope Church Road  
                      Raleigh, NC 27609

RE:                Suspension of license for conviction of the Class F felony of Embezzlement by a  
                      Public Official/Trustee in Wayne County, North Carolina.

STATUTES:       N.C.G.S. §§ 74D-10(a)

ADMINISTRATIVE  
LAW JUDGE:                                   Honorable John C. Evans

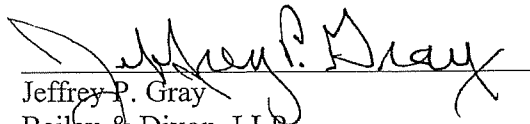
An administrative hearing has been scheduled by the N.C. Alarm Systems Licensing Board to examine formally the allegations specified above. This hearing will be held before the Office of Administrative Hearings for the N.C. Alarm Systems Licensing Board and will be conducted in accordance with the Administrative Procedures Act, North Carolina General Statute 150B.

This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray, Attorney at Law, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602, (919) 828-0731.

**Please direct all correspondence to the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, NC 27609, (919) 431-3000.**

This the 1<sup>st</sup> day of February, 2024.

Stephen H. Wheeler, Chairman,  
N.C. Alarm Systems Licensing Board

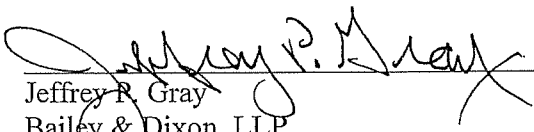
  
\_\_\_\_\_  
Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
(919) 828-0731 – telephone  
(919) 828-6592 – facsimile

**CERTIFICATE OF SERVICE**

I, Jeffrey P. Gray, hereby certify that I have served a copy of the foregoing NOTICE OF HEARING by depositing a copy with the United States Postal Service, CERTIFIED MAIL/RETURN RECEIPT REQUESTED and addressed to the following:

Steven Daniel Smith  
Locktite Security & Electric, Inc.  
350 Mince Hill Road  
Seven Springs, NC 28578

This the 1<sup>st</sup> day of February, 2024.

  
Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
(919) 828-0731 – telephone  
(919) 828-6592 – facsimile

STATE OF NORTH CAROLINA WAYNE County GOLDSBORO Seal of Court File No. 22CRS271865 51 In The General Court Of Justice

NOTE: (Use AOC-CR-310 for DWI offenses.)

District Superior Court Division

STATE VERSUS Name Of Defendant SMITH, STEVEN DANIEL Race W Sex M Date Of Birth 08/28/1962

JUDGMENT SUSPENDING SENTENCE - FELONY PUNISHMENT: COMMUNITY INTERMEDIATE (STRUCTURED SENTENCING) (For Offenses Committed On Or After Dec. 1, 2016) G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Attorney For State CARLA MICHELLE BOWEN Def. Found Not Indigent Def. Waived Attorney Attorney For Defendant DUSTIN BLAKE PITTMAN Appointed Retained Gr Rptr Initials KG

Table with columns: File No.(s), Off., Offense Description, Offense Date, G.S. No., F/M, CL., Pun. Cl. Row: 22CRS271865, \$1, EMBEZZLEMENT-PUB OFF/TRUSTEES, 08/14/2019, 14-93, F, F

\*NOTE: Enter punishment class if different from underlying offense class... The Court has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 00. Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the determination of this issue by the trier of fact beyond a reasonable doubt or the defendant's admission to this issue.

PRIOR RECORD LEVEL: I III V II IV VI

- The Court (NOTE: Block 1 or 2 MUST be checked.): 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c). 2. makes the determination of aggravating and mitigating factors on the attached AOC-CR-605. 3. makes the findings of Extraordinary Mitigation set forth on the attached AOC-CR-605. 4. imposes sentence under G.S. 90-96(h)(6), pursuant to its finding that the defendant has provided substantial assistance. 5. adjudges the defendant to be (check only one) a habitual felon to be sentenced four classes higher than the principal felony (no higher than Class C). 6. finds enhancement pursuant to: G.S. 90-95(a)(3) (Drugs), G.S. 14-3(c) (hate crime), G.S. 50B-4.1 (domestic violence). 7. finds the above-designated offense(s) is a reportable conviction under G.S. 14-202.6 and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603D, Page Two, Side Two, and makes the additional findings and orders on the attached AOC-CR-611, Side Two. 8. finds the above-captioned offense(s) involve the (check all that apply) physical or mental sexual abuse of a minor. 9. finds that a motor vehicle commercial motor vehicle was used in the commission of the offense and that it shall be reported to DMV. 10. finds this to be an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim. 11. (offenses committed on or after Dec. 1, 2017, only) finds that the offense was committed as part of criminal gang activity as defined in G.S. 14-50.16A(2) and that the defendant was a criminal gang leader or organizer as defined in G.S. 14-50.16A(3). This finding is based on the determination of this issue by the trier of fact beyond a reasonable doubt or on the defendant's admission. 12. finds the above-designated offense(s) involved (check one) (offenses committed Dec. 1, 2016 - Nov. 30, 2017) criminal street gang activity (offenses committed on or after Dec. 1, 2017) criminal gang activity. G.S. 14-50.28. 13. did not grant a conditional discharge under G.S. 90-96(a) because (check all that apply) the defendant refused to consent. the Court finds, with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense. 14. finds that the defendant used or displayed a firearm while committing the felony. G.S. 15A-1382.2. 15. finds that the offense involved child abuse or assault or an act defined in G.S. 50B-1(a) against a minor. G.S. 15A-1382.1(a1).

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned

for a minimum term of 16 months for a maximum term of 29 months in the custody of the NC DAC.

This sentence shall run at the expiration of sentence imposed in file number The defendant shall be given credit for 0 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the sentence imposed above. Imprisonment required for special probation set forth on AOC-CR-603D, Page Two.

SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on supervised probation for 60 months.

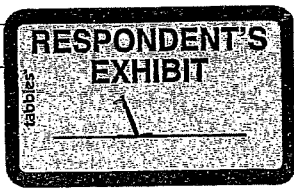
- 1. The Court finds that a longer shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d). 2. The Court finds that it is NOT appropriate to delegate to the Division of Community Supervision and Reentry the authority to impose any of the requirements in G.S. 15A-1343.2(a) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment. 3. This period of probation shall begin when the defendant is released from incarceration at the expiration of the sentence in the case below. 4. The defendant shall comply with the conditions set forth in file number 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-269.4. (AOC-CR-319 required)

MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee if placed on supervised probation above, pursuant to a schedule determined by the probation officer, set out by the court as follows:

Table with columns: Court, Fine, Attorney's Fees, Comm Serv Fee, EHA Fee, SBN Fee, Appl Fee/Misc, Total Amount Due

\*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference. The Court finds just cause to waive costs, as ordered on the attached AOC-CR-618. Other: Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.



Name Of Defendant  
SMITH, STEVEN DANIEL

NOTE: Use this page with AOC-CR-603D, "Judgment Suspending Sentence - Felony"; AOC-CR-604D, "Judgment Suspending Sentence - Misdemeanor"; AOC-CR-619D, "Conditional Discharge Under G.S. 90-96(a)"; AOC-CR-621D, "Conditional Discharge Under G.S. 14-50.29"; AOC-CR-627D, "Conditional Discharge Under G.S. 90-96(a1)"; AOC-CR-628D, "Conditional Discharge Under G.S. 14-204(b)"; AOC-CR-632D, "Conditional Discharge Under G.S. 15A-1341(a4)"; AOC-CR-633D, "Conditional Discharge Under G.S. 15A-1341(a5)"; or AOC-CR-636D, "Conditional Discharge Under G.S. 14-277.8"; for offenses committed on or after Dec. 1, 2016.

COMMUNITY AND INTERMEDIATE PROBATION CONDITIONS - G.S. 15A-1343(a1)

In addition to complying with the regular and any special conditions of probation set forth in the "Judgment Suspending Sentence" entered in the above case(s), the defendant shall also comply with the following conditions of probation, which may be imposed for any community or intermediate punishment.

- 1. Submit to house arrest with electronic monitoring, remain at the defendant's residence for a period of \_\_\_ days, \_\_\_ months, abide by all rules, regulations, and directions of the probation officer regarding such monitoring, and pay the fees prescribed in G.S. 15A-1343(o) as provided under Monetary Conditions. The defendant may leave the residence for the following purpose(s) and as otherwise permitted by the probation officer:
- employment
- counseling
- a course of study
- vocational training.
Other:

2. Complete \_\_\_ hours of community service during the first \_\_\_ days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-1483 is \_\_\_ not due because it is assessed in a case adjudicated during the same term of court. \_\_\_ to be paid \_\_\_ pursuant to the schedule set out under Monetary Conditions in the "Judgment Suspending Sentence." \_\_\_ within \_\_\_ days of this Judgment and before beginning service.
Other:

3. Submit to the following period(s) of confinement in the custody of the \_\_\_ Sheriff of this County. \_\_\_ (other local confinement facility). \_\_\_ and pay jail fees. The defendant shall report in a sober condition to serve the term(s) indicated below, NOTE: Periods of confinement imposed here must be for two-day or three-day consecutive periods, only, for no more than six days in a single month, and in no more than three separate months during the period of probation. To impose special probation under G.S. 15A-1351, see INTERMEDIATE PUNISHMENTS, below.
[Table with columns: Date, Hour, AM/PM, for, 2 days, 3 days]
4. Obtain a substance abuse assessment, monitoring, or treatment as follows:
5. Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_ days, \_\_\_ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
6. Participate in an educational or vocational skills development program as follows:
7. Submit to satellite-based monitoring, if required on the attached AOC-CR-615, Side Two.

INTERMEDIATE PUNISHMENTS

In addition to complying with the regular and any special, community, or intermediate conditions of probation set forth in the "Judgment Suspending Sentence" or herein for the above case(s), the defendant shall also comply with the following intermediate punishment(s) under G.S. 15A-1340.11(b).

- 1. Special Probation - G.S. 15A-1351
For the defendant's active sentence as a condition of special probation, the defendant shall comply with these additional regular conditions of probation:
(1) Obey the rules and regulations of the Division of Prisons of the Department of Adult Correction and, if applicable, the Division of Juvenile Justice of the Department of Public Safety, governing the conduct of inmates while imprisoned. (2) Report to a probation officer in the State of North Carolina within seventy-two (72) hours of the defendant's discharge from the active term of imprisonment.
[X] A. Serve an active term of 30 days \_\_\_ months \_\_\_ hours in the custody of the
\_\_\_ NC DAC. \_\_\_ Sheriff of this County. \_\_\_ Other:
(NOTE: Special probation may not be served in DAC for (i) a noncontinuous period or (ii) a misdemeanor. For a defendant under 18, any period of special probation must be served in the Division of Juvenile Justice of the Department of Public Safety.)
[X] B. The defendant shall report in a sober condition to begin serving his/her term on:
[Table with columns: Day, Date, Hour, AM/PM, and shall remain in custody until: Day, Date, Hour, AM/PM]
\_\_\_ C. The defendant shall again report in a sober condition to continue serving this term on the same day of the week for the next \_\_\_ consecutive weeks, and shall remain in custody during the same hours each week until completion of the active term ordered.
\_\_\_ D. This term shall be served at the direction of the probation officer within \_\_\_ days \_\_\_ months of this judgment.
[X] E. Pay jail fees. \_\_\_ F. Work release is recommended. \_\_\_ G. Substance abuse treatment is recommended.
\_\_\_ H. Other:

2. Local Judicially Managed Accountability and Recovery Court - G.S. 15A-1340.11
Comply with the rules of the program adopted pursuant to Chapter 7A, Article 62, of the General Statutes, and report on a regular basis as directed to participate in court supervision and any screening, evaluation, and treatment ordered by the court.
Other:

INTERMEDIATE CONDITIONS OF PROBATION - G.S. 15A-1343(b4)

If subject to intermediate punishment, the defendant shall, in addition to the terms and conditions imposed above, comply with the following intermediate conditions of probation. (1) If required by the defendant's probation officer, perform community service under the supervision of the Division of Community Supervision and Reentry, and pay the fee required by G.S. 143B-1483, but no fee shall be due if the Court imposed community service as a special condition of probation and assessed the fee in this judgment or any judgment for an offense adjudicated in the same term of court. (2) No use, possess, or control alcohol. (3) Remain within the defendant's county of residence unless granted written permission to leave by the court or the defendant's probation officer. (4) Participate in any evaluation, counseling, treatment, or educational program as directed by the probation officer, keeping all appointments by abiding by the rules, regulations, and directions of each program.



**North Carolina Department of Public Safety**  
**Alarm Systems Licensing Board**

Roy Cooper, Governor  
 Eddie M. Buffaloe Jr., Secretary

Stephen Wheeler, Chair  
 Paul Sherwin, Director

**COMPLAINT FROM**  
 Kim Odom

January 23, 2024

**COMPLAINT AGAINST**  
 Steven Daniel Smith  
 Locktite Security & Electric, Inc.  
 350 Mince Hill Road  
 Seven Springs, NC 28578

**CASE NUMBER**  
 2023-ASLB-025

**BOARD FINDINGS**

**RE:** Review of Complaint by the Alarm Systems Licensing Board

**STATUTE / RULE:** Possible Violation(s) of NCGS 74D-10(a)(13)

This Notice is to inform you that the above-referenced Complaint was presented to the Grievance Committee on Thursday, January 18, 2024, for its informal review. The Committee made the following recommendation:

*Find violation of NCGS 74D-10(a)13. Suspend Mr. Smith's alarm license for five years or until his probation is terminated, whichever occurs first. Refer this matter to the Screening Committee should Mr. Smith apply to reinstate his license.*

On January 18, 2024, the Alarm Systems Licensing Board took the following action:

*Accepted.*

If you wish to appeal the Board's finding(s) in this matter and file for a contested case before the N.C. Office of Administrative Hearings, please notify the ASLB Licensing Section in writing within sixty (60) days of receipt of this letter. Should you fail to request a hearing within sixty (60) days of receipt of this letter, the Board finding will become final.

Any further questions about this matter should be directed to the Licensing Section of this office.

Sincerely,

Stephen Wheeler  
 Chairperson

Paul Sherwin  
 Director

cc: Kim Odom, Steven Daniel Smith

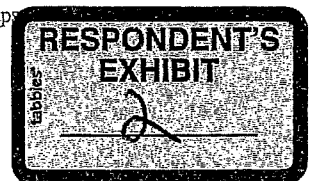
**MAILING ADDRESS:**  
 3101 Industrial Drive, Suite 104  
 Raleigh, NC 27609



[www.ncdps.gov/asl](http://www.ncdps.gov/asl)  
 An Equal Opportunity employer

**OFFICE LOCATION:**  
 3101 Industrial Drive, Suite 104  
 Raleigh, NC 27609  
 Telephone: (919) 788-5320

Email: [ppsasl@ncdps.gov](mailto:ppsasl@ncdps.gov)





STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 00396

|  |                              |
|--|------------------------------|
| Steven Daniel Smith<br>Petitioner,<br><br>v.<br><br>North Carolina Alarm Systems Licensing<br>Board<br>Respondent. | <b>PROPOSAL FOR DECISION</b> |
|--|------------------------------|

On February 27, 2024, Administrative Law Judge John C. Evans heard this contested case in Raleigh, North Carolina, pursuant to N.C. Gen. Stat. § 150B-40(e), after Respondent's requested designation of an Administrative Law Judge to preside at a hearing of a contested case under Article 3A, Chapter 74D of the North Carolina General Statutes.

**APPEARANCES**

**FOR PETITIONER:** Steven Daniel Smith, *pro se*  
350 Mince Hill Road  
Seven Springs, NC 28578

**FOR RESPONDENT:** Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
Attorney for Respondent

**ISSUE**

Whether Respondent should suspend Petitioner's alarm systems license pursuant to N.C. Gen. Stat. § 74D-10 for lack of good moral character for a conviction of the Class F felony "Embezzlement of Funds by Public Officers and Trustees" in violation of N.C. Gen. Stat. § 14-92.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case: N.C. Gen. Stat. § 74D-10, and 14B NCAC 17 .0101 *et seq.*

**EXHIBITS ADMITTED INTO EVIDENCE**

For Petitioner:           None  
For Respondent:         Resp Exhibit 1-2

**WITNESSES**

For Petitioner:         Steven Daniel Smith  
For Respondent:        Paul Sherwin, Director of NC Alarms Systems Licensing Board

Based upon careful consideration of the exhibits admitted into evidence, the entire record in this proceeding, and the credibility and believability of witness testimony at hearing including the witnesses' credibility, demeanor, any interests, biases or prejudices, the opportunity of the witnesses to see, hear, know or remember the facts or occurrences about which the witnesses testified, and whether the testimony of the witnesses are reasonable and consistent with other believable evidence in the case, the undersigned finds as follows:

**PROPOSED FINDINGS OF FACT**

1. Steven Daniel Smith, ("Petitioner"), holds an alarm systems license.
2. Alarm Systems Licensing Board, ("Respondent"), is established pursuant to N.C. Gen. Stat. § 74D-4, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the alarm systems business.
3. On July 28, 2023, Petitioner pled guilty to the Class F felony of "Embezzlement of Funds by Public Officers and Trustees." The Judgment Suspending Sentence ("Judgment") was admitted into evidence as Respondent's Exhibit 1.
4. Petitioner was sentenced on the intermediate punishment level and received a minimum of 16 months and a maximum of 29 months in the custody of the North Carolina Department of Adult Correction. The sentence was suspended, and the Petitioner was placed on supervised probation for 60 months. As part of the intermediate punishment, Petitioner received a 30-day active sentence in the Wayne County Detention Center.
5. When Respondent received a copy of the Judgment, it initiated a complaint investigation of the Petitioner. Upon completion of the investigation, including providing the Petitioner an opportunity to address the Respondent, Respondent issued its Board Findings.
6. By Notice dated January 23, 2024, (the Board Findings), Respondent notified Petitioner that pursuant to N.C. Gen. Stat. § 74D-10(a)(13) ("Notice"), the Alarm Systems Licensing Board Grievance Committee made the recommendation to suspend Petitioner's alarm systems license for five years or until the Petitioner completes his probation sentence,

whichever occurs first and, that the matter be referred to the Screening Committee should the Petitioner apply to reinstate his license. The Notice further advised the Petitioner that the Respondent had accepted the Committee's recommendations and advised the Petitioner of the appeal process should he wish to appeal the findings.

7. Respondent's default recommendation for a new alarm systems license applicant convicted of a Class F felony, is to deny the issuance of the license for a period of up to 15 years from the date of conviction.
8. By Notice of Hearing dated February 1, 2024, and mailed via certified mail, Respondent notified Petitioner that a hearing on the suspension of his alarm systems license would be held on February 27, 2024, at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609.

### PROPOSED CONCLUSIONS OF LAW

1. The parties are properly before the Tribunal in that venue, subject matter jurisdiction, and personal jurisdiction are proper, and there is no objection to Administrative Law Judge John C. Evans presiding over this matter.
2. After notice and an opportunity for hearing, Respondent may suspend or revoke a license if it is determined that the licensee has "[a] lack of temperate habits or good moral character. The acts that are prima facie evidence of lack of temperate habits or good moral character under G.S. 74D-6(3) are prima facie evidence of the same under this subdivision." N.C. Gen. Stat. § 74D-10(a)(13),
3. The following are prima facie evidence that the applicant does not have good moral character: The conviction, including a plea of guilty, for a crime "involving the illegal use, carrying, or possession of a firearm; ...the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverages; ... felonious assault or an act of violence; ...unlawful breaking or entering, burglary or larceny or **of any offense involving moral turpitude**; or a history of addiction to alcohol or a narcotic drug;" (emphasis added) N.C. Gen. Stat. § 74D-6(3)
4. The North Carolina Supreme Court defines crimes involving moral turpitude as "acts of baseness, vileness, or depravity in the private and social duties that a man owes to his fellowman or to society in general." *Jones v. Brinkley*, 174 N.C. 23, 27, 93 S.E. 372, 373 (1917). *See also State v. Mann*, 317 N.C. 164, 170, 345 S.E.2d 365, 369 (1986).
5. "If an officer, agent or employee of an entity, , or a person having or holding money or property **in trust** for one of the listed entities, ..... shall embezzle or otherwise willfully and corruptly use or misapply the same for any purpose other than that for which such moneys or property is held, such person shall be guilty of a felony." N.C. Gen. Stat. § 14-92. [emphasis added] It is a Class F felony if the value taken is less than \$100,000.00.

6. The crime of Embezzlement of Funds by Public Officers and Trustees is an offense involving moral turpitude.
7. Petitioner pled guilty to the Class F felony of Embezzlement of funds by public officers and trustees, served 30 days in the Wayne County Detention Center and is currently on supervised probation for 5 years. As such, Petitioner's conviction constitutes *prima facie* evidence of a lack of good moral character and is sufficient to support the suspension of the Petitioner's alarm systems license.

### **PROPOSED PROPOSAL FOR DECISION**

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that Respondent suspend Steven Daniel Smith's alarm systems license for five years or until his probation is terminated, whichever occurs first.

### **NOTICE**

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this Proposal for Decision, to submit proposed Findings of Fact and to present oral and written arguments to the agency. N.C.G.S. § 150B-40(e).

The agency that will make the final decision in this contested case is the North Carolina Alarm Systems Licensing Board.

A copy of the final agency decision or order shall be served upon each party personally or by certified mail addressed to the party at the latest address given by the party to the agency and a copy shall be furnished to any attorney of record. N.C.G.S. § 150B-42(a). A copy of the Final Agency Decision shall be forwarded to the Office of Administrative Hearings.

**IT IS SO ORDERED.**

This the 8th day of April, 2024.



John C Evans  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that, on the date shown below, the Office of Administrative Hearings sent the foregoing document to the persons named below at the addresses shown below, by electronic service as defined in 26 NCAC 03 .0501(4), or by placing a copy thereof, enclosed in a wrapper addressed to the person to be served, into the custody of the North Carolina Mail Service Center who subsequently will place the foregoing document into an official depository of the United States Postal Service:

Steven Daniel Smith  
Locktite Security & Electric, Inc.  
350 Mince Hill Rd  
Seven Springs NC 28578  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
[jgray@bdixon.com](mailto:jgray@bdixon.com) (served electronically on April 8, 2024)  
Attorney For Respondent

This the 9<sup>th</sup> day of April, 2024.



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Lisa J Garner  
North Carolina Certified Paralegal  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 984-236-1850

**STATE OF NORTH CAROLINA**  
 WAYNE County GOLDSBORO Seal of Court  
 File No. 22CRS271865 51  
 NOTE: (Use AOC-CR-310 for DWI offense(s).)  
 In The General Court Of Justice  
 District  Superior Court Division

**STATE VERSUS**  
 Name Of Defendant: SMITH, STEVEN DANIEL  
 Race: W Sex: M Date Of Birth: 08/28/1962  
**JUDGMENT SUSPENDING SENTENCE - FELONY PUNISHMENT:**  
 COMMUNITY  INTERMEDIATE (STRUCTURED SENTENCING)  
 (For Offenses Committed On Or After Dec. 1, 2016)  
 G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Attorney For State: CARLA MICHELLE BOWEN  
 Def. Found Not Indigent  Def. Waived Attorney  
 Attorney For Defendant: DUSTIN BLAKE PITTMAN  
 Appointed  Retained Cr Rptr Initials: KG

The defendant was found guilty/responsible, pursuant to  plea  pursuant to Alford  of no contest  trial by judge  trial by jury, of

| File No.(s) | Off. | Offense Description           | Offense Date | G.S. No. | F/M | CL | Pun. Ct. |
|-------------|------|-------------------------------|--------------|----------|-----|----|----------|
| 22CRS271865 | 51   | EMBEZZLEMENT-PUB OFF/TRUSTEES | 08/14/2019   | 14-92    | F   | F  |          |

NOTE: Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).  
 The Court  1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 00.  
 Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the determination of this issue by the trier of fact beyond a reasonable doubt or the defendant's admission to this issue.  
 2. makes no prior record level finding because none is required.

PRIOR RECORD LEVEL:  I  III  V  
 II  IV  VI

- The Court (NOTE: Block 1 or 2 MUST be checked.):
- 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).
  - 2. makes the Determination of aggravating and mitigating factors on the attached AOC-CR-605.
  - 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606.
  - 4. imposes sentence under  G.S. 90-95(h)(5), pursuant to its finding that the defendant has provided substantial assistance,  G.S. 90-95(h)(5a), pursuant to its findings on the attached  AOC-CR-618.  Other: \_\_\_\_\_
  - 5. adjudges the defendant to be (check only one)  a habitual felon to be sentenced four classes higher than the principal felony (no higher than Class C);  a habitual breaking and entering status offender, to be sentenced as a Class E felon.
  - 6. finds enhancement pursuant to:  G.S. 90-95(e)(3) (drugs),  G.S. 14-3(c) (hate crime),  G.S. 50B-4.1 (domestic violence),  G.S. 14-50.22 (gang misdemeanor),  Other: \_\_\_\_\_. This finding is based on the determination of this issue by the trier of fact beyond a reasonable doubt or the defendant's admission.
  - 7. finds the above-designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603D, Page Two, Side Two, and makes the additional findings and orders on the attached AOC-CR-615, Side Two.
  - 8. finds the above-captioned offense(s) involve (check all that apply)  physical or mental  sexual abuse of a minor,  (if No. 7 not found) and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603D, Page Two, Side Two.
  - 9. finds that a  motor vehicle  commercial motor vehicle was used in the commission of the offense and that it shall be reported to DMV.
  - 10. finds this is an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim.
  - 11. (offenses committed on or after Dec. 1, 2017, only) finds that the offense was committed as part of criminal gang activity as defined in G.S. 14-50.16A(2) and that the defendant was a criminal gang leader or organizer as defined in G.S. 14-50.16A(3). This finding is based on the determination of this issue by the trier of fact beyond a reasonable doubt or on the defendant's admission.
  - 12. finds the above-designated offense(s) involved (check one)  offenses committed Dec. 1, 2016 - Nov. 30, 2017) criminal street gang activity  (offenses committed on or after Dec. 1, 2017) criminal gang activity, G.S. 14-50.25.
  - 13. did not grant a conditional discharge under G.S. 90-96(a) because (check all that apply)  the defendant refused to consent,  the Court finds, with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense.
  - 14. finds that the defendant used or displayed a firearm while committing the felony, G.S. 15A-1382.2.
  - 15. finds that the offense involved child abuse or assault or an act defined in G.S. 50B-1(a) against a minor, G.S. 15A-1382.1(a1).

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned for a minimum term of 16 months for a maximum term of 29 months in the custody of the NC DAC.

This sentence shall run at the expiration of sentence imposed in file number \_\_\_\_\_  
 The defendant shall be given credit for 0 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the  sentence imposed above,  imprisonment required for special probation set forth on AOC-CR-603D, Page Two.

**SUSPENSION OF SENTENCE**

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on  supervised  unsupervised probation for 60 months.

- 1. The Court finds that a  longer  shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(c).
- 2. The Court finds that it is NOT appropriate to delegate to the Division of Community Supervision and Reentry the authority to impose any of the requirements in G.S. 15A-1343.2(e) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment.
- 3. This period of probation shall begin  when the defendant is released from incarceration  at the expiration of the sentence in the case below.

| File No. | Offense | County | Court | Date |
|----------|---------|--------|-------|------|
|          |         |        |       |      |

- 4. The defendant shall comply with the conditions set forth in file number \_\_\_\_\_
- 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-206.4, (AOC-CR-319 required)

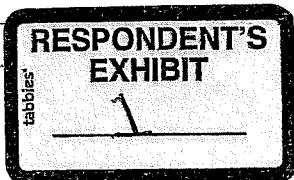
**MONETARY CONDITIONS**

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee if placed on supervised probation above, pursuant to a schedule  determined by the probation officer,  set out by the court as follows: \_\_\_\_\_

| Costs | Fine | Attorney's Fees | Comm Serv Fee | EHA Fee | SBM Fee | Appt Fee/Misc | Total Amount Due |
|-------|------|-----------------|---------------|---------|---------|---------------|------------------|
| \$    | \$   | \$ 0.00         | \$ 0.00       | \$ 0.00 | \$ 0.00 | \$ 0.00       | \$               |

\*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference.  
 The Court finds just cause to waive costs, as ordered on the attached  AOC-CR-618.  Other: \_\_\_\_\_  
 Upon payment of the "Total Amount Due," the probation officer may transfer this defendant to unsupervised probation.

AOC-CR-603D, Rev. 1/23, © 2023 Administrative Office of the Courts



**REGULAR CONDITIONS OF PROBATION - G.S. 15A-1343(b)**

NOTE: Any probationary judgment may be extended pursuant to G.S. 15A-1342. The defendant shall: (1) Commit no criminal offense in any jurisdiction, (2) Possess no firearm, explosive device, or other deadly weapon listed in G.S. 14-269, (3) Remain gainfully and suitably employed or faithfully pursue a course of study or vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution, (4) Satisfy child support and family obligations, as required by the Court, (5) Submit to the taking of digitized photographs, including photographs of the defendant's face, scars, marks, and tattoos, to be included in the defendant's records. If the defendant is on supervised probation, the defendant shall also: (6) Not abscond, by willfully evading supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer, (7) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer, (8) Report as directed by the Court or the probation officer to the officer at reasonable times and places and in a reasonable manner, permit the officer to visit at reasonable times, answer all reasonable inquiries by the officer and obtain prior approval from the officer for, and notify the officer of, any change in address or employment, (9) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment, (10) Submit at reasonable times to warrantless searches by a probation officer of the defendant's person and of the defendant's vehicle and premises while the defendant is present, for purposes directly related to the probation supervision, but the defendant may not be required to submit to any other search that would otherwise be unlawful, (11) Submit to warrantless searches by a law enforcement officer of the defendant's person and of the defendant's vehicle, upon a reasonable suspicion that the defendant is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon listed in G.S. 14-209 without written permission of the court, (12) Not use, possess, or control any illegal drug or controlled substance unless it has been prescribed for the defendant by a licensed physician and is in the original container with the prescription number affixed on it; not knowingly associate with any known or previously convicted users, possessors, or sellers of any such illegal drugs or controlled substances; and not knowingly be present at or frequent any place where such illegal drugs or controlled substances are sold, kept, or used, (13) Supply a breath, urine, or blood specimen for analysis of the possible presence of prohibited drugs or alcohol when instructed by the defendant's probation officer for purposes directly related to the probation supervision, if the results of the analysis are positive, the probationer may be required to reimburse the Division of Community Supervision and Reentry of the Department of Adult Correction for the actual costs of drug or alcohol screening and testing, (14) Waive all rights relating to extradition proceedings if taken into custody outside of this State for failing to comply with the conditions imposed by the court.

15. The Court finds that the defendant is responsible for acts of domestic violence and therefore makes the additional findings and orders on the attached AOC-CR-603D, Page Two, Side Two.

**SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1)**

The defendant shall also comply with the following special conditions which the Court finds are reasonably related to the defendant's rehabilitation:

- 16. Surrender the defendant's drivers license to the Clerk of Superior Court for transmittal/notification to the Division of Motor Vehicles and not operate a motor vehicle for a period of \_\_\_\_\_ or until relicensed by the Division of Motor Vehicles, whichever is later.
- 17. Successfully pass the General Education Development Test (G.E.D.) during the first \_\_\_\_\_ months of the period of probation.
- 18. Complete \_\_\_\_\_ hours of community service during the first \_\_\_\_\_ days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-1483 is  not due because it is assessed in a case adjudicated during the same term of court.  to be paid  pursuant to the schedule set out under Monetary Conditions on the reverse.  within \_\_\_\_\_ days of this Judgment and before beginning service.
- 19. Report for initial evaluation by \_\_\_\_\_ participate in all further evaluation, counseling, treatment, or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.
- 20. Not assault, threaten, harass, be found in or on the premises or workplace of, or have any contact with \_\_\_\_\_ "Contact" includes any defendant-initiated contact, direct or indirect, by any means, including, but not limited to, telephone, personal contact, e-mail, pager, gift-giving, telefacsimile machine or through any other person, except \_\_\_\_\_
- 21. Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_\_\_ days, \_\_\_\_\_ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
- 22. Other: \_\_\_\_\_

**PAY THE COST AND RESTITUTION. HE IS PROHIBITED ACCESS TO ANY FINANCIAL ACCOUNTS OF A CHARITABLE OR 501 C3 ORGANIZATION WHILE ON PROBATION. ANY THREE MISSED CONSECUTIVE PAYMENTS. HE IS TO BE CITED BACK TO COURT.**

23. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603D, Page Two.

**ORDER OF COMMITMENT/APEAL ENTRIES**

- 1. It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.
- 2. The defendant gives notice of appeal from the judgment of the trial court to the Appellate Division. Appeal entries and any conditions of post-conviction release are set forth on form AOC-CR-350.

**SIGNATURE OF JUDGE**

Date: 07/28/2023  
 Name Of Presiding Judge (Type or print): THE HONORABLE IMELDA J PATE  
 Signature Of Presiding Judge: *Imelda J Pate*

**CERTIFICATION**

- I certify that this Judgment and the attachment(s) marked below is a true and complete copy of the original which is on file in this case.
- 1. Appellate Entries (AOC-CR-350)
  - 2. Judgment Suspending Sentence (AOC-CR-603D, Page Two) (additional conditions of probation)
  - 3. Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605)
  - 4. Extraordinary Mitigation Findings (AOC-CR-606)
  - 5. Restitution Worksheet, Notice And Order (Initial Sentencing) (AOC-CR-611)
  - 6. Judicial Findings As To Required DNA Sample (AOC-CR-319)
  - 7. Judicial Findings And Order For Sex Offenders - Suspended Sentence (AOC-CR-615, Side Two)
  - 8. Convicted Sex Offender Permanent No Contact Order (AOC-CR-620)
  - 9. Additional File No.(s) And Offense(s) (AOC-CR-626)
  - 10. Other: \_\_\_\_\_

Date: \_\_\_\_\_ Date Certified Copies Delivered To Sheriff: \_\_\_\_\_ Signature Of Clerk: \_\_\_\_\_  
 Deputy CSC  Asst. CSC  
 Clerk Of Superior Court **SEAL**

Material opposite unmarked squares is to be disregarded as surplusage.

Name Of Defendant: SMITH, STEVEN DANIEL

NOTE: Use this page with AOC-CR-603D, "Judgment Suspending Sentence - Felony"; AOC-CR-604D, "Judgment Suspending Sentence - Misdemeanor"; AOC-CR-619D, "Conditional Discharge Under G.S. 90-96(a)"; AOC-CR-621D, "Conditional Discharge Under G.S. 14-60.29"; AOC-CR-627D, "Conditional Discharge Under G.S. 90-96(a1)"; AOC-CR-628D, "Conditional Discharge Under G.S. 14-204(b)"; AOC-CR-632D, "Conditional Discharge Under G.S. 15A-1341(a4)"; AOC-CR-633D, "Conditional Discharge Under G.S. 15A-1341(a5)"; or AOC-CR-636D, "Conditional Discharge Under G.S. 14-277.5" for offenses committed on or after Dec. 1, 2016.

COMMUNITY AND INTERMEDIATE PROBATION CONDITIONS - G.S. 15A-1343(a1)

In addition to complying with the regular and any special conditions of probation set forth in the "Judgment Suspending Sentence" entered in the above case(s), the defendant shall also comply with the following conditions of probation, which may be imposed for any community or intermediate punishment.

1. Submit to house arrest with electronic monitoring, remain at the defendant's residence for a period of \_\_\_ days, \_\_\_ months, abide by all rules, regulations, and directions of the probation officer regarding such monitoring, and pay the fees prescribed in G.S. 15A-1343(c) as provided under Monetary Conditions. The defendant may leave the residence for the following purpose(s) and as otherwise permitted by the probation officer: \_\_\_ employment \_\_\_ counseling \_\_\_ a course of study \_\_\_ vocational training. Other:

2. Complete \_\_\_ hours of community service during the first \_\_\_ days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-1483 is \_\_\_ not due because it is assessed in a case adjudicated during the same term of court. \_\_\_ to be paid \_\_\_ pursuant to the schedule set out under Monetary Conditions in the "Judgment Suspending Sentence." \_\_\_ within \_\_\_ days of this judgment and before beginning service. Other:

3. Submit to the following period(s) of confinement in the custody of the \_\_\_ Sheriff of this County. \_\_\_ (other local confinement facility). \_\_\_ and pay jail fees. The defendant shall report in a sober condition to serve the term(s) indicated below. NOTE: Periods of confinement imposed here must be for two-day or three-day consecutive periods, only, for no more than six days in a single month, and in no more than three separate months during the period of probation. To impose special probation under G.S. 15A-1351, see INTERMEDIATE PUNISHMENTS, below.

Table with 12 columns: Date, Hour, AM/PM, for, 2 days, 3 days. Multiple rows for scheduling.

4. Obtain a substance abuse assessment, monitoring, or treatment as follows:
5. Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_ days, \_\_\_ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
6. Participate in an educational or vocational skills development program as follows:
7. Submit to satellite-based monitoring, if required on the attached AOC-CR-615, Side Two.

INTERMEDIATE PUNISHMENTS

In addition to complying with the regular and any special, community, or intermediate conditions of probation set forth in the "Judgment Suspending Sentence" or herein for the above case(s), the defendant shall also comply with the following intermediate punishment(s) under G.S. 15A-1340.11(6).

1. Special Probation - G.S. 15A-1351

For the defendant's active sentence as a condition of special probation, the defendant shall comply with these additional regular conditions of probation: (1) Obey the rules and regulations of the Division of Prisons of the Department of Adult Correction and, if applicable, the Division of Juvenile Justice of the Department of Public Safety, governing the conduct of inmates while imprisoned. (2) Report to a probation officer in the State of North Carolina within seventy-two (72) hours of the defendant's discharge from the active term of imprisonment.

A. Serve an active term of \_\_\_ 30 \_\_\_ days \_\_\_ months \_\_\_ hours in the custody of the \_\_\_ NC DAC, \_\_\_ Sheriff of this County. \_\_\_ Other:

(NOTE: Special probation may not be served in DAC for (i) a noncontinuous period or (ii) a misdemeanor. For a defendant under 18, any period of special probation must be served in the Division of Juvenile Justice of the Department of Public Safety.)

B. The defendant shall report in a sober condition to begin serving his/her term on:

Table with 6 columns: Day, Date, Hour, AM/PM, and shall remain in custody until: Day, Date, Hour, AM/PM. Example: Monday 10/02/2023 08:00 AM, Thursday 11/02/2023 08:00 AM.

C. The defendant shall again report in a sober condition to continue serving this term on the same day of the week for the next \_\_\_ consecutive weeks, and shall remain in custody during the same hours each week until completion of the active term ordered.

D. This term shall be served at the direction of the probation officer within \_\_\_ days \_\_\_ months of this judgment.

E. Pay jail fees. \_\_\_ F. Work release is recommended. \_\_\_ G. Substance abuse treatment is recommended. \_\_\_ H. Other:

2. Local Judicially Managed Accountability and Recovery Court - G.S. 15A-1340.11

Comply with the rules of the program adopted pursuant to Chapter 7A, Article 62, of the General Statutes, and report on a regular basis as directed to participate in court supervision and any screening, evaluation, and treatment ordered by the court. Other:

INTERMEDIATE CONDITIONS OF PROBATION - G.S. 15A-1343(b4)

If subject to intermediate punishment, the defendant shall, in addition to the terms and conditions imposed above, comply with the following intermediate conditions of probation. (1) If required by the defendant's probation officer, perform community service under the supervision of the Division of Community Supervision and Reentry, and pay the fee required by G.S. 143B-1483, but no fee shall be due if the Court imposed community service as a special condition of probation and assessed the fee in this judgment or any judgment for an offense adjudicated in the same term of court. (2) Not use, possess, or control alcohol. (3) Remain within the defendant's county of residence unless granted written permission to leave by the court or the defendant's probation officer. (4) Participate in any evaluation, counseling, treatment, or educational program as directed by the probation officer, keeping all appointments by abiding by the rules, regulations, and direction of each program.

Material opposite unmarked squares is to be disregarded as surplusage.

(2017)



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 00396

|  |                                    |
|--|------------------------------------|
| Steven Daniel Smith<br>Petitioner,<br><br>v.<br><br>North Carolina Alarm Systems Licensing<br>Board<br>Respondent. | <b>OFFICIAL RECORD INDEX SHEET</b> |
|--|------------------------------------|

RECOMMENDED DECISION

DOCUMENTS

**SECTION I**

- Petition (Article 3 Agencies **only**)
- Request for Designation of ALJ (Article 3A Boards & Commissions **only**)
- Notice of Contested Case & Order of Assignment
- Order(s) of Reassignment
- Order for Prehearing Statements
- Scheduling Orders
- Notice(s) of Representation
- Document Constituting Agency Action
- Hearing Assistant/Court Reporter Request Form
- Motion & Order of Consolidation

**SECTION II**

- Prehearing Statements
- Notice of Prehearing Conference
- Motions/Responses/Briefs/Rulings
- Report of Mediator
- Report of Settlement Conference

**SECTION III**

- X  Notices of Hearings
- Return of Service on Subpoenas and Notices
- Motions and Orders of Continuance
- Prehearing Order

**SECTION IV**

- X  Parties' Proposed Decisions
- Other Post Hearing Submissions

**SECTION V**

- X  Exhibits
- Offers of Proof

**SECTION VI**

- X  Miscellaneous documents
- Request for transcript
- Transcript
- Hearing tapes (when necessary)