



# North Carolina Department of Public Safety

## Private Protective Services Board

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

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

### MEETING MINUTES OF THE NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

DATE: August 18, 2022  
TIME: 12:00 p.m.  
PLACE: Hampton Inn & Suites, 3920 Arrow Drive  
Raleigh, North Carolina 27612

SUBMITTED BY: Paul Sherwin, Director

#### MEMBERS PRESENT

Stacy Buff  
Ron Burris  
Debra Duncan  
Tamara Rabenold  
Kim Heffney  
Steve Johnson  
Nada Lawrimore  
Jerry Pitman  
Andy Renfrow  
Bud Cesena  
Sam Russell  
Dave Stephens  
Suzanne Creech

#### MEMBERS ABSENT

Assata Buffalo

#### STAFF ABSENT

Kim Odom  
Ray Bullard

#### STAFF PRESENT

Paul Sherwin  
Jeff Gray  
Mercedes Sierra  
Garcia Graham  
Carolina Valand

#### VISITORS PRESENT

John Honeycutt William MacRae  
Greg Hatten Donald Miller  
William Wilke Adam Trantum  
Scott Snide Shaun Marso  
Ordie McFarland Sandra Epley\*  
Donna Campbell\* Denise Martin\*  
Greg Pickrell\* Charles Lynch\*  
Joel Johnson\* William Sconiers\*  
James Pool\* Paul Schroll\*  
Jose Suquinahua\* Dave Dodge\*

\*v: virtual



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Chairman Bud Cesena called the August 18, 2022, meeting of the North Carolina Private Protective Services Board to order at 12:00 p.m.

Attorney Jeff Gray read the following statement:

"In accordance with the State Ethics Law, it is the duty of every Board member to avoid both conflicts of interest and appearances 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."

Chair Cesena introduced and welcomed new Board member Suzanne Creech and thanked former Board member Gerry Stickl for his service to the Board.

**DAVE STEPHENS MADE A MOTION TO ACCEPT THE JUNE 16, 2022, BOARD MEETING MINUTES. SECONDED BY ANDY RENFROW. MOTION CARRIED. NONE OPPOSED.**

#### **GRIEVANCE COMMITTEE REPORT**

Grievance Committee members Ron Burris, Tamara Rabenold, Suzanne Creech, Jerry Pitman, Nada Lawrimore and Steve Johnson met on August 17, 2022, from 9:00 a.m. to 12:53 p.m. to review 12 cases. Committee Chair Ron Burris presented the Grievance Committee report.

**STACY BUFF MADE A MOTION TO ACCEPT ALL CASES EXCEPT 2022-PPS-018 (MANN) AND 2021-PPS-088 (SANTIAGO). KIM HEFFNEY SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**STACY BUFF MADE A MOTION TO ACCEPT CASE 2021-PPS-088 (SANTIAGO). SAM RUSSELL SECONDED THE MOTION. STEVE JOHNSON RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**SAM RUSSELL MADE A MOTION TO ACCEPT CASE 2022-PPS-018 (MANN). JERRY PITMAN SECONDED THE MOTION. ANDY RENFROW RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL GRIEVANCE REPORT*

#### **SCREENING COMMITTEE REPORT**

Screening Committee members Stacy Buff, Sam Russell, Debra Duncan, Dave Stephens and Kim Heffney met on August 17, 2022, from 1:15 p.m. to 3:24 p.m. to review a total of 61 license applications and one registration denial appeal. Committee Chair Stacy Buff presented the Screening Committee report.

**JERRY PITMAN MADE A MOTION TO ACCEPT ALL OF THE COMMITTEE’S RECOMMENDATIONS EXCEPT FOR CAILIN GOODMAN, MICHAEL OVERTON AND SAM RUSSELL’S BRANCH OFFICE. KIM HEFFNEY SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

**SAM RUSSELL MADE A MOTION TO ACCEPT THE COMMITTEE’S RECOMMENDATION TO APPROVE THE LICENSES FOR CAILIN GOODMAN AND MICHAEL OVERTON. KIM HEFFNEY SECONDED THE MOTION. ANDY RENFROW RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

**STACY BUFF MADE A MOTION TO ACCEPT THE COMMITTEE’S RECOMMENDATION TO APPROVE SAM RUSSELL’S BRANCH OFFICE. KIM HEFFNEY SECONDED THE MOTION. SAM RUSSELL RECUSED HIMSELF FROM THE VOTE. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL SCREENING REPORT*

### **TRAINING AND EDUCATION COMMITTEE REPORT**

Training and Education Committee members Bud Cesena, Steve Johnson, Dave Stephens, Tamara Rabenold and Stacy Buff met on August 18, 2022, from 9:00 a.m. to 9:54 a.m. Committee Chair Bud Cesena presented Training and Education Committee report.

The Committee recommended awarding a \$4,800.00 training and education grant to private investigator Catherine Flowers to assist with funding an online private investigator training academy she is developing.

**STACY BUFF MADE A MOTION TO APPROVE AWARDING THE GRANT TO CATHERINE FLOWERS. DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

The Committee recommended approving 27 new continuing education courses and five course renewals.

**STEVE JOHNSON MADE A MOTION TO APPROVE THE NEW AND RENEWAL CONTINUING EDUCATION COURSES. KIM HEFFNEY SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

The Committee recommended amending the Board’s administrative rule 14B NCAC 16 .0707 to update the equipment requirements for virtual training; clarify the language used to differentiate online training, virtual training and in-person training; and rename the unarmed guard training module titled “Department” to “Professional Conduct.” The Committee referred these recommendations to the Laws and Rules Committee.

**SAM RUSSELL MADE A MOTION TO ACCEPT THE COMMITTEE'S RECOMMENDATIONS AND REFER THE RULES CHANGES TO THE LAWS AND RULES COMMITTEE. DAVE STEPHENS SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Chair Bud Cesena read the Training and Education Committee Report prepared by Investigator Ray Bullard, to include the trainer course schedule for 2023.

**STACY BUFF MADE A MOTION TO ACCEPT THE 2023 TRAINER COURSE SCHEDULE. TAMARA RABENOLD SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Chair Cesena discussed the need to form subcommittees to establish the training and experience requirements for the new Close Personal Protection and Digital Forensics Examiner licenses established by the passing of Senate Bill 424. He appointed Steve Johnson as the chair of the Close Personal Protection Subcommittee and Tamara Rabenold as the chair of the Digital Forensics Examiner Subcommittee.

**STACY BUFF MADE A MOTION TO ACCEPT THE TRAINING AND EDUCATION REPORT. KIM HEFFNEY SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL TRAINING AND EDUCATION REPORT*

### **LAWS AND RULES COMMITTEE REPORT**

Laws and Rules Committee members Steve Johnson, Debra Duncan, Kim Heffney, Jerry Pitman and Tamara Rabenold met on August 18, 2022, from 10:06 a.m. to 10:48 a.m. Bud Cesena was also present during the Committee meeting.

Committee Chair Steve Johnson delivered the Laws and Rules Committee report, to include discussing the issue of the effective dates found within Senate Bill 424 and their impact on the implementation of the new Close Personal Protection and Digital Forensics Examiner licenses. The Committee recommended delaying the implementation of the licenses until the required administrative rules related to the experience and training requirements for the licenses are drafted and in effect.

**STEVE JOHNSON MADE A MOTION THAT ANY N.C.-LICENSED PRIVATE INVESTIGATOR CURRENTLY PERFORMING CLOSE PERSONAL PROTECTION WORK, AND ANY PERSON OR COMPANY CURRENTLY PERFORMING DIGITAL FORENSICS EXAMINATION WORK, MAY CONTINUE TO DO SO UNTIL THE BOARD IS PREPARED TO ACCEPT LICENSE APPLICATIONS AND IMPLEMENT THE NEW LICENSES. TAMARA RABENOLD SECONDED THE MOTION. NONE OPPOSED. MOTION CARRIED.**

Tamara Rabenold provided information about the Board's potential participation in an interstate compact for private investigators. She said the International Association of Security and Investigative Regulators, of which the Board is a member, has been holding interstate compact coordination meetings that she and Director Sherwin and Attorney Jeff Gray regularly attend. She further explained that IASIR is spearheading the effort, but will need states to participate. No action is required by the Board at this time.

**DAVE STEPHENS MADE A MOTION TO ACCEPT THE LAWS AND RULES COMMITTEE REPORT. ANDY RENROW SECONDED THE MOTION. NONE OPPOSED. MOTION CARRIED.**

### **OLD BUSINESS**

Attorney Jeff Gray explained that his contract with the Board had recently expired. He asked the Board to renew the contract for another two years, with a rate increase of 15%.

**KIM HEFFNEY MADE A MOTION TO APPROVE JEFF GRAY'S CONTRACT RENEWAL. DEBRA DUNCAN SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

### **NEW BUSINESS**

Tamara Rabenold asked the Board to approve sending her, Director Paul Sherwin and Attorney Jeff Gray to the annual conference of the International Association of Security Industry Regulators (IASIR) in Huntsville, AL, October 12-14, 2022.

**STACY BUFF MADE MOTION TO SEND ATTORNEY JEFF GRAY, DIRECTOR SHERWIN AND MEMBER TAMARA RABENOLD TO THE COFERENCE. KIM HEFFNEY SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Chair Cesena discussed the need to send Board representatives to the 2022 conference of the International Protective Security Board (IPSB) in Las Vegas, NV, December 7-9, with the purpose of gathering information related to the Board's new close personal protection license. He recommended sending four Board members, to be named at the October 2022 meeting.

**RON BURRIS MADE A MOTION TO SEND FOUR BOARD MEMBERS TO THE 2022 IPSB CONFERENCE. SAM RUSSELL SECONDED THE MOTION. NONE OPPOSED. MOTION CARRIED.**

Sam Russell inquired about the possibility of consolidating licensee and registration ID cards so that persons credentialed by the Board are not required to carry an ID card for every credential they possess. Director Sherwin said he would research the matter and bring more information to the Board at a future meeting.

### **DIRECTOR'S REPORT**

Director Paul Sherwin presented the Director's Report.

**STEVE JOHNSON MADE A MOTION TO ACCEPT THE DIRECTOR'S REPORT. JERRY PITMAN SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL DIRECTOR'S REPORT*

### **ATTORNEY'S REPORT**

Attorney Jeff Gray presented the Attorney's Report.

**RON BURRIS MADE A MOTION TO ACCEPT THE ATTORNEY'S REPORT. STEVE JOHNSON SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

*SEE ATTACHMENT FOR THE FULL ATTORNEY'S REPORT*

### **ELECTION OF OFFICERS**

Attorney Jeff Gray conducted the elections.

**SAM RUSSELL NOMINATED BUD CESENA FOR CHAIR OF THE BOARD. STEVE JOHNSON SECONDED THE MOTION.**

**ANDY RENFROW NOMINATED JERRY PITMAN FOR CHAIR OF THE BOARD. NADA LAWRIMORE SECONDED THE MOTION.**

Attorney Gray asked for a vote of all in favor of electing Bud Cesena as Chair. Nine Board members voted in the affirmative.

Attorney Gray asked for a vote of all in favor of electing Jerry Pitman as Chair. Four Board members voted in the affirmative.

Bud Cesena was elected Board Chair.

**BUD CESENA NOMINATED STEVE JOHNSON FOR BOARD VICE-CHAIR. KIM HEFFNEY SECONDED THE MOTION. NO ADDITIONAL NOMINATIONS WERE MADE.**

Steve Johnson was elected Board Vice-Chair by a unanimous vote.

**STEVE JOHNSON NOMINATED RON BURRIS FOR GRIEVANCE COMMITTEE CHAIR. DAVE STEPHENS SECONDED THE MOTION. NO ADDITIONAL NOMINATIONS WERE MADE.**

Ron Burris was elected Chair of the Grievance Committee by a unanimous vote.

**NADA LAWRIMORE NOMINATED STACY BUFF FOR SCREENING COMMITTEE CHAIR. SECONDED BY ANDY RENFROW.**

**KIM HEFFNEY NOMINATED DEBRA DUNCAN FOR SCREENING COMMITTEE CHAIR. SECONDED BY STACY BUFF.**

Attorney Gray asked for a vote of all in favor of electing Stacy Buff as Chair of the Screening Committee. Ten Board members voted in the affirmative.

Attorney Gray asked for a vote of all in favor of electing Debra Duncan as Chair of the Screening Committee. Three Board members voted in the affirmative.

Stacy Buff was elected Chair of the Screening Committee.

**BUD CESENA NOMINATED STEVE JOHNSON FOR CHAIR OF THE LAWS AND RULES COMMITTEE. SECONDED BY KIM HEFFNEY. NO ADDITIONAL NOMINATIONS WERE MADE.**

Steve Johnson was elected Chair of the Laws and Rules Committee by a unanimous vote.

**STEVE JOHNSON NOMINATED BUD CESENA FOR CHAIR OF THE TRAINING AND EDUCATION COMMITTEE. SECONDED BY STACY BUFF. NO ADDITIONAL NOMINATIONS WERE MADE.**

Bud Cesena was elected Chair of the Training and Education Committee by a unanimous vote.

**STACY BUFF NOMINATED DEBRA DUNCAN AS THE BOARD'S ETHICS LIAISON. SECONDED BY STEVE JOHNSON. NO ADDITIONAL NOMINATIONS WERE MADE.**

Debra Duncan was elected as the Board's ethics liaison by a unanimous vote.

**STEVE JOHNSON NOMINATED TAMARA RABENOLD FOR CHAIR OF THE EMERGING TECHNOLOGIES COMMITTEE. SECONDED BY KIM HEFFNEY. NO ADDITIONAL NOMINATIONS WERE MADE.**

Tamara Rabenold was elected Chair of the Emerging Technologies Committee by a unanimous vote.

### **FINAL AGENCY DECISIONS**

Terry Wayne Sutherland, Jr., was present, accompanied by his attorney Joel Hart Miles, Jr. The case (22DOJ00770) was heard by Administrative Law Judge J. Randolph Ward on March 29, 2022. The case involved whether the Sutherland's Private Investigator license should be denied for a lack of good moral character.

**RON BURRIS MADE A MOTION TO ACCEPT THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDATION TO APPROVE SUTHERLAND'S PRIVATE INVESTIGATOR LICENSE. ANDY RENFROW SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED. SAM RUSSELL, KIM HEFFNEY, DEBRA DUNCAN, DAVE STEPHENS, AND STACY BUFF RECUSED FROM THE VOTE DUE TO THEIR HAVING BEEN ON THE SCREENING COMMITTEE THAT REVIEWED MR. SUTHERLAND'S LICENSE APPLICATION.**

Adam Robert Tranum was present. The case (22DOJ00805) was heard by Administrative Law Judge Michael C. Byrne on April 26, 2022. The case involved Mr. Tranum's appeal of the Board's decision to revoke for 12 months his Board-issued credentials due to a lack of good moral character. Mr. Tranum requested a closed session to discuss the matter. His request was granted.

Closed session to discuss Tranum's Final Agency Decision.

Open session resumed.

**KIM HEFFNEY MADE A MOTION TO DEFER A VOTE ON TRANUM'S FINAL AGENCY DECISION UNTIL THE PENDING CRIMINAL CHARGES AGAINST MR. TRANUM ARE ADJUDICATED. ANDY RENFROW SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED. SUZANNE CREECH, SAM RUSSELL, KIM HEFFNEY, STACY BUFF, BUD CESENA, DAVE STEPHENS, ANDY RENFROW VOTED. ALL OTHERS RECUSED DUE TO THEIR HAVING BEEN ON THE GRIEVANCE COMMITTEE THAT HEARD THE COMPLAINT AGAINST MR. TRANUM.**

David Bradford Russell was not present. The case (21DOJ04652) was heard by Administrative Law Judge Karlene S. Turrentine on January 27, 2022. The case involved whether Russell should be denied a proprietary security organization designation based on his unfavorable employment history and criminal history.

**ANDY RENFROW MADE A TO ACCEPT THE ADMINISTRATIVE LAW JUDGE'S RECOMMENDATION TO DENY MR. RUSSELL A PROPRIETARY SECURITY ORGANIZATION DESIGNATION. JERRY PITMAN SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED. NADA LAWREIMORE, SUZANNE CREECH, JERRY PITMAN, BUD CESENA, RON BURRIS, TAMARA RABENOLD, AND ANDY RENFROW VOTED. ALL OTHERS RECUSED FROM THE VOTE DUE TO THEIR HAVING BEEN ON THE SCREENING COMMITTEE THAT REVIEWED MR. RUSSELL'S PROPRIETARY APPLICATION.**

### **2023 BOARD MEETING CALENDAR**

Director Paul Sherwin presented the proposed 2023 Board meeting calendar.



**STACY BUFF MADE A MOTION TO APPROVE THE MEETING CALENDAR. NADA LAWRI-MORE SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Nada Lawrimore discussed moving Board meetings to other locations, such as Wilmington or Asheville.

**STACY BUFF MADE A MOTION TO HOLD THE APRIL 2023 MEETING IN WILMINGTON AND THE OCTOBER 2023 MEETING IN ASHEVILLE. SAM RUSSELL SECONDED THE MOTION. MOTION CARRIED. NONE OPPOSED.**

Chair Cesena asked for any public comment from meeting guests. No comments were made.

**DAVE STEPHENS MADE A MOTION TO ADJOURN THE MEETING. SECONDED BY STACY BUFF. MOTION CARRIED. NONE OPPOSED.**

Meeting Adjourned 2:48 p.m.

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Paul Sherwin  
Director

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Mercedes Sierra  
Board Secretary, Reporter

PPSB Grievance After Report for August 18, 2022 9:00 am

Case Number	Complaint Against	Allegation(s)	Grievance Committee Recommendation	Board Action
1. 2021-PPS-077	Alex Devonte Saunders Supreme Enforcement Enterprise 111 Echo Glen Drive Apt. D1 Winston-Salem, NC 27106	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Continue the cease and desist order previously issued to Alex Saunders and refer this case to the Screening Committee should he apply for a registration or license.	Accepted
2. 2021-PPS-088	Robert Jay Santiago Spartan Investigation Group, Inc. 250 Christi Lane Kernersville, NC 27284	NCGS 74C-12(a)(25)	Find a violation of NCGS 74C-12(a)(25) for demonstrated intemperate habits and issue a letter of reprimand to Mr. Robert Santiago.	Accepted
3. 2022-PPS-004	Uri Gal Professional Security Consultants 11454 San Vicente Blvd FI 2 Los Angeles, CA 90049	NCGS 74C-11 NCGS 74C-13 14B NCAC 16 .0108(a) 14B NCAC 16 .0707 14B NCAC 16 .0807	Find a violation of NCGS 74C-11, NCGS 74C-13, 14B NCAC 16 .0108(a), 14B NCAC 16.0707 and 14B NCAC 16.0807. Enter into a consent agreement with Uri Gal and Professional Security Consultants in the amount of \$9,914.40 for 69 unarmed and 8 armed registration violations. Conduct a follow-up registration audit of Q3 and Q4 of 2022.	Accepted
4. 2022-PPS-011	Verlean Robinson Imperial Guard and Detective Service, Inc. 301 McCullough Drive Suite 400 Charlotte, NC 28262	14B NCAC 16 .0108(b)	Find a violation of 14B NCAC 16 .0108(b). Enter into a consent agreement with Verlean Robinson and Imperial Guard and Detective Service, Inc. in the amount of \$122.40 for 1 unarmed registration violation.	Accepted

<b>Case Number</b>	<b>Complaint Against</b>	<b>Allegation(s)</b>	<b>Grievance Committee Recommendation</b>	<b>Board Action</b>
5. 2022-PPS-012	Christal Neptune Neptune Worldwide Protection, Inc. 3630 sterling magnolia ct Charlotte, NC 28211	14B NCAC 16 .0108(b)	No violation	Accepted
6. 2022-PPS-024	Lucien Guy Morin, II Watchone Security Services PO Box 14 Indian Trail, NC 28079	NCGS 74C-11	Find a violation of NCGS 74C-11. Enter into a consent agreement with Lucien Morin and Watch One Security Service in the amount of \$2,252.16 for 23 self-reported unarmed guard registration violations.	Accepted
7. 2022-PPS-025	Gregory J. Riggins Dynamic Core, Inc. 92 Roberts Road Roanoke Rapids, NC 27870	NCGS 74C-2	Find a violation NCGS 74C-2. Continue the cease and desist order previously issued to Gregory Riggins and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
8. 2022-PPS-026	Michael Edward Badges Bonus Spins 366 Ross Acres Road Burlington, NC 27302	NCGS 74C-13(a)	Find a violation NCGS 74C-2. Continue the cease and desist order previously issued to Michael Badges and refer this matter to the Screening Committee should he apply for a license or registration.	Accepted
9. 2022-PPS-042	Ian Schrader Solid Armored 437 FIREFLY DR Trail creek , IN 46360	NCGS 74C-2 NCGS 74C-13	Find a violation of NCGS 74C-2 and NCGS 74C-13. Enter into a consent agreement with Ian Schrader and Solid Armored in the amount of \$877.20 for unlicensed activity and two armed registration violations.	Accepted

# Board Meeting Report

Board Date 08/18/2022

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
1.	Kara Jean Baldy NC Protection Group 740 Greenville Blvd SE Greenville , NC 27834	Private Investigator Associate	Approve Private Investigator Associate License Level 3 with 2,300 hours.	Accepted
2.	Charles Rodney Bell Jr. Staghorn Security and Investigations LLC.igations LLC 1210 Staghorn Rd. Purlear, NC 28665	Private Investigator	Approve Private Investigator License.	Accepted
3.	Wilfred Dixon Blood SecTek, Inc. 1650 Tysons Blvd. McLean, VA 22102	Security Guard And Patrol	Approve Security Guard & Patrol License	Accepted
4.	Eric Ricardo Bryant Jack Ward Fire Consultants PO Box 608 Green Cove Springs, FL 32043	Private Investigator	Approve Private Investigator License.	Accepted
5.	Kristen Burnette KTB Private Co. 2320 Waverly Crossing Rd Winston Salem, NC 27127	Private Investigator	Approve Private Investigator License.	Accepted
6.	Kailin Abigail CANARY VAWTER Frasco, Inc. 215 W Alameda Ave Burbank, CA 91502	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with zero hours.	Accepted
7.	Brandon LaTrey Covington Bushido Concepts, LLC 159 Independence Dr Raeford, NC 28376 Raeford , NC 28376	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 400 hours.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
8.	David Edward Drew Richardson and Davis Investigative Consulting Group, LLC 9820 Northcross Center Court Huntersville, NC 28078	Private Investigator	Approve Private Investigator License.	Accepted
9.	David Andre Dufresne Ash Tree Investigations and Security 724 Amanda Dr. Matthews , NC 28104	Private Investigator	Approve Private Investigator License.	Accepted
10.	Keena Edwards ED RUSH Consulting and Development Group, LLC 2000 Park Street Columbia, SC 29201	Security Guard And Patrol	Approve Security Guard & Patrol License	Accepted
11.	Shannon Harrington Emerick Viking Private Investigations 209 Creekstone Dr Benson, NC 27504	Private Investigator Associate	Approve Private Investigator Associate License Level 2 with 1,200 hours.	Accepted
12.	Eric Ray Emser Emser Investigative Services 135 Bunker Ct Macon, NC 27551	Private Investigator	Approve Private Investigator License.	Accepted
13.	Kevin Dale English Kevin English 302 Line Oak Drive Sunset Beach, NC 28468	Private Investigator	Approve Private Investigator License.	Accepted
14.	Wrenn Ferguson Veracity Research Co., L.L.C. 1104 Dallas Drive Denton, TX 76205	Private Investigator	Approve Private Investigator License.	Accepted
15.	Charles Joseph Ford VQS 13212 Commodore Rd. Hot Springs, SD 57747	Security Guard And Patrol	Approve Security Guard & Patrol License	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
16.	Shamarr Kenyatta Gamble Williams SG Tactical Protection 310 N Rotary Dr HIGH POINT, NC 27262	Security Guard And Patrol	Approve Security Guard & Patrol License	Accepted
17.	Cynthia George Coventbridge (USA) Inc. 9485 Regency Square Blvd Jacksonville, FL 32225	Private Investigator	Approve Private Investigator License.	Accepted
18.	Harold Michael Golden n/a 414 Old Holderford Road Kingston, TN 37763	Security Guard And Patrol	Approve Security Guard & Patrol License	Accepted
19.	Cailin Elizabeth Goodman Command Investigations, LLC 250 International Parkway Lake Mary, FL 32746	Private Investigator Associate	Approve Private Investigator Associate License Level II with 1,000 hours.	Accepted
20.	Chaz Dupree Harris Raven Rock Group 909 S. Main St. Salisbury, NC 28144	Private Investigator Associate	Approve Private Investigator Associate License Level 2 with 1,200 hours.	Accepted
21.	Edward Henderson E4 Security, Inc. 1675 7th Oakland , CA 94623	Security Guard And Patrol	Approve Security Guard and Patrol license	Accepted
22.	Janet Myra Henson Ideal Investigations 105 Doe Ridge Drive Cleveland, NC 27013	Private Investigator	Approve Private Investigator License.	Accepted
23.	Ritchie Vernon Hinkle Leupold Investigation 224 S. Cherry st Winston Salem, NC 27101	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with zero hours.	Accepted
24.	Dennis Ellsworth Jacot Jacot Investigations, LLC 66 Linden Court Garner, NC 27529	Private Investigator	Approve Private Investigator License.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
25.	Ryan Johnson Epic Services and Consulting LLC 117 E. Sycamore St. Lincolnton , NC 28092	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 400 hours.	Accepted
26.	Joseph Daniel Kirby Aardwolf International 1135 Kildaire Farm Road Cary, NC 27511	Private Investigator	Approve Private Investigator License.	Accepted
27.	Peter Anthony Leyden Jr. Raven Advisory LLC 4400 Bragg Blvd Fayetteville, NC 28303	Courier Service	Approve Courier license	Accepted
28.	Peter Anthony Leyden Jr. Raven Advisory LLC 4400 Bragg Blvd Fayetteville, NC 28303	Private Investigator	Approve Private Investigator License.	Accepted
29.	Peter Anthony Leyden Jr. Raven Advisory LLC 4400 Bragg Blvd Fayetteville, NC 28303	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
30.	Pete Locklear PLL Investigations 6256 NC Hwy 72 Pembroke , NC 28372	Private Investigator	Approve Private Investigator License.	Accepted
31.	James Michael Long Parasyst Inc. 415 - D Minuet Lane Charlotte, NC 28217	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
32.	Jennifer Whiteheart Lowrance Keystone Engineering & Forensics 7701 Candis Dr Charlotte, NC 28212	Private Investigator	Approve Private Investigator License	Accepted
33.	Ryan Patrick McClymonds Blue Falcons Investigation 3406 Masters Dr Hope Mills, NC 28348	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 700 hours	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
34.	Gabriel D McCuller Sua Sponte Security LLC 107 ballyliffen lane cary, NC 27519	Security Guard And Patrol	Approve with Condition Security Guard & Patrol license with the condition McCuller enter into and pay a consent agreement of \$510.00 for unlicensed activity	Accepted
35.	Larry Richard McGhee Jr McGhee Investigation & Personal Protection Services PO BOX 684 Moravian Falls , NC 28654	Private Investigator	Approve Private Investigator License	Accepted
36.	Larry Richard McGhee Jr McGhee Investigation & Personal Protection Services PO BOX 684 Moravian Falls , NC 28654	Guard Dog Service	Approve Guard Dog Service	Accepted
37.	Larry Richard McGhee Jr McGhee Investigation & Personal Protection Services PO BOX 684 Moravian Falls , NC 28654	Courier Service	Approve Courier Service	Accepted
38.	Paul McGinnis Marksman Security Corporation 1040 Crown Pointe Pkwy Suite 190 Atlanta, GA 30338	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
39.	glenn hunter millan All Access Investigations & Protective Services, LLC 1131 Memorial Park Drive Sparta, NC 28675	Private Investigator	Approve Private Investigator License	Accepted
40.	Timothy Mark Munday Tin Star Investigative Services, LLC 5213 Dusty Lane Granite Falls, NC 28630	Private Investigator	Approve Private Investigator License	Accepted
41.	Kaylie Hope Nestor Barefoot Professional Investigations 1011 E. Morehead St. #110 Charlotte, NC 28204	Private Investigator Associate	Approve Private Investigator Associate License Level 2 with 1000 hours.	Accepted



	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
42.	Michael Lewis Overton II Renfrow & Associates 2474 Walnut Street Unit 280 Cary, NC 27518	Private Investigator	Approve Private Investigator License	Accepted
43.	Kristen Price Pate Macks Pickett Investigative Services, Inc PO Box 32006 Raleigh, NC 27622	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 800 hours	Accepted
44.	Jennifer Marie Plymouth Plymouth Investigative and Credibility Consultants 9179 Bluebell Place Harrisburg, NC 28075	Polygraph Examiner	Approve with Condition Polygraph Examiner license with the condition Plymouth pass an examination in accordance with 14B NCAC 16 .0501	Accepted
45.	Melissa Washam Ratliff Raven Rock Group, LLC 909 S Main Street , Suite 107 Salisbury, NC 28144	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 800 hours.	Accepted
46.	Victoria Faith Richardson Spartan Secure Solutions 1311 Maple Lee Court Lincolnton, NC 28033	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with zero hours.	Accepted
47.	Walter Samuel Russell Russell Investigative Services, LLC 204 E. Fisher St. Salisbury, NC 28144	New Branch Office	Approve Branch Office License	Accepted
48.	Ian Schrader Solid Armored Inc. 437 Firefly Dr. Trail Creek, IN 46360	Armored Car	Approve with Condition Armored Car license with the condition Schrader enter into and pay a consent agreement of \$877.20 for unlicensed activity	Accepted
49.	Ryan Simpson Barefoot Professional Investigations 1011 E. Morehead St. #110 Charlotte, NC 28204	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 800 hours.	Accepted
50.	Nicole Elise Sparks Frasco, Inc. 215 W. Alameda Avenue Burbank, CA 91502	Private Investigator Associate	Approve Private Investigator Associate License Level 2 with 1000 hours.	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
51.	Erica N Spence Professional Investigations and Paralegal Services 110 S. Queen St Kinston, NC 28501	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 857 hours.	Accepted
52.	Debbie Stancil Professional investigations 110 S Queen St Kinston, NC 28501	Private Investigator Associate	Approve Private Investigator Associate License Level 1 with 800 hours.	Accepted
53.	Richard Harris Stapleton Deployed Services, LLC 2626 Glenwood Ave Raleigh, NC 27608	Security Guard And Patrol	Approve Security Guard and Patrol License.	Accepted
54.	Jeffrey B Stirling CSI 3645 Brodhead Rd Monaca, PA 15061	Private Investigator	Approve Private Investigator License	Accepted
55.	Timothy Eugene Thompson Covington Investigations 4312 Havens Crest Drive Morehead City, NC 28557	Private Investigator	Approve Private Investigator License	Accepted
56.	Phillip Aaron Vassey Cleveland Community College 137 South Post Road Shelby, NC 28152	Proprietary	Approve Proprietary Application	Accepted
57.	Kenneth M Wagner Aubor Group, LLC 410 W English Rd Highpoint, NC 27262	Private Investigator Associate	Approve Private Investigator Associate Level 1 with 400 hours.	Accepted
58.	Reagan Waugh Michael Guadagno & Associates 717 Wimberly Road Apex, NC 27523	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,000 hours	Accepted
59.	Joseph Jerome Willinsky Blue Chameleon Investigations 6003 Oakridge Court Matthews, NC 28104	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,800 hours	Accepted

	<b>Name Company Address</b>	<b>License</b>	<b>Committee Recommendation</b>	<b>Board Action</b>
60.	Robert Lee Young III Praesidium Protective Services Group, LLC 125 E Plaza Drive Mooresville, NC 28115	Security Guard And Patrol	Deny Security Guard and Patrol License for Lack of verifiable experience and failure to complete the application process	Accepted
61.	Joseph Anthony Zullo Epic Services and Consulting 117 E Sycamore St Lincolnton, NC 28092	Private Investigator Associate	Approve Private Investigator Associate Level 2 with 1,200 hours	Accepted



# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

### North Carolina Private Protective Services Board Training and Education Committee Agenda August 18, 2022

#### **The following PPS Trainer courses are scheduled:**

#### **Unarmed Guard Trainer Course and Workshop at Wake Tech. Community College**

- September 26-30, 2022
- December 5-9, 2022
- January 23-27, 2023
- May 8-12, 2023
- September 11-15, 2023
- December 4-8, 2023

#### **Firearms Trainer Recertification/Prequalification, Salemburg**

- August 29, 2022
- November 14, 2022

#### **Firearms Trainer Course at N.C. Justice Academy, Salemburg**

- September 12-15, 2022

#### **Long Gun Instructor Course and Recertification**

- March 21-23, 2023

#### **Completed Training**

- July 11, 2022

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



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# North Carolina Department of Public Safety

## Private Protective Services Board

Roy Cooper, Governor  
Eddie Buffaloe, Jr., Secretary

Caroline Valand, Deputy Secretary  
Paul Sherwin, Director

### Topics for Discussion

- The effects of the passing of Senate Bill 424 on training
- The Unarmed Guard Trainer supplement video has been posted on the DPS YouTube channel

### Weapon Discharges:

- On June 23, 2022 Private Protective Services received an email from Austin Taylor, Qualifying Agent for Oak City Protection. The email advised of a negligent weapon discharge that occurred on June 22, 2022 at approximately 9:00 p.m. Investigator Bullard contacted Austin Taylor. Austin Taylor advised that Diamonte Taylor was working at the TopGolf construction site located on Page Road in Durham, North Carolina. Diamonte Taylor was seated in his personal vehicle and removed his handgun from the holster in an attempt to readjust himself in the seat. Diamonte Taylor accidentally discharged one round striking his leg. The Durham Police Department responded. At that time of this report no criminal charges will be filed against Diamonte Taylor.

Investigator Bullard queried PPSM (Permitium) and discovered that Diamonte Taylor was a properly registered Armed Guard with Oak City Protection. Diamonte Taylor was qualified to carry a Glock, Model 26, 9mm handgun, serial number MPG326. Investigator Bullard received a public copy of the incident report from the Durham Police Department and verified that Diamonte Taylor was carrying the correct weapon. A copy of the email and police report are included in this file.

### **End of Report**

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



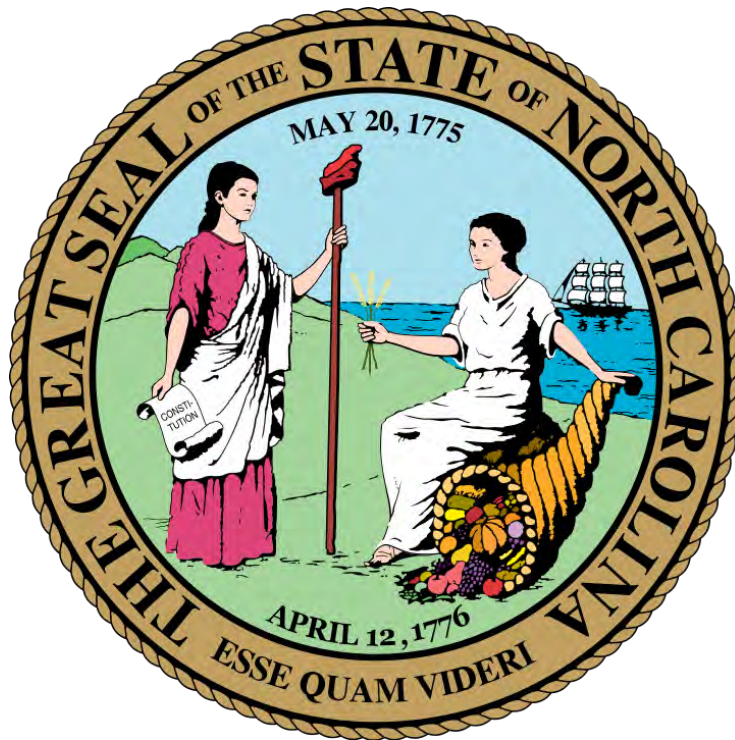
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# NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

August 18, 2022

## DIRECTOR'S REPORT



Paul Sherwin, Director

## **DIRECTOR'S REPORT**

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

# PPS INFORMATION AND UPDATES

## **PERSONNEL**

Private Protective Services currently has four vacant positions:

- Deputy Director
- Administrative Assistant – Staffed with a part-time, temporary employee
- Registration Processor (2)

Deputy Director Amanda Rolle resigned from her position with Private Protective Services on July 16, 2022. She has accepted a job as the Chief of Staff for Chief Estella Patterson of the Raleigh Police Department.

On August 3, 2022, Investigator Ray Bullard successfully obtained certification as a regulatory investigator from the Council on Licensure, Enforcement and Regulation (CLEAR). Obtaining the certification required Investigator Bullard to complete 20 hours of training and pass a final exam. He joins other PPS investigators who have obtained the same certification.

## **Operations**

### **Registration Unit**

- Registration applications received year-to-date: 14,480  
(Same period in 2021: 13,880)

### **Licensing Unit**

- License applications received year-to-date: 786  
(Same period in 2021: 546)

### **Investigations Unit**

- License applicant background investigations completed year-to-date: 182  
(Same period in 2021: 181)
- Complaint investigations completed year-to-date: 61  
(Same period in 2021: 38)

### **Training Unit**

- Trainer applications received year-to-date: 248  
(Same period in 2021: 325)



## **Other**

Director Sherwin on August 19, 2022, will teach a 1-hour course about security licensing and registration requirements to a group of law enforcement officers and agents from the Wilmington Police Department and New Hanover County ABC Commission. The training is being hosted and coordinated by NC ALE.

## LICENSING, REGISTRATION, AND CERTIFICATION SUMMARY

**Total active in Permittium: 25,782 (+4.5% from June 2022 meeting)**

Registration		
	Armed	3586
	Armed Armored Car	493
	Armed Private Investigator	92
	Armed Private Investigator Associate	12
	Unarmed	18078
	Unarmed Armored Car	29
<b>Registration Total</b>		<b>22290</b>
License		
	Armored Car Profession	77
	Courier Service Profession	70
	Electronic Counter Measures Profession	51
	Electronic Counter Measures Trainee	8
	Guard Dog Service Profession	16
	Polygraph Examiner	28
	Polygraph Trainee Permit	3
	Private Investigator	1825
	Private Investigator Temp Permit	4
	Private Investigator Associate	292
	Private Investigator Associate Temp Permit	2
	Proprietary	88
	Psychological Stress Evaluator	11
	Security guard and Patrol	518
	Special Limited Guard and Patrol	6
<b>License Total</b>		<b>2999</b>
Certification		
	Firearms Trainer	178
	Unarmed Guard Trainer Certification Total	315
<b>Certification Total</b>		<b>493</b>

**Private Protective Services Board Financial Report**  
**Fiscal Year 2022**  
**(July 1, 2021 – June 30, 2022)**

**PPSB Operating Fund Revenue and Expenditures**

FY22 revenue	\$	1,421,727.29
FY22 expenditures	\$	(1,380,769.08)
<b>FY22 FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ 40,958.21</b>

**PPSB Operating Fund Cash Flow**

Beginning Cash Balance (July 1, 2021)	\$	1,520,915.25
FY22 revenue	\$	1,421,727.29
FY22 expenditures	\$	(1,380,769.08)
<b>FY22 ENDING FUND BALANCE</b>		<b>\$ 1,561,873.46</b>

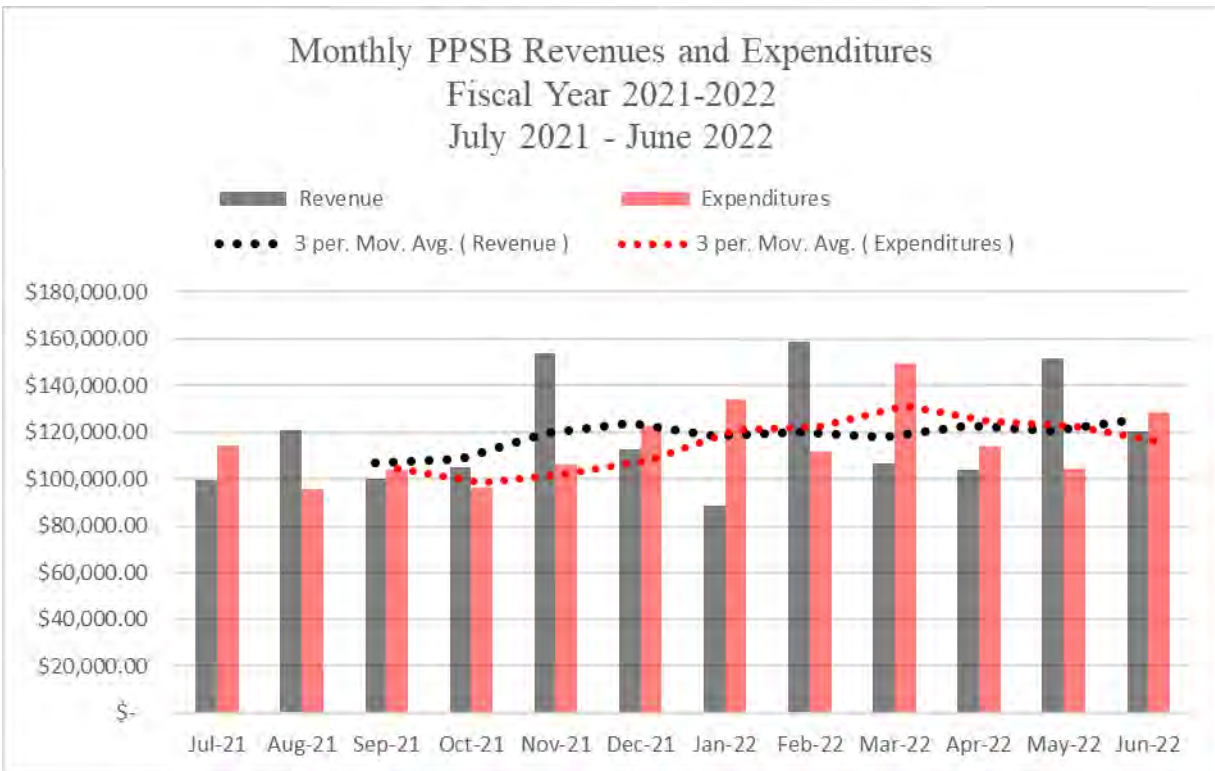
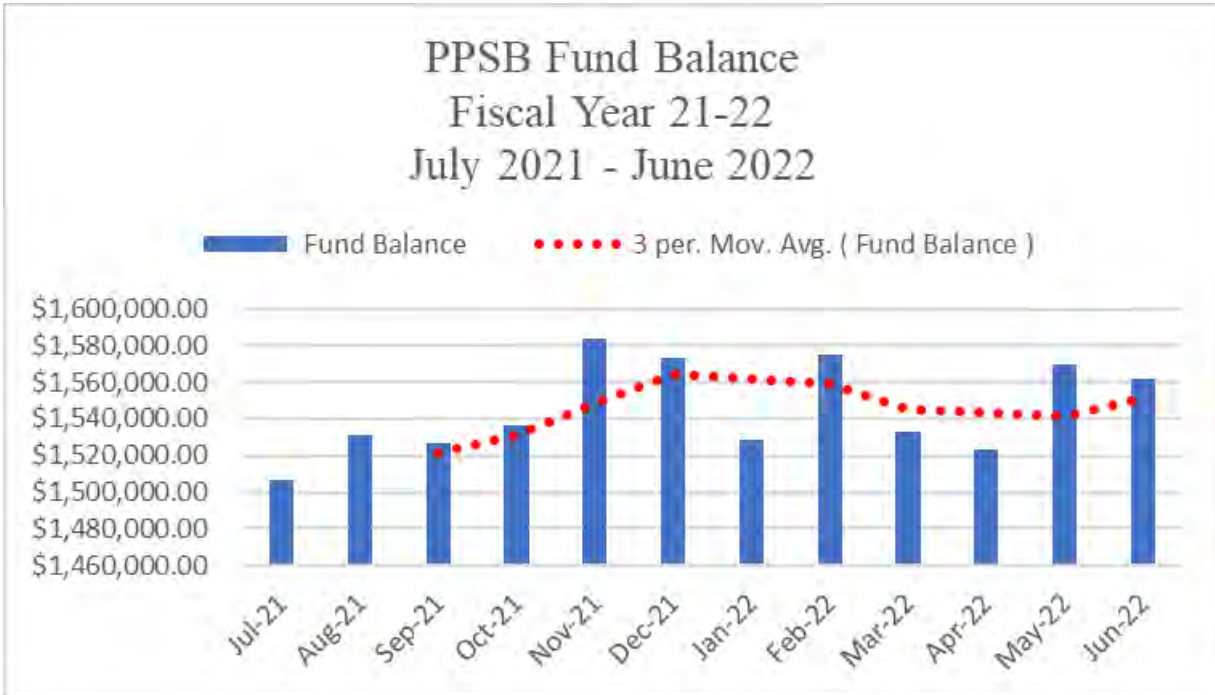
**PPSB Education Fund Revenue and Expenditures**

FY22 revenue	\$	8,906.75
FY22 expenditures	\$	(5,237.93)
<b>FY22 EDUCATION FUND BALANCE INCREASE/(DECREASE)</b>		<b>\$ 3,668.82</b>

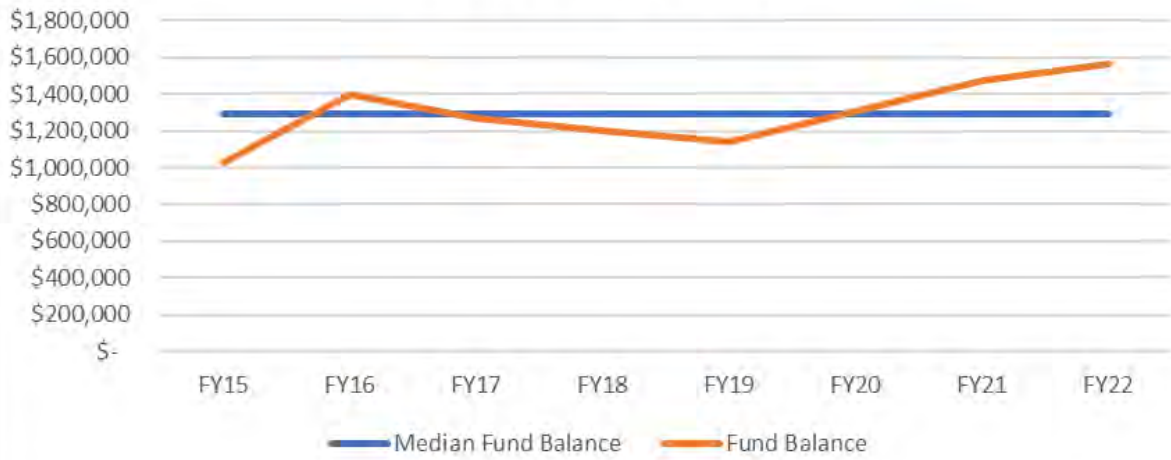
**PPSB Education Fund Cash Flow**

Beginning Cash Balance (July 1, 2021)	\$	125,994.35
FY22 revenue	\$	8,906.75
FY22 expenditures	\$	(5,237.93)
<b>FY22 ENDING FUND BALANCE</b>		<b>\$ 129,663.17</b>

## BUDGET GRAPHICS



### Historical PPSB Fund Balance Fiscal Years 2015-2022



**PRIVATE PROTECTIVE SERVICES BOARD**

Raleigh, North Carolina

August 18, 2022

**ATTORNEY'S REPORT**



# PRIVATE PROTECTIVE SERVICES BOARD

Raleigh, North Carolina

August 18, 2022

## I. CONSENT AGREEMENT, SETTLEMENT AGREEMENTS & CIVIL PENALTIES

1. On April 21, 2022, Charles Reedy/C&M Defense Group entered into a Consent Agreement with the Board in the amount of \$1,224.00 for registration violations. The temporary agreement was signed by QA Charles Reedy on March 3, 2022. Payment has not been received.
2. On April 21, 2022, Shenita Danielle Moore/Saker Aegis Systems, Inc. entered into a Consent Agreement with the Board in the amount of \$8,262.00 for registration violations. The temporary agreement was signed by QA Shenita Moore on April 11, 2022. To be paid in three monthly installments. Paid in full.
3. On April 21, 2022, William Giles/WTSA Security, LLC agreed to a civil penalty in the amount of \$250.00 for violating N.C.G.S 74C-12(d) & N.C.G.S 74C-12(a)(30). Payment has not been received.
4. On June 16, 2022, Marco Norman/ Occam Security entered into a Consent Agreement with the Board in the amount of \$3,549.60 for registration violations. The temporary agreement was signed by QA Mareo Norman on July 20, 2022.. Paid in full
5. On June 16, 2022, Felicia Smith Sheares/Admiral Security Services entered into a Consent Agreement with the Board in the amount of \$734.60 for registration violations. The temporary agreement was signed by QA Felicia Smith Sheares on May 24, 2022. Paid in full
6. On June 16, 2022, Hector Falu/ Falu Security entered into a Consent Agreement with the Board in the amount of \$3,672.00 for registration violations and agreed to a civil penalty in the amount of \$1,000.00. The temporary agreement was signed by QA Hector Falu on May 24, 2022. Paid in full
7. On June 16, 2022, Austin Taylor/Oak City Protection LLC entered into a Consent Agreement with the Board in the amount of \$4,406.40 for registration violations. The temporary agreement was signed by QA Austin Taylor on July 1, 2022. To be paid in three monthly installments. Payment has not been received.
8. On June 16, 2022, Austin Taylor/ Oak City Protection, LLC agreed to a civil penalty in the amount of \$1,000.00 for failure to a report weapon discharge. The certified mail green card was signed by QA Austin Taylor on July 1, 2022. Payment has not been received.
9. On June 16, 2022 Errol Alexis Green/Weiser Security Services, Inc. (Screening) entered into a Consent Agreement with the Board in the amount of \$68.00 for a branch office

violation. The temporary agreement was signed by QA Errol Green on May 5, 2022. Paid in full

10. On June 16, 2022 Dan Paul Merow/Allied Universal Security Services (Screening) entered into a Consent Agreement with the Board in the amount of \$1,020.00 for unlicensed activity. The Consent Agreement was signed by QA Scott Siano and Dan Merow on July 14, 2022. Paid in full

## II. OFFICE OF ADMINISTRATIVE HEARINGS

*See, Hearings List (Attachment 1).*

## III. ADMINISTRATIVE RULES

a. At its December 2021 meeting, and based on a recommendation of the Law and Rules Committee, the Board voted to amend 14B NCAC 16 .0201 to establish a new procedure to allow character letters to be submitted electronically, to amend .0404 to require a Private Investigator to have proof that a requested written report was provided to a client, to repeal an antiquated provision (.0904(a)(4)) requiring payment of a fee for a criminal history record check for renewal of a firearms trainer certificate, and amend all of the Board's "renewal rules" (i.e. .0203, .0706, .0806, .0904, .0911, .1306 and .1406) to allow Board's staff to hold a renewal application if there is a deniable criminal charge pending.

The Notice of Text was filed January 10, 2022. The Public Hearing was held Tuesday, February 22, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expired April 4, 2022. There were no comments, oral or written. The Board voted to approve these rule amendments at its April 21, 2022 meeting. The Submission for Permanent Rule forms were filed May 11, 2022. The Rules Review Commission's Staff Attorney who reviewed these rules had questions, but no Requests for Technical Changes. They were considered by the Commission at its June 16<sup>th</sup> meeting and approved. A copy is attached as Attachment 2.

b. At its February 2022 meeting, and based on a recommendation of the Training and Education Committee, the Board voted to amend 14B NCAC 16 .0806, .0904 and .0911 to extend by 30 days (i.e. from 60 to 90 days) the renewal deadlines for firearm registration permits and firearm trainer certificates during the time of a declared state of emergency. This extension (i.e. 60 days) was first adopted as emergency, then temporary and finally permanent rule amendments and were effective January 1, 2022. These rule amendments will now afford the same extension (90 days) for an unarmed trainer certificate in new .0911(d).



The Notice of Text was filed February 25, 2022. The Public Hearing was Tuesday, April 26, 2022 at 2:00 p.m. at the Board's office and the Public Comment Period expired May 31, 2022. There were no comments oral or written.

The Board voted to approve the amendments to 14B NCAC 16 .0806 and .0904 at its June 16<sup>th</sup> meeting. The Submission for Permanent Rule forms were filed August 10, 2022.

c. At its April 21, 2022 meeting the Board voted to clarify that the 90 day restriction in 14B NCAC 16 .0807(e) for training prior to registration only applies to the initial training. Also, the words "private detective" are being removed from the definition of "Armed Security Guard" in 14B NCAC 16 .0103.

The Notice of Text was filed June 1, 2022. The Public Hearing was held Tuesday, July 19, 2022 at 2:00 p.m. at the Board's office. The Public Comment Period expires August 30, 2022. A copy of these rule amendments was attached to my June 16, 2022 Attorney's Report.

#### IV. LITIGATION

a. At its February 18, 2021 meeting the Board instructed me to file a Motion to Show Cause as to William John Haglar, an unlicensed private investigator who entered into a Consent Order in Wake County Superior Court in 2014 that he would not engage in any activity defined by Chapter 74C of the General Statutes as a "private protective service" in the State of North Carolina. Mr. Haglar has been caught performing private investigator services as recent as December 2020.

After confirming with the attorney who had filed an Affidavit of Service in a domestic case stating Mr. Haglar was a "private investigator," that Mr. Haglar was not the attorney's agent or employee, I filed the Motion on March 30, 2021. Mr. Haglar was served at an addresses in Florida and acknowledged receipt of the Motion by letter.

I noticed a hearing on the Motion for August 2, 2021. Mr. Haglar did not appear, however the presiding Judge granted the Motion and Mr. Haglar was ordered to appear and show cause as to why he should not be held in civil or criminal contempt on August 30, 2021. Having been unsuccessful in serving him by certified mail, I hired a private process server in the State of Florida who was unsuccessful in serving Mr. Haglar. I had to obtain a new court date, which was Monday, October 11, 2021. This time I successfully had him served by the Sheriff of Palm Beach County, Florida.

At his hearing on October 11<sup>th</sup> Mr. Haglar did not personally appear; he retained an attorney the previous Friday to appear on his behalf. I objected to a continuance, but since a person must be personally present for a judge to hold him

or her in indirect contempt, the presiding Judge continued the hearing but entered an order that Mr. Haglar personally appear on November 15, 2021 or an order for arrest would be issued.

Mr. Haglar did not appear on the November 15<sup>th</sup> hearing date, but his attorney appeared on his behalf stating he was in the Mayo Clinic in Phoenix, Arizona having had emergency surgery and had suffered a heart attack. The presiding Judge, at my request, required proof. Later in the day Mr. Haglar's attorney provided a letter signed by a physician, an Affidavit, and a photograph of Mr. Haglar lying in a hospital bed. The Judge did not issue the warrant for arrest, and continued the hearing.

The hearing was recalendared for January 31, 2022. Mr. Haglar and his attorney appeared, however the hearing was continued to allow time for a hearing on objections to the subpoena I issued to the attorney who filed the Affidavit of Service in the domestic case stating Mr. Haglar was a "Private Investigator." That hearing was calendared for March 7<sup>th</sup>, virtually, but was continued due to "technical issues." It was re-calendared for April 25, 2022, at which time the Judge entered an Order compelling the attorney's testimony.

Mr. Haglar's attorney advised me he was going to move to withdraw from representation of him. However when he did not do so after a reasonable time I noticed the hearing for August 8, 2022. Mr. Haglar's attorney appeared at the hearing (as did the attorney who signed the Affidavit of Service as ordered), but Mr. Haglar was not present. His attorney presented a letter from a doctor stating Mr. Haglar had health issues and could not travel; he moved to continue the hearing. Following argument from counsel on the motion, and in light of the letter being from a dermatologist (!), the Judge denied the continuance and issued an Order for Arrest.

b. At its April 21, 2022 meeting the Board instructed me to file a Complaint for Injunctive Relief against Raymond Burroughs, d/b/a Ultimate Protection and Staffing, and also "Ultimate Protection, LLC" (neither of which is a legal entity in N.C.), for operating an unlicensed Security Guard and Patrol business in the Durham area.

The Complaint was filed on May 8, 2022 and served by the Durham County Sheriff's Office on July 7, 2022. Mr. Burroughs failed to answer or otherwise plead. I obtained Entry of Default on July 2<sup>nd</sup> and filed and served a Motion for Default Judgment on August 5, 2022. If Mr. Burroughs does not answer within 30 days I can obtain judgment (i.e. an injunction) without a hearing before a Judge.

c. In July 2016, Steven M. Andiloro and Professional Security Solutions, LLC entered into a Consent Order whereby Mr. Andiloro agreed he would cease engaging in the Security Guard and Patrol business without a license. He also agreed to dissolve his limited liability company. It was discovered this Spring he had done neither. At the Board's April 2022 meeting I was instructed to seek an

Order to Show Cause as to why he should not be held in contempt for violating the provisions of the Consent Order.

A Motion for Order to Show Cause was filed and served on May 17, 2022, and after some false starts with his original attorney, a Superior Court Judge signed and entered an Order for Show Cause. Mr. Andiloro retained a (new) attorney and the hearing has twice been continued for medical emergencies in Mr. Andiloro's family. It is now set for August 22, 2022.

As an interesting note, it was discovered after the April Grievance Committee meeting that Mr. Andiloro, in the name of Professional Security Solutions, LLC, applied for and obtained a PPE loan, on May 6, 2020 in the amount of \$1,729,166.00.

d. At its June 16, 2022 meeting the Board instructed me to file a Complaint for Injunctive Relief against Franco Khristian Webb d/b/a Global Security, Webb Security Global and/or Webb Security (none of which are legal entities in N.C.) for engaging in the Security Guard and Patrol business and performing Private Investigator activities without a license.

The Complaint was filed on June 27, 2022 and was returned by the Cumberland County Sheriff's Office unserved ("unable to locate") on July 15<sup>th</sup>. I obtained an Alias & Pluries Summons and was successful with service through FedEx on August 10, 2022.

e. At its October 2020 meeting the Board entered its Final Agency Decision in the matter of Nickolas Scott Chatham denying his application for a Private Investigator Associate license. Director Sherwin and I, both, received indications Mr. Chatham intended to petition for judicial review. Such a petition, by statute, must be filed in the county of the petitioner's residence. Mr. Chatham had a High Point, NC address on his application. Not having received anything from him I checked the Guilford County Clerk of Court filings in early 2021 and discovered nothing.

On July 20, 2022 the Board office received a Trial Calendar from Alamance County for a "status report" for a complaint (not a petition) filed by Mr. Chatham in January 2021. Evidently it has been on previous calendars for a status report, but since there was no address for Mr. Chatham or the Board included with his complaint we never received notice.

I have filed a Motion to Dismiss but the Trial Court Coordinator advised me that I must first appear at the August 15, 2022 status report hearing before I can calendar the Motion to Dismiss.

## V. LEGISLATION

a. House Bill 349, "Traffic-Control Training Program." With limited exceptions, such as firemen and rescue squad members, any private citizen who directs traffic on a public highway in North Carolina must be authorized by the sheriff or chief of police. Many registered security guards have and maintain this authority. The current minimum age is 18, the training course is three hours, and the authorization card expires after two years.

This bill makes several changes to the law governing traffic control officers. It raises the age to 21, increase the training course to eight hours (four classroom; four roadside) to be taught by the Community College System, and extends the expiration of the authorization card to three years. It will also require proof of liability insurance.

This bill passed the House on May 6, 2021, was referred to the Senate Committee on Rules, and saw no further action. It died upon adjournment of the General Assembly.

b. Senate Bill 424, "Private Protective Services Licensing Modifications" passed the General Assembly on July 1, 2022 and signed by the Governor on July 8, 2022.

The Law & Rules Committee has begun the process of formulating recommendations to the full Board for administrative rule amendments and adoptions.

## VI. FINAL AGENCY DECISIONS

- a. David Bradford Russell (*see*, Attachment 3.)
- b. Terry Wayne Sutherland (*see*, Attachment 4.)
- c. Adam Robert Trantum (*see*, Attachment 5.)

**PPSB  
MASTER HEARINGS LIST  
as of August 9, 2022**

1.

<b>OAH HEARING DATE</b>	<b>PETITIONER</b>	<b>TYPE OF APPLICATION</b>	<b>FAD STATUS OR HEARING DATE</b>
January 27, 2022	David Bradford Russell 21 DOJ 04652	Denial of Proprietary Security Organization application	August 18, 2022.
January 27, 2022	Michael Abram Craddock 21 DOJ 05086	Summary Suspension of Armed Guard Registration.	FAD served May 2, 2022.
January 27, 2022	William Christopher Giles 21 DOJ 05206	Summary Suspension of Security Guard and Patrol license and Armed Guard Registration	FAD served May 2, 2022.
February 22, 2022	Jameere Dashun Samuel Ollison 21 DOJ 05506	Summary Suspension of Armed and Unarmed Guard Registration	Registrations expired December 31, 2021; no renewal; hearing withdrawn March 9, 2022.
February 22, 2022	Roderick Duane Daniels 21 DOJ 05507	Summary Suspension of Armed Guard Registration and Armed Armored Car Guard Registration	Heard at February 15, 2022 Grievance Committee meeting and February 17, 2022 Board meeting; summary suspension upheld; hearing withdrawn February 22, 2022.
March 29, 2022	Sharron Monique Patillo 22 DOJ 00417	Summary Suspension of Armed Guard Registration	Terminated by employer; hearing withdrawn April 8, 2022.
March 29, 2022	Terry Wayne Sutherland 22 DOJ 00070	Denial of Private Investigator License	August 18, 2022.
April 26, 2022	Donquavius Averon Boyd 21 DOJ 05505	Summary Suspension of Armed Armored Car Service Registration	Terminated by employer; hearing withdrawn April 8, 2022.
April 26, 2022	Adam Robert Trantum 22 DOJ 00805	12 month Revocation of (2 licenses, 3 certifications & 2 registrations.)	August 18, 2022.
May 24, 2022	Phillip David Holiday 22 DOJ 00908	Summary Suspension of Armed Proprietary Guard Registration	Charges dismissed; summary suspension rescinded June 14, 2022; hearing withdrawn June 16, 2022.
May 24, 2022	Franklin Jones, Jr. 22 DOJ 00909	Summary Suspension of Armed Proprietary Guard Registration	Charges dismissed; summary suspension rescinded June 14, 2022; hearing withdrawn June 16, 2022.

**PPSB  
MASTER HEARINGS LIST  
as of August 9, 2022**

June 28, 2022	Michael Andrew McCall 22 DOJ 01699	Summary Suspension of Unarmed Guard Registration	Charges dismissed; summary suspension rescinded June 2, 2022; hearing withdrawn June 2, 2022.
June 28, 2022	Micah Xavier Riley 22 DOJ 01700	Summary Suspension of Armed Guard Registration	Terminated by employer; hearing withdrawn June 7, 2022.
July 26, 2022	Kamaljeet Singh Johar 22 DOJ 02390	Summary Suspension of Armed Guard Registration	Charges dismissed; summary suspension rescinded July 13, 2022; hearing withdrawn July 14, 2022.

2.

**SECTION .0200 - LICENSES: TRAINEE PERMITS**

**14B NCAC 16 .0201 APPLICATION FOR LICENSE AND TRAINEE PERMITS**

(a) Each applicant for a license or trainee permit shall submit an online application on the website provided by the Board. The online application shall be accompanied by:

- (1) electronic submission of fingerprints from a Live Scan or similar system approved by the State Bureau of Investigations or one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (2) one head and shoulders digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (3) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (4) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (5) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (6) an Equifax credit check run within 30 days of the license application submission date, which will be submitted to the Board's investigator during the application process; and
- (7) five letters attesting to the good character and reputation of the applicant using the online character letter submission process.

(b) Applications for trainee permits shall be accompanied by a notarized statement on a form provided by the Board and signed by the applicant and his or her prospective supervisor, stating that the trainee applicant shall at all times work with and under the direct supervision of that supervisor and the form shall be uploaded as part of the online application process.

(c) Private investigator trainees applying for a license shall make available for inspection a log of experience on a form provided by the Board.

(d) Each applicant must upload evidence of high school graduation either by diploma, G.E.D. certificate, or other proof.

(e) Each applicant for a license shall meet personally with a Board investigator, the Screening Committee, the Director, or another Board representative designated by the Director prior to being issued a license. The applicant shall discuss the provisions of G.S. 74C and the administrative rules in this Chapter during the personal meeting. The applicant shall sign a form provided by the Board indicating that he or she has reviewed G.S. 74C and the administrative rules in this Chapter with the Board's representative. During a national or State declared state of emergency that restricts or prohibits travel, the personal meeting requirement may be waived if requested by the applicant in favor of alternative means of communication.

*History Note: Authority G.S. 74C-2; 74C-5; 74C-8; 74C-8.1; 74C-12;  
 Eff. June 1, 1984;  
 Amended Eff. May 1, 2012; July 1, 2011; August 1, 1998; December 1, 1995; July 1, 1987;  
 December 1, 1985;  
 Transferred and Recodified from 12 NCAC 07D .0201 Eff. July 1, 2015;  
 Amended Eff. November 1, 2017;  
 Readopted Eff. March 1, 2020;  
 Emergency Amendment Eff. May 6, 2020;  
 Temporary Amendment Eff. July 24, 2020;  
 Temporary Amendment Expired Eff. May 14, 2021;  
 Amended Eff. July 1, 2022; January 1, 2022; July 1, 2021.*

**14B NCAC 16 .0203 RENEWAL OR RE-ISSUE OF LICENSES AND TRAINEE PERMITS**

(a) Each applicant for renewal of a license or trainee permit shall submit an online renewal application on the website provided by the Board. This online application shall be submitted not less than 30 days prior to expiration of the applicant's current license or trainee permit and shall be accompanied by:

- (1) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months;
- (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) for license applicants, proof of liability insurance as set out in G.S. 74C-10(e).

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) If a licensee has maintained a license at least two years and then allows the license to expire, the license may be re-issued if application is made within three years of the expiration date and the following documentation is submitted to the Board:

- (1) an online Application For Reinstatement of an Expired License;
- (2) one set of classifiable fingerprints on an applicant fingerprint card that shall be mailed separately to the Board's office;
- (3) one head and shoulders digital color photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (4) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 60 months;
- (5) the applicant's non-refundable application fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (6) proof of liability insurance as set out in G.S. 74C-10(e); and
- (7) payment to the State Bureau of Investigations to cover the cost of criminal record checks performed by the State Bureau of Investigations, with payment to be paid online through the Board's online application process.

(d) A member of the armed forces whose license is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the license renewal fee and complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-5; 74C-8; 74C-8.1; 74C-9;  
Eff. June 1, 1984;  
Amended Eff. October 1, 2013; May 1, 2012; October 1, 2010; November 1, 2007; January 4, 1994;  
July 1, 1987; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0203 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022; July 1, 2021.*



**14B NCAC 16 .0404      REPORTS**

(a) In addition to the requirements in G.S. 74C-12(a)(20), private investigators shall make and offer to each client a written report containing the findings and details of the investigation within 30 days after the completion of the investigation for which the client has paid the investigator for the services. The licensee shall retain a copy of the written report, and if provided to the client, proof of such delivery.

(b) Descriptive reports, chronological reports, cover letters, and itemized invoices to the client shall be personally signed by a licensee. The file copy shall reflect the names of all participating employees and a description of the work performed by each one. These documents shall be retained by the licensee who signed the report.

*History Note:      Authority G.S. 74C-5;  
                         Eff. June 1, 1984;  
                         Amended Eff. October 1, 2010; July 1, 1987;  
                         Transferred and Recodified from 12 NCAC 07D .0404 Eff. July 1, 2015;  
                         Readopted Eff. August 1, 2020;  
                         Amended Eff. July 1, 2022; July 1, 2021.*

**14B NCAC 16 .0706 RENEWAL OF UNARMED SECURITY GUARD REGISTRATION**

(a) Each applicant for renewal of a registration identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the results of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee; and
- (4) upload a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit, in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-5; 74C-11;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; July 1, 1987;  
December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0706 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

**14B NCAC 16 .0806 RENEWAL OF ARMED SECURITY GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed security guard firearm registration permit identification card or his or her employer shall complete an online form on the website provided by the Board. This online form shall be submitted not more than 90 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the results of a statewide criminal history search obtained by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of this Section; and
- (6) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and a copy of the completed affidavit form to serve as a record of application for renewal and shall retain a copy of the application, including affidavit in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

(e) A registered armed security guard may utilize a dedicated light system or gun-mounted light for requalification.

(f) During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to 60 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 60<sup>th</sup> day if requalification requirements have not been met.

*History Note: Authority G.S. 74C-5; 74C-13;  
Eff. June 1, 1984;  
Amended Eff. May 1, 2012; October 1, 2010; December 1, 1995; February 1, 1990; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0806 Eff. July 1, 2015;  
Amended Eff. January 1, 2018; November 1, 2017;  
Readopted Eff. November 1, 2019;  
Amended Eff. March 1, 2020;  
Emergency Amendment Eff. May 6, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired Eff. May 14, 2021;  
Amended Eff. July 1, 2022; January 1, 2022.*

**14B NCAC 16 .0904 RENEWAL OF A FIREARMS TRAINER CERTIFICATE**

(a) Each applicant for renewal of a firearms trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate and shall be accompanied by:

- (1) uploaded online a certificate of successful completion of a firearms trainer refresher course approved by the Board and the Secretary of Public Safety consisting of a minimum of eight hours of classroom and practical range training in safety and maintenance of the applicable firearm (i.e. handgun, shotgun, or rifle), range operations, control and safety procedures, and methods of firing. This training shall be completed within 180 days of the submission of the renewal application;
- (2) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months; and
- (3) the applicant's renewal fee, along with the four dollar (\$4.00) convenience fee and credit card transaction fee.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

(d) Any firearms trainer who fails to qualify with the minimum score during the refresher course shall not continue to instruct during the period between the failure to qualify and the expiration of his or her permit.

(e) The holder of a firearms trainer certificate may utilize a dedicated light system or gun mounted light for personal requalification.

(f) During a national or State declared state of emergency that restricts or prohibits a registered armed security guard from requalifying, the Board shall, upon written request to the Director, extend the deadline for requalification up to 60 days beyond the effective period of the state of emergency. Any registration renewed pursuant to this Paragraph shall be issued conditionally and shall automatically expire on the 60<sup>th</sup> day if requalification requirements have not been met.

*History Note: Authority G.S. 74C-5; 74C-8.1(a); 74C-13;  
Eff. June 1, 1984;  
Amended Eff. January 1, 2013; October 1, 2010; June 1, 2009; December 1, 1995; December 1, 1985;  
Transferred and Recodified from 12 NCAC 07D .0904 Eff. July 1, 2015;  
Amended Eff. November 1, 2017; February 1, 2016; October 1, 2015;  
Readopted Eff. November 1, 2019;  
Amended Eff. March 1, 2020;  
Emergency Amendment Eff. May 6, 2020;  
Temporary Amendment Eff. July 24, 2020;  
Temporary Amendment Expired Eff. May 14, 2021;  
Amended Eff. July 1, 2022; January 1, 2022.*

**14B NCAC 16 .0911 RENEWAL OF AN UNARMED TRAINER CERTIFICATE**

(a) Each applicant for renewal of an unarmed trainer certificate shall complete an online renewal form on the website provided by the Board. This form shall be submitted online not less than 30 days prior to the expiration of the applicant's current certificate. In addition, the applicant shall include the following:

- (1) the renewal fee set forth in Rule .0903(a)(3) of this Section and collected online as part of the application process;
- (2) a certificate of completion of a minimum of 16 hours of Board developed armed or unarmed instruction performed during the current unarmed trainer certification period;
- (3) a statement verifying the classes taught during the current unarmed trainer certification period on a form provided by the Board as part of the online application process; and
- (4) uploaded online a statement of the results of a criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 24 months.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) Members of the armed forces whose certification is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return are granted that same extension of time to pay the certification renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue must be furnished to the Board.

*History Note: Authority G.S. 74C-8; 74C-9; 74C-11; 74C-13;  
Eff. August 1, 2004;  
Amended Eff. January 1, 2013; October 1, 2010; January 1, 2008;  
Transferred and Recodified from 12 NCAC 07D .0911 Eff. July 1, 2015;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

**14B NCAC 16 .1306 RENEWAL OR REISSUE OF UNARMED ARMORED CAR SERVICE GUARD REGISTRATION**

(a) Each applicant for renewal of an unarmed armored car service guard registration identification card or his or her employer shall complete an online form provided by the Board. This online form shall be submitted not fewer than 90 days prior to the expiration of the applicant's current registration and shall be accompanied by:

- (1) upload online a statement of the results of a statewide criminal history records search obtained from the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (2) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee.
- (3) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with application submission; and
- (4) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal or reissue shall give the applicant a copy of the online application, including the completed affidavit form, that shall serve as a record of application for renewal or reissue and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-3; 74C-5; 78C-8.1(a);  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1406 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

**14B NCAC 16 .1406 RENEWAL OF ARMED ARMORED CAR SERVICE GUARD FIREARM REGISTRATION PERMIT**

(a) Each applicant for renewal of an armed armored car service guard firearm registration permit identification card his or her employer or designee shall complete an online form provided by the Board. This online form shall be submitted not more than 90 days nor fewer than 30 days prior to expiration of the applicant's current armed registration and shall be accompanied by:

- (1) one head and shoulders color digital photograph of the applicant in JPG, JPEG, or PNG format of sufficient quality for identification, taken within six months prior to online application and submitted by uploading the photograph online with the application submission;
- (2) upload online a statement of the result of a statewide criminal history records search by the reporting service designated by the Board pursuant to G.S. 74C-8.1(a) for each state where the applicant has resided within the preceding 12 months;
- (3) the applicant's renewal fee, along with a four dollar (\$4.00) convenience fee and credit card transaction fee;
- (4) the actual cost charged to the Private Protective Services Board by the State Bureau of Investigation to cover the cost of criminal record checks performed by the State Bureau of Investigation, collected online by the Private Protective Services Board;
- (5) a statement signed by a certified trainer that the applicant has successfully completed the training requirements of Rule .0807 of the Section; and
- (6) a completed affidavit form and public notice statement form.

(b) If there is a criminal charge pending against the applicant for renewal that constitutes a deniable offense under G.S. 74C-8(d)(2), consideration of the application shall be deferred until the criminal charge is adjudicated.

(c) The employer of each applicant for a registration renewal shall give the applicant a copy of the online application and completed application, including the completed affidavit form, to serve as a record of application for renewal and shall retain a copy of the online application and affidavit in the guard's personnel file in the employer's office.

(d) Members of the armed forces whose registration is in good standing and to whom G.S. 105-249.2 grants an extension of time to file a tax return shall receive that same extension of time to pay the registration renewal fee and to complete any continuing education requirements prescribed by the Board. A copy of the military order or the extension approval by the Internal Revenue Service or by the North Carolina Department of Revenue shall be furnished to the Board.

*History Note: Authority G.S. 74C-3; 74C-5; 74C-8.1(a); 74C-13;  
Eff. January 1, 2013;  
Transferred and Recodified from 12 NCAC 07D .1506 Eff. July 1, 2015;  
Amended Eff. November 1, 2017;  
Readopted Eff. March 1, 2020;  
Amended Eff. July 1, 2022.*

3.

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STATE OF NORTH CAROLINA  
COUNTY OF CASWELL

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

<p>David Bradford Russell Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p><b>PROPOSED FINAL DECISION</b></p>
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**THIS CONTESTED CASE** came on for hearing before the Honorable Karlene S. Turrentine, Administrative Law Judge, on January 27, 2022, at the NC Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. § 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes.

**APPEARANCES**

For Petitioner: David Bradford Russell  
Petitioner appeared *pro se*

For Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Attorney for Respondent

**WITNESSES**

For Petitioner:

Petitioner testified on his own behalf but presented no other witnesses.

For Respondent:

Respondent presented testimony from: Paul Sherwin, Director of the NC Private Protective Services Board (“PPSB”); Andrew Anthony Martino, Board Investigator; and Darla Cole, Board Investigator.



**EXHIBITS**

For Petitioner:

None.

For Respondent:

<b>EXHIBIT NO.</b>	<b>PETITIONER'S EXHIBITS ADMITTED WITHOUT OBJECTION</b>
1	Resp's September 7, 2021 Denial Ltr to Petitioner/Executive Protective Services & Investigator Darla Cole's investigation report, including: Petitioner's security guard and patrol license application, Application Presentation Form with Ms. Cole's Interview Notes, Criminal Background Check, Authorization for Release of Records, Petitioner's high school Diploma & Certificate of Release or Discharge from the Navy, (5) Personal Reference Questionnaires, Facebook and LinkedIn page copies
2	Resp's October 27, 2021 Denial Ltr to Petitioner/Bottom Time LLC & Investigator Andrew Martino's investigation report, including: Petitioner's proprietary security organization application, Application Presentation Form with Mr. Martino's Interview Notes
4	Resp's Certified Ltr to Petitioner Re: Administrative Hearing (10.29.21), Notice of Hearing, Proof of Petitioner's receipt of Bd's Ltr & Petitioner's Request to appeal Board's Decision (10.21.21)

**ISSUE**

Whether Petitioner should be denied proprietary security organization status based on Petitioner's unfavorable employment history and criminal history.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case:  
N.C.G.S. § 74C-3(a)(6), § 74C-8(d)(2), § 74C-12(a)(1), (6), (21) and, (25); and,  
14B NCAC 16 .0103(13)

**FINDINGS OF FACT**

1. Respondent Board, an agency of the State of North Carolina, is created pursuant to N.C.G.S. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.

2. On March 17, 2021, Petitioner applied to the Board for a Security Guard and Patrol business license under the name Large Lad, LLC doing business as Executive Protective Services. *See* Respondent's Exh 1.

3. On August 19, 2021, the Board denied Petitioner's the application due to a lack of verifiable experience, unfavorable employment and a conviction in Granville County, State of North Carolina, on January 10, 1996, for misdemeanor larceny (file no.: 95 CRS 5022). *Id.*

4. Petitioner did not petition for a contested case hearing on the denial of his Security Guard and Patrol business license.

5. Instead, on August 21, 2021, Petitioner applied to Respondent Board for armed proprietary security organization status under the name Bottom Time, LLC. *See* Respondent's Exh 2.

6. On October 21, 2021, the Board denied Petitioner's status due to Petitioner's previous and current employment history and criminal history (as outlined in FOF ¶3 above). The lack of verifiable experience was *not* listed as a reason for Respondent's denial of Petitioner's second application.

7. A Security Guard and Patrol license allows a business to engage in activities defined by N.C.G.S. § 74C-3(a)(6) as "the security guard and patrol profession." In contrast, proprietary security organization is defined by 14B NCAC 16 .0103(13) as any person, firm, association, corporation, or department that employs its own security guards, officers, patrol and/or watchmen and does not contract (hire) these employees out to any other person or entity.

8. Although businesses with *unarmed* guards are exempted from Respondent Board's oversight, when a business desires to employ *armed* guards, the business must apply to and obtain a license from the Board and the armed guards must be individually registered with the Board.

"The [Private Protective Services] Act requires any individual or company that engages in private protective services to be licensed in accordance with the Act's terms. Specifically, the Act provides that '[n]o private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a *private protective services profession or activity* in this State without having first complied with the provisions of this Chapter.' N.C. Gen. Stat. § 74C-2(a) (emphasis added); *see also* N.C. Gen. Stat. § 74C-8 (providing that '[a]ny person, firm, association, or corporation desiring to carry on or engage in the private protective services profession in this State shall be licensed in accordance with this Chapter'). Section 74C-3 defines "private protective services profession" as covering several broad categories of services and activities, including the 'security guard and patrol profession.' N.C. Gen. Stat. § 74C-3(a)(6)."

*Kelly v. Conner*, 769 F. Appx 83, 91 (4th Cir. 2019).

9. Upon being noticed that his armed proprietary security organization application was denied, Petitioner timely requested a hearing to appeal the denial.

10. By Notice of Hearing dated October 29, 2021, mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his proprietary security organization application would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on December 14, 2021.

11. On November 23, 2021, Respondent motioned the Tribunal for a continuance, which was granted, and on November 24, 2021, the Undersigned served the parties with Notice of Rescheduled Hearing setting the matter on for January 27, 2022, which both parties received.

12. Paul Sherwin, Director of Respondent Board, testified to the internal procedures used for all license and registration applications, including that one of six of the Board's investigators is assigned to do a background investigation of each applicant.

13. Investigator Darla Cole was assigned to investigate Petitioner's first application for his Security Guard and Patrol license. She has twenty-five years of law enforcement experience. To obtain the license, Petitioner was required to show he had the requisite experience totaling 3,000 hours, including supervisory experience. Investigator Cole credited Petitioner with 400 hours credit for his military service for 19 months he served in the U.S. Navy in 1985-1987.

14. Petitioner's application states his "last position held was with Kiker Investigations/P&G Security as a private security contractor for Joint Force Headquarters Army National Guard as a shift supervisor at the RDU Air National Guard Base, Raleigh, NC. (Approximate dates were 2016-2019)[.]" Respondent's Exh. 1, Application, p.6/20. Investigator Cole spoke with Teri Kiker, owner of P&G Security and she said, "Mr. Russell was not a supervisor for her company [...but] he worked the guard shack for the third shift...[and] he was not a trainer for her company." Respondent's Exh 1, Interview Meeting Notes, p.2/6. When confronted with what Ms. Kiker said, Petitioner told Investigator Cole that "he was not hired by P&G to be a supervisor but that after he got on site and started working, the commanders at the Joint Base put him in place as a supervisor. [He didn't] think anybody ever said anything to [Ms. Kiker] about it...[b]ut she knew that [he] was in charge of that base. But as far as being hired and paid for that[,] no." *Id.*

15. As Investigator Cole continued following up on various statements made by Petitioner in his application and on his Facebook and LinkedIn pages, she discovered several similar "misunderstandings" and or "misstatements" which did not support Petitioner's assertions to the Board.

16. Petitioner testified in his own behalf and stated that everyone considered him to be a supervisor for P&G and the commanders at the Joint Base put him in place as a supervisor for P&G. On cross examination by the Board's attorney Petitioner was asked about his LinkedIn page which states he is a "Security Contractor 1-130<sup>th</sup> Attack Recon Battalion (ARB) Air National Guard" when he was merely an employee of the security guard and patrol company (i.e., P&G) that currently held the contract for private security. He replied that since he is a security guard there that the statement is truthful.

17. Petitioner stated in his application that he worked for Carolina Sunrock Contracting handling “material logistics and safety” and “coordinated transportation of materials and employee safety training for the contracting division.” Investigator Cole contacted the Human Resources Department of Sunrock and was advised that Petitioner was only a truck driver and did not have anything to do with safety training or logistics.

18. Thus, Investigator Cole was unable to verify that Petitioner had the necessary and relevant work experience required. She also could not verify any supervisory experience.

19. Petitioner was a certified law enforcement officer in North Carolina from 1994 to 1996. According to the records of the Criminal Justice Education and Training Standards Commission, “he was certified as a company police officer in 1994 while working for N.C. Central University and was a certified law enforcement officer from August 1994 to June 1996 with the Creedmoor Police Department.” Respondent’s Exh 1, Interview Notes/Work History, p.3/6.

20. However, Petitioner’s officer certification was revoked by the Commission in 1996 “after an investigation into ‘an alleged commission of a felony.’” *Id.* Petitioner acknowledged the revocation but did not know whether his certification was revoked based on his being charged or convicted.

21. Although charged with felony Larceny by employee, his criminal record background check reveals Petitioner pled guilty to, and was convicted of, misdemeanor larceny in Granville County Criminal Superior Court on January 10, 1996. He received a 45-day active sentence, 12 months supervised probation, and was ordered to pay \$900.00 restitution. See Respondent’s Exh 1, Criminal background report p.2/4.

22. Petitioner did not appeal the revocation of his law enforcement certification.

23. Investigator Cole asked Petitioner about the underlying facts of his criminal conviction and Petitioner explained he worked off-duty at the Piggly Wiggly in Creedmoor, North Carolina while he was working there as a police officer, he was among other things was responsible for the nightly bank deposit drop. He said, “\$800.00 to \$900.00 got missing and the manager accused him of taking it.” Petitioner denied he pled guilty to a lesser offense but admitted to being convicted.

24. Also on his application, Petitioner stated he was a firearms instructor for the North Carolina Justice Academy, the training academy for law enforcement officers located in Salemsburg, North Carolina. However, at hearing, he admitted he is only an approved teacher for the class required to obtain a concealed handgun permit. There is no relationship between the Justice Academy and being an approved teacher.

25. Investigator Andrew Martino was assigned Petitioner’s second application—the armed proprietary security organization investigation. He testified that there is no “background” investigation conducted for proprietary status. Instead, for proprietary security organization investigations, Investigator Martino stated all he did was personally interviewed Petitioner and inspected the site of Petitioner’s business—a café with indoor and outdoor seating, a small outdoor

live music area, and a picnic area. Investigator Martino determined the site was a legitimate business entity and suitable.

26. At the time of his investigation, Investigator Martino was not aware Petitioner had been denied a Security Guard and Patrol license by the Board two months earlier.

27. The Board's Grievance Committee reviews the applications and investigation reports and makes a recommendation to the full Board as to each application reviewed. Regarding the instant case, the Grievance Committee relied on Investigator Cole's background investigation performed for Petitioner's Security Guard and Patrol business license (the first) application when considering his proprietary security organization (the second) application. Petitioner's Security Guard and Patrol business license application package, including the Investigator's background report, was admitted into evidence, without objection, as Respondent's Exh 1.

28. Director Sherwin also testified to the types of conduct which the Board considers to be a "lack of good moral character" pursuant to N.C.G.S. § 74C-12(a)(25) and N.C.G.S. § 74C-8(d)(2). The Board determined that Petitioner exaggerated his experiences in violation of N.C.G.S. 74C-12(a)(1), (6) and, (21) and lacked moral character in violation of N.C.G.S. § 74C-12(a)(25).

**BASED ON** the foregoing findings of fact, the Undersigned makes the following

#### CONCLUSIONS OF LAW

1. The parties properly are before the Office of Administrative Hearings.
2. Under N.C.G.S. §74C-12(a)(25), Respondent Board may refuse to grant a registration to an applicant if it determines that the applicant has demonstrated intemperate habits or lacks good moral character. Pursuant to the Respondent Board's guidelines as testified to by Director Sherwin, an unfavorable employment history is an indicator of a lack of good moral character.
3. Many occupational and professional licensing boards in North Carolina have "good moral character" standards and one of the most comprehensive lists is the State Board of Law Examiners' guidelines ([www.ncble.org/character-and-fitness-guidelines](http://www.ncble.org/character-and-fitness-guidelines)). Further, numerous appellate court cases discuss the concept. *See, generally, In re: Willis*, 215 S.E. 2d 771 (1975); *In re: Lynn Marie Burke*, 768 S.E. 2d 554 (2015). Respondent Board presented sufficient evidence that Petitioner lacks good moral character through his employment history as a police officer and falsification of his employment.
4. Moreover, under N.C.G.S. § 74C-8(d)(2), conviction of any crime involving an act of larceny is *prima facie* evidence that the applicant does not have good moral character or temperate habits.

"The following shall be *prima facie* evidence that the applicant does not have good moral character or temperate habits: conviction by any local, State, federal, or

military court of any crime involving the illegal use, carrying, or possession of a firearm; conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage; conviction of a crime involving felonious assault or an act of violence; conviction of a crime involving unlawful breaking or entering, burglary, larceny, or any offense involving moral turpitude; or a history of addiction to alcohol or a narcotic drug; provided that, for purposes of this subsection, "conviction" means and includes the entry of a plea of guilty or no contest or a verdict rendered in open court by a judge or jury.

N.C.G.S. § 74C-8(d)(2) (emphasis added).

5. Thus, Respondent Board presented evidence that Petitioner lacks good moral character through a conviction in Granville County, North Carolina for misdemeanor Larceny and Petitioner failed to rebut the presumption.

6. Though occurring some twenty-five (25) years ago, the revocation of his law enforcement officer certification, and the resulting loss of his job as a police officer for the Creedmoor Police Department, coupled with his conduct as an employee of Piggly Wiggly that caused the loss of his job and revocation of his certification, in conjunction with the *many* misleading (and sometimes outright false) statements regarding his employment in various jobs over the years to the present, establishes by a preponderance of the evidence an unfavorable employment history. Moreover, Petitioner's criminal history statutorily establishes a lack of good moral character.

7. Petitioner presented no evidence to refute these established facts.

8. The Board did not exceed its authority, act erroneously, fail to use proper procedure, act arbitrarily or capriciously or fail to act as required by law when it denied Petitioner's armed proprietary security organization license based on Petitioner's unfavorable employment and criminal history.

**BASED ON** the foregoing Findings of Fact and Conclusions of Law,

### **PROPOSED FINAL DECISION**

The Undersigned finds and concludes that Respondent-Board's actions in denying Petitioner an armed proprietary security organization license is supported by the evidence and is, therefore, **AFFIRMED**.

### **NOTICE**

The **North Carolina Private Protective Services Board** will make the Final Decision in this contested case. As the Final Decision maker, that agency 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 pursuant to N.C. Gen. Stat. § 150B-40(e).

**ORDER**

**IT IS ORDERED** that the agency shall serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6700. Moreover, the agency shall also serve a copy of its Final Decision upon each party by one of the methods for service of process under N.C.G.S. § 1A-1, Rule 5(b). A copy shall also be furnished to each party's attorney of record. N.C.G.S. § 150B-42(a).

**SO ORDERED.** This the 6th day of April, 2022.

A handwritten signature in black ink, appearing to read 'K. Turrentine', is written over a solid horizontal line.

Hon. Karlene S. Turrentine  
Administrative Law Judge

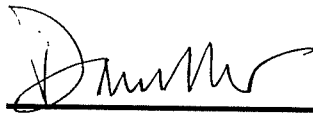
**CERTIFICATE OF SERVICE**

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg NC 27291  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 6th day of April, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000



*State of North Carolina  
Office of Administrative Hearings*

*Certification*

*I hereby certify the attached (electronic file) 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):*

*"21 DOJ 04652", "David Bradford Russell, Petitioner, v. NC Private Protective Services Board, Respondent."*

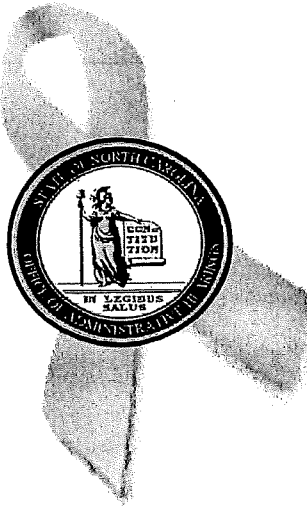
*the original of which is filed in this office in conformance with Chapter 150B of the General Statutes of the State of North Carolina.*

*In witness whereof, I authorize this certification and affix the official seal of the North Carolina Office of Administrative Hearings at Raleigh this the 14<sup>th</sup> day of June, 2022.*

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

By:

*Courtney Nesbit*



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ

DAVID BRADFORD RUSSELL, )  
)  
Petitioner, )  
v. )  
)  
N.C. PRIVATE PROTECTIVE )  
SERVICES BOARD, )  
)  
Respondent. )

**NOTICE OF HEARING**

FOR: David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

DATE: Tuesday, December 14, 2021

TIME: 2:00 p.m.

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

RE: Denial of armed proprietary security organization application. The denial was for the following reasons:

Lack of unfavorable employment and criminal history.

STATUTES: N.C.G.S. § 74C-12(a)(1) & (31); N.C.G.S. § 150B-3(c)

ADMINISTRATIVE  
LAW JUDGE: Honorable Karlene S. Turrentine

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

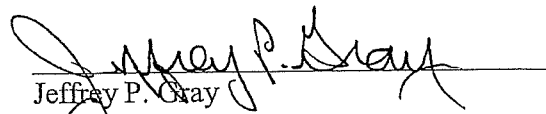
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

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.**

This the 29<sup>th</sup> day of October, 2021.

Private Protective Services Board  
Paul Sherwin, Director



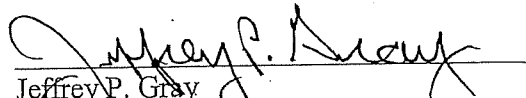
Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
(919) 828-0731 – telephone  
(919) 828-6592 – facsimile

**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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

This the 29<sup>th</sup> day of October, 2021.

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

cc: Paul Sherwin, Director  
NC Private Protective Services Board

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

DAVID BRADFORD RUSSELL, )  
 )  
 ) Petitioner, )  
v. )  
 )  
 ) N.C. PRIVATE PROTECTIVE )  
 ) SERVICES BOARD, )  
 )  
 ) Respondent. )  
\_\_\_\_\_ )

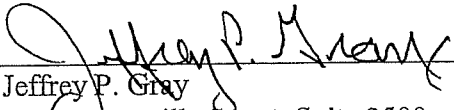
**RESPONDENT'S  
MOTION TO CONTINUE**

NOW COMES the North Carolina Private Protective Services Board ("Respondent" or "Board") , through undersigned counsel, and respectfully moves for a continuance of the hearing scheduled for December 14, 2021. The Respondent requests that this be placed on the Board's January 24, 2022 hearing day for hearing. In support of this Motion, Respondent submits the following:

Due to its caseload, the Respondent Board's Grievance Committee has had to schedule an extra day prior to the Board's December 16<sup>th</sup> meeting, so Tuesday, the day this hearing is currently scheduled. All witnesses and the undersigned will be participating in that Committee meeting and therefore unavailable.

Respectfully submitted, this the 23<sup>rd</sup> day of November, 2021.

**BAILEY & DIXON, LLP**

By:   
Jeffrey P. Gray  
434 Fayetteville Street, Suite 2500  
Post Office Box 1351 (27602)  
Raleigh, NC 27601  
[jgray@bdixon.com](mailto:jgray@bdixon.com)  
(919) 828-0731 (Telephone)  
(919) 828-6592 (Fax)

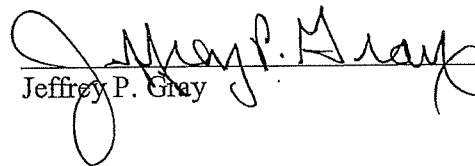
**CERTIFICATE OF SERVICE**

This is to certify that I have served the foregoing RESPONDENT'S MOTION TO CONTINUE upon the Petitioner by depositing a copy of the same in the United States mail, postage prepaid, and addressed as follows:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

This the 23<sup>rd</sup> day of November, 2021.

**BAILEY & DIXON, LLP**

  
Jeffrey P. Gray

FILED  
OFFICE OF ADMINISTRATIVE HEARINGS  
11/24/2021 11:06 AM

STATE OF NORTH CAROLINA  
COUNTY OF CASWELL

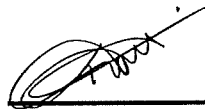
IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

<p>David Bradford Russell Petitioner,  v.  NC Private Protective Services Board Respondent.</p>	<p><b>ORDER CONTINUING AND NOTICE OF RESCHEDULED HEARING</b></p>
---	--

Upon Motion by Respondent, and for good cause shown, the hearing in this matter scheduled for December 14, 2021 is **CONTINUED** as follows:

DATE: January 27, 2022  
TIME: 2:00 PM (or as soon thereafter as may be heard)  
PLACE: NC Office of Administrative Hearings  
Courtroom A  
1711 New Hope Church Rd  
Raleigh, North Carolina 27609

**SO ORDERED**, this the 24th day of November, 2021.



Karlene S Turrentine  
Administrative Law Judge

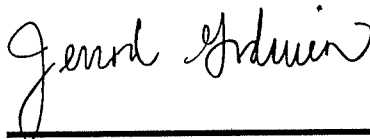
**CERTIFICATE OF SERVICE**

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg NC 27291  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 24th day of November, 2021.



---

Jerrod Godwin  
Administrative Law Judge Assistant  
N.C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000





**North Carolina Department of Public Safety**  
**Private Protective Services Board**

Roy Cooper, Governor  
Casandra Hoekstra, Interim Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

September 7, 2021

David Bradford Russell  
Executive Protective Services

Dear Mr. Russell:

Your application for a Security Guard and Patrol License was denied by the Private Protective Services Board on August 19, 2021 for the following reason(s):

Denied for lack of verifiable experience, unfavorable employment and criminal history.

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

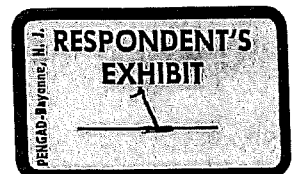
This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena  
Chairperson

Paul Sherwin  
Director






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




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

OFFICE LOCATION:  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 788-5365

**Order Number**  
 C6CA23ZUA   
**Product**  
 License Application (new) Security Guard And Patrol  
**Type**  
 security/GuardAndPatrol  
**Order Received**  
 03/17/2021  
**Status**  
 Investigation Complete   
**Processor**  
 garcia.graham  
**Board**  
 PPSB

**Payment History**  
 \$ 197.87 



**Background**  
 Unavailable  
  
**Background**  
  
**CRC Token**  
 45771d821d3b3374db29

**Investigator: Darla G. Cole**  
**Investigation Due Date: Monday, June 7th 2021**

Applicant will be charged \$50 Education fee:

Application Review for Board Meeting Date: 08/19/2021

Director Result

Discussion

Note

Lack of verifiable experience, work history, criminal history, company name

Committee Result

Deny

Note

Security Guard & Patrol License for lack of verifiable experience, unfavorable employment and criminal history.

Board Result

Accepted

Note

Edit

\* Type of License(s), Permit(s), Associate or Certification for which application is being made

Select all that apply

- Armored Car Profession
- Polygraph Trainee Permit
- Electronic Countermeasures
- Private Investigator
- Electronic Countermeasures Trainee
- Private Investigator Associate
- Courier Service Profession
- Psychological Stress Evaluator Profession
- Guard Dog Service Profession

- Security Guard and Patrol Profession
- Polygraph Examiner License
- Special Limited Guard and Patrol License
- Private Investigator Temporary Permit
- Private Investigator Associate Temporary Permit

**Required Uploads for selected types above**

★ Upload one (1) recent color head and shoulders photo. Must have been taken in the last five (5) years.

Browse PPSB ID Photo.jpg

★ Upload notarized release of records form.

Browse PPSB ROR.pdf

**Licensee Name**

★ First Name

David

Middle Name

Bradford

★ Last Name

Russell

Suffix

**Demographics**

★ Gender

Male

★ Race

White

★ Hair

★ Eyes

Brown	Blue
* Height (Feet) 6	* Height (Inches) 0
	* Weight (Lbs) 260

Birth Info

* Birth County Durham	* Country United States
* Birth State North Carolina	

Citizenship Info

\* Citizenship  
 U.S. Citizen     Resident Alien     Other?

Drivers License

\* Do you possess a valid motor vehicle operator's license?  
 Yes     No

\* State Issued  
 North Carolina

Residential Address Must Provide Street or Road Name and/or Number.

Current Address

\* Address Line 1

Address Line 2

\* City

\* State

\* Zip

\* Country

\* County

Mailing is same address as home.

Period of residence at this address, to the present

\* From Year

\* From Month

2016

September

Previous Addresses A 60 month history is required.

Address

From

To

Edit

Delete

January 2010

September 2016

Edit

Delete

Add Previous Address

Phone Numbers

\* Primary Number

Secondary (Cell, Home, etc.) Number

Enter Phone Number

10/27/21, 9:35 AM

Permitium

Office Number

Enter Phone Number

Fax Number

Enter Phone Number

Email

\* Email Address

[Redacted Email Address]

### Out Of State Licenses

Type	State	Expiration Date	Edit	Delete
<input type="button" value="Add Out-Of-State License"/>				

### Experience

\* List all experience you believe you have for the type(s) of license for which you are applying in accordance with G.S. 74C and 14B NCAC 16. Note: A Board investigator will contact you to obtain the relevant documentation. Examples of documentation to substantiate your experience will include evaluations, job descriptions, investigative logs and reports.

- 1984 - 1987 US Navy
- 1989 - 2019 Credentialed with NC PPSB (Armed and Unarmed Security & Patrol Supervisor and Training Officer)
- \* The last position held was with Kiker Investigations / P&G Security as a private security contractor for Joint Force Headquarters Army National Guard as a shift supervisor at the RDU Air National Guard Base, Raleigh, NC. (Approximate dates were 2016 - 2019)
- 1989 - 1993 Durham County Sheriff's Office (Jail Operations and Inmate Transportation)
- 1993 - 1994 NC Central University Police Department (Patrol & Field Training Officer)
- 1994 - 1996 Creedmoor Police Department (Patrol, Investigations & Field Training Officer)
- 2009 - Present (NRA Firearms Instructor of Pistol, Rifle, Shotgun, Inside The Home / Outside The Home Protection and RSO)
- 2009 - Present (NC Department of Justice Firearms Instructor)
- 2016 - Present (OSHA / MESH approved safety investigator and instructor)

**Education**

\* Have you graduated from high school, passed the high school equivalency test, or graduated from an accredited college or university?  
 Yes  No

\* Upload proof of High School Graduation, General Education Certificate, College or University diploma.

Browse DR Dipolma.pdf

**\* Education History**

School	Course	Edit	Delete
Add Previous Education			

**Marital Status**

\* Select Marital Status  
 Single  Married  Separated or Divorced

\* Family Add spouse if married. Add father and mother if applicable.

Full Name	Relationship	Age	Address	Edit	Delete
[Redacted]	[Redacted]	[Redacted]	[Redacted]	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Add Family Member					

**Military Status**



Add Character Reference

\* Employment History

Company

Name: Humphrey Mechanical  
Address: 2421 N. Marine Blvd.  
Jacksonville, NC 28546  
Onslow County  
Phone: (910) 455-1418

Supervisor

Name: [Redacted]  
Title: Company President  
Phone: [Redacted]

Work Dates

Start: 04/17/2019  
End: 02/20/2020

Edit

Delete

Edit

Delete

Name: P&G Security / Kiker Investigations  
Address: 133 E. Council St.  
Salsbury, NC 28144  
Rowan County  
Phone: (704) 636-9592

Name: [Redacted]  
Title: Company Owner  
Phone: [Redacted]

Start: 05/31/2016  
End: 04/16/2019

Edit

Delete

Name: Carolina Sunrock Contracting  
Address: 2116 Camden Ave.  
Durham, NC 27704  
Durham County  
Phone: (919) 575-3894

Name: [Redacted]  
Title: Project Coordinator  
Phone: [Redacted]

Start: 05/29/2015  
End: 05/27/2016

Edit

Delete

Name: Carolina Hyperbarics  
Address: 8300 Health Park  
Raleigh, NC 27615  
Wake County  
Phone: (919) 720-4377

Name: [Redacted]  
Title: CEO  
Phone: [Redacted]

Start: 05/15/2012  
End: 05/29/2015

Edit

Delete

Name: UNC Healthcare (Rex Hospital)  
Address: 2916 Blue Ridge Road  
Raleigh, NC 27607  
Wake County  
Phone: (919) 784-2580

Name: [Redacted]  
Title: Center Director  
Phone: [Redacted]

Start: 03/16/2011  
End: 05/07/2012

Edit

Delete

Name: WSI, subsidiary of Mackenhut and G4S  
Address: 7121 Fairway Dr. Ste# 301  
Palm Beach Gardens, FL 33418  
Palm Beach County  
Phone: (234) 600-5839

Name: [Redacted]  
Title: COO Overseas Operations (Iraq)  
Phone: [Redacted]

Start: 07/16/2009  
End: 10/10/2010

Edit

Delete

★ Background Questions

<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been sued to collect a debt allegedly owed by you to a creditor?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Are you now or have you ever been engaged in any business as an owner, partner, or corporate board member?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been charged, arrested, convicted, pled guilty or granted a Prayer for Judgment to a criminal offense other than a minor traffic violation?
		★ Explanation
		No contest plea to misdemeanor larceny, disposition date of 1996, Granville County, NC.
<input checked="" type="radio"/> Yes	<input type="radio"/> No	Have you ever been required to pay a fine in excess of \$50.00?
		★ Explanation
		Not sure, maybe for a motor vehicle citation (speeding)
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been denied any Board license or had any similar license revoked in any state, including North Carolina?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Are you currently a sworn law enforcement officer or court official?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been diagnosed as having a mental or emotional disorder?
<input type="radio"/> Yes	<input checked="" type="radio"/> No	Have you ever been denied a driver's license or had it revoked in any state, including North Carolina?

Office Setup

Add Previous Employment

At least 10 years history is required.

\* Background Questions

Have you ever been sued to collect a debt allegedly owed by you to a creditor?

Are you now or have you ever been engaged in any business as an owner, partner, or corporate board member?

Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?

Have you ever been charged, arrested, convicted, pled guilty or granted a Prayer for Judgement to a criminal offense other than a minor

\* Explanation

No contest plea to misdemeanor larceny, disposition date of 1996, Granville County, NC.

Have you ever been required to pay a fine in excess of \$50,00?

\* Explanation

Not sure, maybe for a motor vehicle citation (speeding)

Have you ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces?

Have you ever been denied any Board license or had any similar license revoked in any state, including North Carolina?

Are you currently a sworn law enforcement officer or court official?

Have you ever been diagnosed as having a mental or emotional disorder?

Have you ever been denied a driver's license or had it revoked in any state, including North Carolina?

Office Setup

\* Type of office associated with this application?

Establishing a main office for a company not yet registered with the board.

Company Name

\* Name of Company

Large Lead, LLC

DBA

Executive Protective Services

Company Address

\* Address Line 1

239 ROCKY RIDGE RD

Address Line 2

\* City

LEASBURG

\* State

North Carolina

\* Zip

27291

\* Country

United States

\* County

Caswell

Mailing is same address as physical.

**Company Phone Numbers**

\* Company Phone Number

(919) 607-1295

Company Fax Number

Enter Phone Number

**Position At The Company**

\* Will your position be managerial?

Yes  No

\* Will you exercise direct control and supervision over the registered employees?

Yes  No

**Company Licensing**

\* Select Business Type

Sole Proprietorship

\* If the company under which you intend to do business is a partnership, firm, association, or corporation, have you applied for a company business license which is issued by the Board?

Yes  No

\* Has the Board issued your business a company license in accordance with 14B NCAC 16.0205?

Yes  No

**Company Principals**

Edit

Delete

Title

Full Name

Address

Owner Operator

David Bradford Russell

[Redacted Address]

Edit

Delete

Add Company Principal

### Qualifying Agent

\* If company is out-of-state, is the Qualifying Agent a resident of North Carolina?

Yes  No

#### Qualifying Agent's Full Name

\* First Name

David

Middle Name

Bradford

\* Last Name

Russell

Suffix

Nickname (optional)

#### Qualifying Agent's Address

\* Address Line 1

[Redacted Address Line 1]

Address Line 2

[Redacted Address Line 2]

\* City

[Redacted City]

\* State

[Redacted State]

\* ZIP

[Redacted ZIP]

\* Country

[Redacted Country]

\* County

I hereby certify that all answers and statements in this application are true and accurate to the best of my knowledge. I am aware that should an investigation disclose any misrepresentation or falsification, my application may be denied.

\* Sign with your initials

DR

Background Check:

Process

Status

Initials

Date

CRC CHECK

FP SENT

Pass

syconda.marrow

3/26/2021

FP RESULTS

fail

mary.shephard

04/19/2021

Comments:

Placed in Kim's basket. SM 4/19/2021

Charges on fingerprint results same as Record 1 on crc. KO 4/22/2021

Investigator Cole,

I would like to request that my scheduled Board Meeting for June 17th be rescheduled for an August 2021 date due to previously scheduled medical appointments.

Best Regards,  
David B. Russell

PHOTO

AUTHORIZED RELEASE

Pass

syconda.marrow

3/26/2021





10/27/21, 9:36 AM

Permitium

Process

Status

Initials

Date

Comments:

--	--	--	--	--

Investigator Notes (/interviewQuestions/cwInterview/C6CA23ZUA)

Work Comments:

--	--	--	--	--

**+ 16 Attached Documents**

**+ Add files...**

<b>Action Date:</b>	
<b>Action User:</b>	
<b>Action Type:</b>	
<b>Description / Notes:</b>	
	3/17/21 11:38 AM

10/27/21, 9:35 AM

**StartPayment**

Starting payment processing:

3/17/21 11:38 AM

**StartPayment**

Starting payment processing:

3/26/21 9:29 AM

syconda.marrow

**SaveProgress**

The application data was updated.

3/26/21 9:30 AM

syconda.marrow

**OwnerChange**

The application was moved to user 'kim.odom':

3/26/21 1:05 PM

kim.odom

**OwnerChange**

The application was moved to user 'dara.cole':

3/26/21 1:05 PM

kim.odom

**StatusChange**

The order status was updated to 'Investigator Assigned':

4/19/21 11:33 AM

mary.shephard

**SaveProgress**

The application data was updated.

4/19/21 2:02 PM

syconda.marrow

**SaveProgress**

The application data was updated.

4/22/21 9:42 AM

kim.odom

**SaveProgress**

The application data was updated.

5/4/21 12:17 PM

kim.odom

**SaveProgress**

The application data was updated.

5/12/21 12:17 PM

kim.odom

**SaveProgress**

The application data was updated.

5/12/21 12:17 PM

kim.odom

**SaveProgress**

10/27/21: 9:35 AM

Permittion

The application data was updated.

7/26/21 12:41 PM

darla.cole

InterviewUpdated

Interview Information Updated

7/26/21 12:41 PM

darla.cole

InterviewUpdated

Interview Information Updated

7/26/21 12:41 PM

darla.cole

OwnerChange

The application was moved to user 'kim.odom'.

7/29/21 8:51 AM

darla.cole

InterviewUpdated

Interview Information Updated

7/29/21 8:51 AM

darla.cole

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

SaveProgress

The application data was updated.

8/1/21 7:55 PM

kim.odom

OwnerChange

The application was moved to user 'tamanda.rolie'.

8/1/21 8:47 AM

paul.sherwin

SaveProgress

10/27/21, 9:35 AM

Permitium

The application data was updated.

8/12/21 8:47 AM

paul.sherwin

SaveProgress

The application data was updated.

8/12/21 8:47 AM

paul.sherwin

OwnerChange

The application was moved to user 'garcia.graham'.

8/18/21 2:29 PM

garcia.graham

SaveProgress

The application data was updated.

8/18/21 8:22 PM

garcia.graham

SaveProgress

The application data was updated.

8/20/21 5:56 PM

garcia.graham

SaveProgress

The application data was updated.

8/20/21 5:59 PM

garcia.graham

DenyOrder

The application was denied. This is an automated message. Denied Security Guard & Patrol License for lack of verifiable experience, unfavorable employment and criminal history. The original denial letter will be sent to you by certified mail.

8/20/21 5:59 PM

garcia.graham

EmailSent

A deny email has been sent.

10/8/21 10:58 AM

system

BgStatusCheck

Status of background report checked.

10/8/21 11:00 AM

kim.odom

InterviewUpdated

Interview Information Updated

Move Order

Assign Inv

Order Pending

Defer Order

Request Documentation

Add Invoice (/dynamicapp/invoice/new?associatedOrderId=C6CA23ZUA)

Approve Order

Withdraw Order

Deny Order

Assess Fine

Background Check

ORC CHECK

FP SENT

FP RESULTS

PHOTO

AUTHORIZED RELEASE

UA TRAINING

FA TRAINING

CWC

Date Received

TERMINATION DATE

Investigator's Recommendation

Dep Dir

Save Progress

Print

Search Archive



## APPLICATION PRESENTATION FORM

**Applicant Name:** David Bradford Russell

**License for Which Applying:** Security Guard And Patrol

**Investigator:** Darla G. Cole

**Board Date:** 08/19/2021

**Employing Agency:** Large Lad, LLC

**Physical Address:**

[REDACTED]

**Mailing Address:**

[REDACTED]

**The following procedures were used in order to conduct a special review of these allegations:**

**Interview Meeting Notes**

The experience requirements for the Security license have not been verified.

Mr. Russell provided three sworn affidavits from persons who worked with him at P&G Security at the Joint Force Headquarters and RDU National Guard from 2016 to 2019. Each of the affidavits stated that Mr. Russell performed supervisory duties, such as site supervision, training and paperwork. However, when contacted about the affidavits, two of the subjects stated that they did not think that Mr. Russell was ever officially made a supervisor by P & G or that he was ever given any official rank status. They stated he was the most senior man on the shift and would train the new guards on the post patrols and was who they contacted if there was a problem.

Teri Kiker, owner of P&G Security, said that Mr. Russell was not a supervisor for her company. She stated that he worked the guard shack for the third shift and there was a reason why he was at the location and shift that he was on. She also said that he was not a trainer for her company.

Mr. Russell did serve in the U.S. Navy, active duty, for a year and seven months from 1985 to 1987. He was discharged due to an injury and received an honorable discharge, according to the DD214 he provided. The honorable discharge would give him 400 hours toward his experience.

He also served just short of two years as a police officer, but his N.C. Law Enforcement certification was revoked in 1996.

I met with Mr. Russell in Hillsborough on 7/15/2021. I had previously sent him copies of the state law, NCGS 74C, and the administrative codes, Chapter 16. Together we reviewed the law and codes and I answered Mr. Russell's questions.

Mr. Russell said he mainly wants his license because he and his wife are opening a café/pub that is going to offer live entertainment and he wants to be able to provide his own security for the venue. He said he is seeking a full license rather than a proprietary because he wants to keep his options open in case he decides to venture out more into security.

I asked Mr. Russell about the discrepancy between the job descriptions that he listed on his application and those of his employers.

Mr. Russell said he was not hired by P&G to be a supervisor but that after he got on site and started working, the commanders at the Joint Base put him in place as a supervisor. "I don't think anybody ever said anything to her about it," he said. "But she knew that I was in charge of that base. But as far as being hired and paid for that no."

Mr. Russell said he left P&G on good terms to take the job at Humphrey. He said he did not know anything about an unemployment claim.

He said he did not know why Sunrock had him listed as a driver. He said he has had a hard time getting in touch with the human resources people at many of the places he has worked.

Mr. Russell also clarified that he is authorized by the state to teach concealed carry classes but that he is not actually an NCJA firearms instructor.

When asked about his time in Creedmoor, Mr. Russell explained that he was working off duty at the Piggly Wiggly in town. He said he was not just security for the store but was working to do whatever was needed. He said one of the things that he was responsible for was the money drops at the end of shift. He said that about \$800 to \$900 got missing and the manager accused him of taking it. He said he did not have the resources to defend himself and he knew it wouldn't come to anything because "the manager and police chief were sleeping together." He said he was charged with the felony larceny by employee and pled no contest to misdemeanor larceny. He said he received 12 months probation and had to pay restitution to

the Piggly-Wiggly. Mr. Russell said he did not know why the court records show that he pled guilty. He said he would hope that we would look at his time since then and see that he has not had any other criminal charges since.

## Work History

Mr. Russell most recently worked for W.T. Humphrey from April 2019 to February 2020. Mr. Russell stated that he was the corporate safety and training director for the company. According to the company's human resources department, he was the safety director and was let go in 2020 due to a "reduction in force." They reported there were no issues with his employment but that he was not eligible for rehire.

Mr. Russell worked for P&G Security from May 2016 to April 2019. Teri Kiker stated that his work ethic was good, but she felt there were some times when he was "in the gray" with some issues. She said that she could not comment on whether he should get his license. "He's not a bad person," she said. "It's just that he doesn't think all rules apply to him."

Kiker said that Mr. Russell left her company to go to another job, but that he later put in for unemployment and she had to appeal it.

From May 2015 to May 2015, Mr. Russell worked for Carolina Sunrock Contracting. He stated on his application that he handled "materials logistics and safety" and "coordinated transportation of materials and employee safety training for the contracting division." According to the human resources department, Mr. Russell was a driver for the company and did not have anything to do with logistics and safety. They said he left for "personal reasons" and would be eligible for rehire.

Mr. Russell reported that he worked for Carolina Hyperbarics from May 2012 to May 2015 as safety director and left when the company closed business in North Carolina. I was unable to verify this employment since the listed phone numbers and addresses are no longer correct.

Mr. Russell also reported that he worked as a safety director for Rex Hospital (UNC Healthcare) from March 2011 to May 2012. His listed supervisor is no longer with the hospital and calls to human resources were not returned. I was unable to verify this employment.

Mr. Russell reported that he was a private contractor for WSI from 2009 to 2010. The telephone number listed for the company and his immediate supervisor no longer belonged to the subjects listed. An alternate number located through internet searches rang continuously busy, so I was unable to verify this employment.

A review of PPS records show that Mr. Russell has been registered as an armed guard several times since the mid-1990s.

Mr. Russell was a certified law enforcement officer in North Carolina from 1994 to 1996. According to CJ Training and Standards, he was certified as a company police officer in 1994 while working at N.C. Central University and was a certified law enforcement officer from August 1994 to June 1996 with the Creedmoor Police Department. His certification was revoked in 1996 after an investigation into "an alleged commission of a felony." Mr. Russell was charged with felony larceny by employee in 1995. Mr. Russell's file was no longer available at CJ Standards. Similarly, the City of Creedmoor said that Mr. Russell's personnel file and internal affairs file were no longer available due to the length of time that had passed.



### Operating without a license

Mr. Russell proposes to do business as Executive Protective Services and is currently conducting business under that name, according to both his Facebook and LinkedIn pages. On Mr. Russell's LinkedIn page, he has listed that he is a contractor for Executive Protective Services since 1995 and is an "approved OSHA 10 & 30 instructor, private security consultant, executive protection coordinator, and firearms instructor." The LinkedIn page also lists him as a "Civilian Personal Defense Instructor (contractor)" for the N.C. Department of Justice since 1996 and states that he has been a security consultant and security director for special events.

During my interview with Mr. Russell, I explained that a security license would not cover executive protection in North Carolina and that the proposed business name might be a problem. I also advised Mr. Russell, who was wearing a golf shirt with the words "Executive Protective Services" on it, that he could not be advertising executive protection services or security services when he was not yet licensed. I told him that the postings on his social media pages were already advertising his business as such. Mr. Russell replied that this was not a problem. He said he used the Executive Protective Services business name for his firearms training classes but that he did not have to use the name for his security business.

Screenshots from Mr. Russell's social media pages have been attached to the application.

### Credit History

On 5/11/2021, I conducted an Equifax credit check on Mr. Russell. The report showed that Mr. Russell has five accounts that are all listed as "pays as agreed," one that was listed as a lost or stolen card, and 10 that were paid and closed. There were no bankruptcies, collections, charge-offs or other negative findings on his report.

### Criminal History

Mr. Russell's criminal background check showed a 1996 conviction for misdemeanor larceny. He was given a 45-day sentence and placed on supervised probation for 12 months. He also was ordered to pay restitution of \$900 to the employer and court costs of \$110. The background check also showed two speeding convictions in 1984 and 1985.

Mr. Russell's fingerprint check showed the 1996 conviction listed above.

### Personal References

Mr. Russell submitted five (5) notarized references from people who have known him either professionally or personally. He was described as honest, hardworking, having "good moral character," and always willing to help others. All recommended him for his license.

**Additional Information**

Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Private Protective Services Licensing Board or one of its Committees. You should understand that once presented to the board or a Committee, the staff's position may be adopted, amended or reversed.

Recommendation: Discussion on experience, work history, criminal charges, company name.

Date Received: 03/05/2021	Date Completed: 03/11/2021
Payment Received: 03/05/2021	Research Completed By: ID# 100823

Order Confirmation# C216255

Personal Information:

Name: David Bradford Russell

[REDACTED]  
[REDACTED]  
[REDACTED]

Addresses for Places of Residence

[REDACTED]

Addresses for Places of Employment

1. Unemployed (2/2020 - 3/2021)
2. 2421 N. Marine Blvd., Jacksonville, NC, 28546 (7/2019 - 2/2020)

Addresses for Schools Attended

Social Security Number Verifier Results:

Date Issued: NORTH CAROLINA  
Year Issued: 1974-1975  
Death Index: NO ENTRY FOUND

Names on file:  
DAVE B RUSSELL  
DAVID B RUSSELL  
DAVID BRADF RUSSELL  
DAVID BRADFORD RUSSELL  
DAVID D RUSSELL

Address Section:

DAVID BRADFORD RUSSELL

[REDACTED]

DAVID BRADFORD RUSSELL

[REDACTED]

DAVID BRADFORD RUSSELL

[REDACTED]

DAVID BRADFORD RUSSELL

[REDACTED]

DAVID BRADFORD RUSSELL

[REDACTED]





**Jurisdiction(s) Searched:**

North Carolina Statewide Search  
Federal Criminal Record Check

**Criminal Background Check:**

Federal Criminal Record Check  
Clear

North Carolina Statewide Search 3 record(s)

**Record 1**

Court: GRANVILLE SUPERIOR  
 Case Number: 95CRS005022  
 File Severity: MISDEMEANOR  
 Offense Dates: 03/01/1995  
 Charges: MISDEMEANOR LARCENY (MISDEMEANOR)  
 Disposition Dates: 01/10/1996  
 Dispositions: GUILTY  
 Sentence: SENTENCE TYPE: COMMUNITY  
 SENTENCE LENGTH: 045 D  
 PROBATION: 12 MONTHS SUPERVISED  
 COSTS: \$110.00  
 RESTITUTION: \$900.00  
 PAID: YES  
 Special Conditions: \* REST. DUE PIGGLY WIGGLY,ETC.

**Identifiers on Record:**

Name on File: RUSSELL,DAVID,B  
 DOB on File: DOB MATCH  
 Address on File: DOVE ROAD ,CREEDMOOR,NC,27522  
 L# on File: NOT LISTED  
 SN on File: NOT LISTED

**Record 2**

Court: WAKE DISTRICT  
 Case Number: 85CR 075670  
 File Severity: CRIMINAL TRAFFIC  
 Offense Dates: 11/16/1985  
 Charges: SPEEDING (CRIMINAL TRAFFIC)  
 Disposition Dates: 12/05/1985  
 Dispositions: GUILTY  
 Sentence: FINE/COSTS: \$62.00  
 PAID: YES

**Identifiers on Record:**

Name on File: RUSSELL,DAVID,BRADFORD  
 DOB on File: DOB MATCH  
 Address on File: RT 4 BOX 66 ,DURHAM,NC  
 L# on File: NOT LISTED  
 SN on File: NOT LISTED

**Record 3**

Court: DURHAM DISTRICT



Case Number: 84CR 009500  
File Severity: CRIMINAL TRAFFIC  
Offense Dates: 03/20/1984  
Charges: SPEEDING 050/35 (CRIMINAL TRAFFIC)  
Disposition Dates: 03/21/1984  
Dispositions: GUILTY  
Sentence: FINES: \$10.00

*Identifiers on Record:*

Name on File: RUSSELL,DAVID,BRADFORD  
JOB on File: DOB MATCH  
Address on File: RT 4 BOX 66 ,DURHAM,NC  
JL# on File: NOT LISTED  
SSN on File: NOT LISTED



Please contact our offices directly if you wish to dispute any information returned within this Criminal Record Check.

By Mail  
PO Box 90998  
Raleigh, NC 27675-0998

By Phone  
Local - 919-459-1029  
Toll Free - (877) 272-0266

By Fax  
Toll Free - (800) 650-5992

By Email  
licensing@mycrc.com

Please locate the security token on your home page and copy it into the Permitium system to provide this report to the ASLB/PPSB.

Reports are archived after 60 days. If reports need to be accessed after 60 days, please contact us directly using one of the methods provided above.



**NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD  
AUTHORIZATION FOR RELEASE OF RECORDS**

I, (Print Full Name) David Bradford Russell

Social Security Number [REDACTED] and date of birth of [REDACTED]

herby request and authorize the following:

**Release of General Records**

I am applying for a license, registration, certification, or permit from the North Carolina Private Protective Services Board. I request that all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me to release and furnish to the North Carolina Department of Justice and to the Private Protective Services Board all records and other information concerning me, including internal affairs files, disciplinary files and any information concerning pending and/or closed investigations. The above mentioned agencies are currently conducting a personal background to determine my suitability for a Private Protective Services License, Certification and/or Registration. Your assistance and cooperation will be greatly appreciated. A copy of this signed and notarized authorization shall be as effective and valid as the original.

**Release of Criminal Records**

I am applying for a license, registration, certification, or permit from the North Carolina Private Protective Services Board. I hereby consent to allow the Private Protective Services Board and the N.C. Department of Justice to access my criminal record. In order to conduct a thorough criminal record check on me, I authorize the Private Protective Services Board and the N.C. Department of Justice to use my fingerprints and any other identifying information as may be required by any state or national repository. I acknowledge that my fingerprints may be submitted to the North Carolina State Bureau of Investigation or any other states' criminal record depository for a search of the state criminal history record file. The North Carolina State Bureau of Investigation has my permission to forward my fingerprints and any other identifying information to the Federal Bureau of Investigation for a national criminal history check.

**Equifax Credit Check**

I am applying for a license from the North Carolina Private Protective Services Board. I hereby consent to allow the Private Protective Services Board and the N.C. Department of Justice to access my credit history through Equifax. I acknowledge that it is my responsibility to prove to the Board that I am financially responsible. Once Equifax produces a copy of my credit check, I will review the credit check with the investigator. If I determine that my credit check contains errors, I will contact Equifax. Once I am satisfied that my credit check is correct, I will notify the Board's investigator to certify that I am providing a true and accurate copy of my credit history to the Board as part of my application process.

**Disclosure Release**

Once all General Records and Criminal Records have been obtained, I hereby grant permission to the Private Protective Services Board, by and through its administrative staff, employees, or agents, to meet with my current employer, sponsor, or potential employer to discuss the complete results of my background investigation, to include a review of the above-referenced documents. I hereby grant permission and allow the Board, its administrative staff, employees, or agents, to discuss all aspects of my background, both positive and negative, with my current employer, sponsor, or potential employer.

**Liability Release**

By making this request, I release all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me from any liability whatsoever and from any damages whatsoever, which may at any time result because of compliance with this authorization and request.

This the 16<sup>th</sup> day of March, 2021

David Bradford Russell  
Applicant's Signature

Caswell County, North Carolina State

I, Donna J Shanklin do hereby certify that David B Russell personally appeared before me this day and acknowledged the due execution of the foregoing document. Witness my hand and official seal this the 16 day of March, 2021.

Donna J Shanklin  
(Official Signature of Notary)  
Notary Public

My Commission Expires: 01-30-2023

**DONNA J SHANKLIN**  
NOTARY PUBLIC  
CASWELL COUNTY, NC  
My Commission Expires: 01-30-2023  
(Official Seal)



# Durham County High Schools

Durham County



North Carolina

This certifies that  
**Samuel Mendenhall Russell**

has satisfactorily completed the prescribed course of study at the  
**Charles E. Jordan High School**  
and in testimony thereof is awarded this

**Diploma**

Given this seventh day of June, 1925

*W. J. ...*  
Superintendent, Durham County Schools

*James E. ...*  
Principal

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD SAFEGUARD IT

ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

<b>DD FORM 1 JUL 79 214</b>		PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE.		<b>CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY</b>	
1. NAME (Last, First, Middle) <b>RUSSELL, DAVID BRADFORD</b>			2. DEPARTMENT, COMPONENT AND BRANCH <b>NAVY - USN</b>		3. SOCIAL SECURITY NO. [REDACTED]
4. GRADE, RATE OR RANK <b>SMSA</b>	5. PAY GRADE <b>E2</b>	6. DATE OF BIRTH [REDACTED]	7. PLACE OF ENTRY INTO ACTIVE DUTY <b>DURHAM, NC</b>		
8. LAST DUTY ASSIGNMENT AND MAJOR COMMAND <b>USS THOMAS C. HART (FF-1092)</b>			9. STATION WHERE SEPARATED <b>NAVAL STATION NORFOLK VA BY PSD</b>		
10. COMPANION BY WHICH SEPARATED <b>N/A</b>			11. SERVICE MESSAGE MESSAGE: <input checked="" type="checkbox"/> <b>50</b> <input type="checkbox"/> <b>000</b> <input type="checkbox"/> <b>NONE</b>		
12. PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND MONTHS IN SPECIALTY (Subsequent specialty numbers and dates including periods of one or more years)  <b>SM - 0001 SIGNALMAN</b>		13. RECORD OF SERVICE			
		A. Date Entered Active Service		YEAR (YY)	MONTH (MM)
		B. Separation Date This Period		YEAR (YY)	MONTH (MM)
		C. Next Active Service This Period		YEAR (YY)	MONTH (MM)
		D. Total Prior Active Service		YEAR (YY)	MONTH (MM)
		E. Total Prior Inactive Service		YEAR (YY)	MONTH (MM)
		F. Total Service		YEAR (YY)	MONTH (MM)
		G. Effective Date of Pay Grade		YEAR (YY)	MONTH (MM)
		H. Reserve Oblig. Term, Date		YEAR (YY)	MONTH (MM)
				YEAR (YY)	MONTH (MM)
14. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service)					
NONE		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
15. MILITARY EDUCATION (Course title, number weeks, and month and year completed)					
SIGNALMAN CLASS "A" SCHOOLS, DLB, WKS., OCT 85//		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
16. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM			18. HIGH SCHOOL GRADUATE OR EQUIVALENT		17. QUITS ACCRUED LEAVE PAID: <b>NONE</b>
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
19. REMARKS <b>SMSA DAVID BRADFORD RUSSELL, HAS EXECUTED A CLAIM FOR COMPENSATION, OR PENSION, OR HOSPITALIZATION, TO BE FILED WITH VETERAN'S ADMINISTRATION.</b>  <b>DISABILITY SEVERANCE PAY AUTHORIZED AND PAID IN THE AMOUNT OF \$ 2952.00</b>					
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
20. MAILING ADDRESS AFTER SEPARATION <b>5515 APEX HIGHWAY 55          DURHAM, NC 27719</b>			21. MEMBER REQUESTS COPY #10 SERVICE: <b>NC</b> DIR. OF VET AFFAIRS: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
22. SIGNATURE OF MEMBER BEING SEPARATED <b>MEM NOT AVAILABLE FOR SIGNATURE</b>			23. DTD NAME, GRADE, TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN <b>MR. H. MORGAN, PFC, USN, SEP OFFICER BY DIR OIC</b>		



**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**



3101 Industrial Drive - Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 - Fax: (919) 788-5365  
E-Mail: PPSASL@ncdeq.gov  
Web Page: www.ncdeq.gov/PPS

**PERSONAL REFERENCE QUESTIONNAIRE**

TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and notarize this personal reference questionnaire. Security Guard

Name: David B. Russell Date: 2/21/21 License Type: 2 Active P#: [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

\*\*Your application will not be presented to the Board until all references have been received.\*\*

How long have you known the applicant? 4 years

Do you know him/her personally or professionally? Both

Have you ever known the applicant to have alcohol or drug problems? NO

What kind of person do you think he/she is and how would you summarize his/her moral character? Excellent  
with extreme integrity. Always willing to help others.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
NO

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?  
NO

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: David Shanklin Signature: [Signature]

Address: City/State/Zip: [REDACTED] Date: \_\_\_\_\_

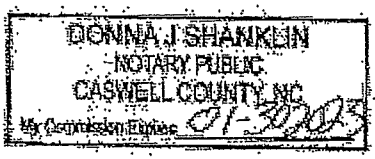
Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 22 day of February 2021

Donna J. Shanklin  
Notary Public

My Commission Expires: 01-30-23





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: PPSASL@ncdol.gov  
Web Page: www.ncdps.gov/PPS



**PERSONAL REFERENCE QUESTIONNAIRE**

**TO THE APPLICANT:** Print your name, date and phone number below and have each of your character references complete and notarize the personal reference questionnaire.

Name: David R. Russell Date: 20 Jan 21 License Type: Security Guard Patrol Ph: [REDACTED]

**REFERENCE:** This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 3 years

Do you know him/her personally or professionally? personally

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character?  
Always helpful and of good moral character

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?  
No

Would you recommend the applicant for the license that he/she has requested?

Print Name: Ray W. Reber Signature: Ray W. Reber

Address: City/State/Zip: [REDACTED] Date: 2/6/2021

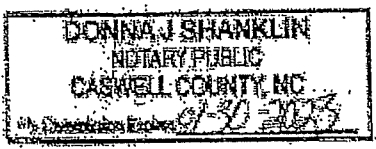
Telephone: [REDACTED]

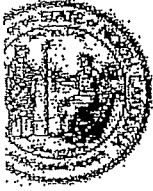
THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 6<sup>th</sup> Day of February, 2021

Donna J Shanklin  
Notary Public

My Commission Expires: 01-30-2023





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

3101 Industrial Drive - Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: PPSASL@ncdps.gov  
Web Page: www.ncdps.gov/PPS



**PERSONAL REFERENCE QUESTIONNAIRE**

~~TO THE APPLICANT:~~ Print your name, date and phone number below and have each of your character references complete and notarize this personal reference questionnaire.

Name: David B. Russell Date: 20 Jan 21 License Type: Security Guard E Patrol Phone: [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? professionally/personally

Have you ever known the applicant to have alcohol or drug problems? NO

What kind of person do you think he/she is and how would you summarize his/her moral character?  
Superior friend and responsible professional

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
NO

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? NO

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Christopher Alan Bradley Signature: [Signature]

Address: City/State/Zip [REDACTED] Date: 1/19/2021

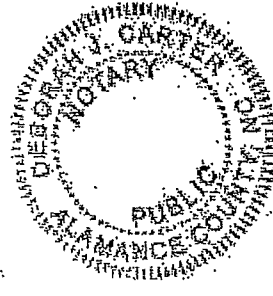
Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

This 29 Day of January A.D. 21

[Signature]  
Notary Public

My Commission Expires: November 18 2023





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**



3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: PPSASL@ncdps.gov  
Web Page: www.ncdps.gov/PPS

**PERSONAL REFERENCE QUESTIONNAIRE**

TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and notarize the personal reference questionnaire.

Name: David B. Russell Date: 20 Feb. 21 License Type: Security Guard & Patrol P# [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

\*\*Your application will not be presented to the Board until all references have been received\*\*

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? personally

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? David Russell is an honest, hard working person who displays a good moral character. He is always there to help anyone who needs it.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? No

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Samuel Travis Whinstead Signature: Samuel Travis Whinstead

Address: City/State/Zip [REDACTED] Date: 2/21/2021

Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS  
The 21 day of February, 2021  
Donna J. Shanklin  
Notary Public  
My Commission Expires 01-30-2023

DONNA J. SHANKLIN  
NOTARY PUBLIC  
CASWELL COUNTY, NC  
My Commission Expires 01-30-2023

**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: [PPSASL@ncdps.gov](mailto:PPSASL@ncdps.gov)  
Web Page: [www.ncdps.gov/PPS](http://www.ncdps.gov/PPS)



**PERSONAL REFERENCE QUESTIONNAIRE**

TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and notarize the personal reference questionnaire. Security Guard

Name: David B. Russell Date: 2/26/21 License Type: Patrol Plc: [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? Personally, as a neighbor

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? David Russell has always displayed good moral character. He is friendly and cares about the safety and wellbeing of his neighbors.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? No

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Ashley L. Parks Signature: Ashley L. Parks

Address: City/State/Zip: [REDACTED] Date: 02/20/2021

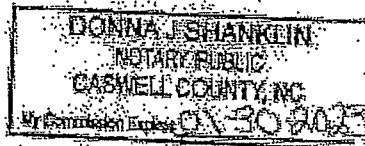
Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS:

The 20 Day of February, 2021

Donna J. Shanklin  
Notary Public

My Commission Expires: 01-30-2023



Investigator Cole,

I would like to request that my scheduled Board Meeting for June 17th be rescheduled for an August 2021 date due to previously scheduled medical appointments.

Best Regards,  
David B. Russell

---



David Russell



Friends

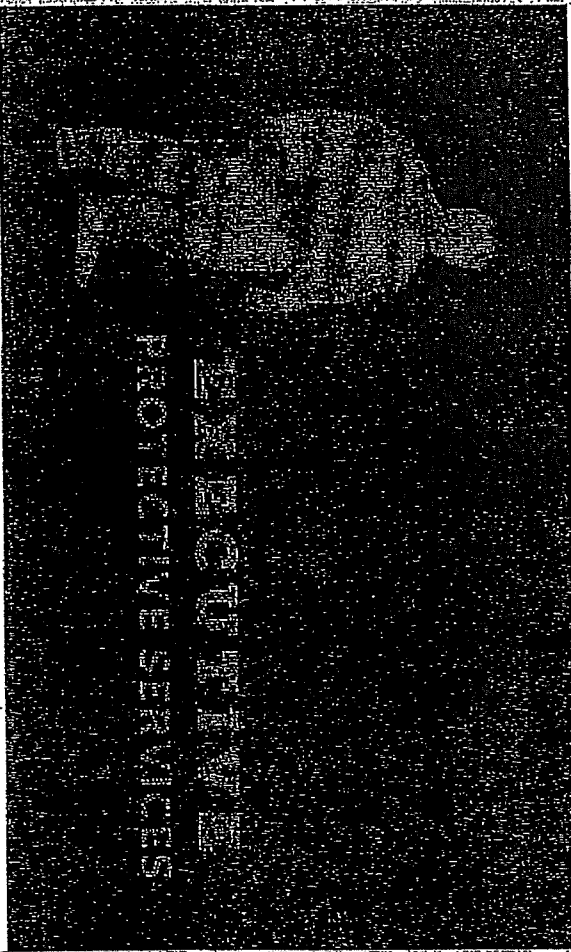
See All Friends

Life Events

See All

Started New Job at Executive Protective Services  
1996

David Russell updated his cover photo.  
November 12, 2018 · 🌐



44

Share

David Russell updated his cover photo.  
November 10, 2018 · 🌐

Type here to search

David Russell - Corporate Safety

linkedin.com/in/david-russell-48592442

### Contractor

Executive Protective Services

Jan 1995 - Present · 26 years 4 months

North Carolina

Approved OSHA 10 & 30 Instructor, Private Security Consultant, Executive Protection Coordinator and Firearms Instructor.

### Civilian Personal Defense Instructor (contractor)

NC Department of Justice

Jan 1996 - Present · 25 years 4 months

Raleigh-Durham, North Carolina Area

Security Consultant for former North Carolina Attorney General

Security Director for Jimmy "V" Kids Classic

Security Director for Super Kids Foundation

Spacial Agent Wake County Chitlin Club

### Security Contractor

1-30th Attack Recon Battalion (ARB) Air National Guard

2015 - Dec 2018 · 3 years



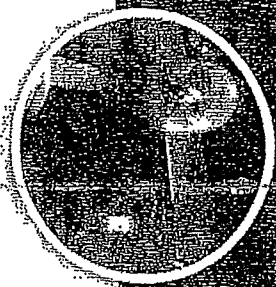
Type here to search



People ▾

David

Russell



## David Russell

Corporate Safety & Training Director at U.S. Government  
Contractor OSHA / C-MESH  
Raleigh-Durham, North Carolina Area · 259 connections

[Join to Connect](#)



U.S. Government Contractor  
North Carolina Community  
College System

About

Type here to search



# Experience



## Corporate Safety & Training Director

U.S. Government Contractor

Apr 2016 - Present · 5 years 1 month

Statewide

OSHA Safety Compliance & Training



## OSHA approved Safety Training Coordinator

Executive Protective Services

Nov 2016 - Present · 4 years 6 months

Leasburg, NC

Construction Safety 10 & 30 hour courses.



## Contractor

Executive Protective Services

Jan 1995 - Present · 26 years 4 months

North Carolina

DD FORM 1300 214 PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1 NAME (Last, first, middle) RUSSELL, DAVID BRADFORD 2 DEPARTMENT, COMPONENT AND BRANCH NAVY - USN 3 SOCIAL SECURITY NO. [REDACTED]

4 GRADE, RATE OR RANK SP5A 5 PAY GRADE E2 6 DATE OF BIRTH [REDACTED] 7 PLACE OF ENTRY INTO ACTIVE DUTY DURHAM, NC

8 LAST DUTY ASSIGNMENT AND MAJOR COMMAND USS THOMAS C. HART (FF-111) 9 STATION WHERE SEPARATED NAVAL STATION NORFOLK, VA BY P&I

10 SGLI COVERAGE AMOUNT: \$1,000  NONE

11 PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND DATES OF SERVICE (Add only specialty numbers and titles having 10 or more years of one or more years)

12 RECORD OF SERVICE	YEAR(S)	MON (M)	DAY(S)
a. Deactivated AD This Period	82	JUN	15
b. Separation Date This Period	82	FEB	10
c. Net Active Service Duty Period	01	07	01
d. Total Active Service	01	07	01
e. Total Period of Service	01	07	01
f. Current Service	01	07	01
g. Sea Service	01	07	01
h. Effective Date of Pay Grade	01	JUL	01
i. Reserve Obligation Term Date			

13 DECORATIONS, MEDALS, BADGES, CITATIONS AND COMMUNICATIONS AWARDED OR AUTHORIZED (All periods of service)

14 MILITARY EDUCATION (Course title, number, dates, month and year completed) COLLEGE CLASS '81 SCHOOL - DE HHS - OCT 85/7 X

15 MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS EDUCATIONAL ASSISTANCE PROGRAM  YES  NO 16 HIGH SCHOOL GRADUATE OR EQUIVALENT  YES  NO 17 DAYS ACCRUED LEAVE PAID NONE

18 REMARKS: SP5A DAVID BRADFORD RUSSELL HAS EXERCISED A CLAIM FOR COMPENSATION OF BENEFIT ON HOSPITALIZATION TO BE FILED WITH VETERAN'S ADMINISTRATION.

19 SEVERANCE PAY AUTHORIZED AND PAID TO THE AMOUNT OF \$ 2358.00

20 WORKING ADDRESS AFTER SEPARATION: 8315 APEX HIGHWAY 55, WACHLAN, NC 27583. REGISTERED MAIL: NOTED CARRETT REGISTER OF DEEDS. MAR 13 8 46 AM '01.

21 SIGNATURE OF MEMBER BEING SEPARATED: [REDACTED] 22 MEMBER REQUESTS COPY & BE SENT TO ME DIR. OF VET AFFAIRS  YES  NO

23 SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN: [REDACTED] 24 NOT AVAILABLE FOR SIGNATURE: [REDACTED]

25 SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

26 TYPE OF SEPARATION: DISCHARGED	27 CHARACTER OF SERVICE (Includes ungraded): HONORABLE
28 SEPARATION AUTHORITY: CMPC LTR SEN 24E/84L RFD	29 SEPARATION CODE: 01
30 REASON FOR SEPARATION: PHYSICAL DISABILITY - ENTITLED TO RECEIVE SEVERANCE PAY	31 REENLISTMENT CODE: R-1

32 DATES OF TIME LOST DURING THIS PERIOD: NONE 33 MEMBER REQUESTS COPY: NONE

34 INITIALS: [REDACTED]



**North Carolina Department of Public Safety**  
**Private Protective Services Board**

Roy Cooper, Governor  
Casandra Hoekstra, Interim Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

October 27, 2021

David Bradford Russell  
Bottom Time LLC

Dear Mr. Russell:

Your application to serve as the point of contact for an armed proprietary security organization was denied by the Private Protective Services Board on October 21, 2021 for the following reason(s):

Denied for unfavorable employment and criminal history.

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena  
Chairperson

Paul Sherwin  
Director



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

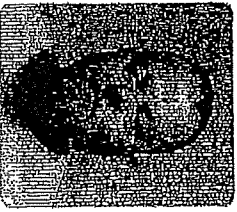


[www.ncdps.gov/pps](http://www.ncdps.gov/pps)  
An Equal Opportunity employer

**OFFICE LOCATION:**  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 788-5365

<b>Order Number</b>	C631XHB7W
<b>Product</b>	Proprietary Application (new)
<b>Order Received</b>	08/21/2021
<b>Status</b>	Order Denied ⚙
<b>Processor</b>	garcia.graham
<b>Board</b>	PSSB

<b>Payment History</b>
No payment required.



<b>Investigator:</b> Andrew Martino Andrew.martino@ncdps.gov 3101 Industrial Drive, Suite 104 Raleigh, NC 27609 984-220-8635
<b>Investigation Due Date:</b> Monday, October 11th 2021

<b>Application Review for Board Meeting Date:</b> 10/21/2021
--

<b>Director Result</b>
------------------------

Approval Discussion  
Note  
Previously denied for SG&P license

Committee Result  
Deny  
Note  
Proprietary application.

Board Result  
Accepted

Note

Edit

Organization Name

\* Name of Company

Bottom Time LLC

Address

\* Address Line 1

[Redacted]

Address Line 2

[Redacted]

\* City

[Redacted]

\* State

[Redacted]

\* Zip

\* Country



[Redacted]

[Redacted]

★ Country

[Redacted]

Mailing is same address as physical.

Phone Numbers

★ Company Phone Number

(919) 607-1295

Company Fax Number

Enter Phone Number

The Below Information is for the Security Contact Person who will be responsible to our agency.

Security Contact Person

★ First Name

David

Middle Name

Bradford

★ Last Name

Russell

Suffix

★ Title

CEO

### Positive Identification Information

★ Social Security Number

[REDACTED]

★ Date of Birth

[REDACTED]

### Demographics

★ Race

White

★ Gender

Male

### Drivers License

★ Do you possess a valid motor vehicle operator's license?

Yes  No

★ Drivers License #

[REDACTED]

★ State Issued

[REDACTED]

Security Contact Address Must Provide Street or Road Name and/or Number.

★ Address Line 1

[REDACTED]

Address Line 2

[REDACTED]

★ City

[Redacted]

★ State

[Redacted]

★ Zip

[Redacted]

★ Country

[Redacted]

★ Country

[Redacted]

Mailing is same address as home.

**Security Contact Phone Numbers**

★ Primary Number

[Redacted]

Secondary (Cell, Home, etc.) Number

Enter Phone Number

Office Number

Enter Phone Number

Fax Number

Enter Phone Number

**Security Contact Email** Login information will be sent to this email address

★ Email Address

[Redacted]

**CEO/President Manager**

★ First Name

David

Middle Name

Bradford

★ Last Name

Russell

Suffix

★ Title

CEO

Armed Guards

★ Approximate Number of Security Guards to be Armed:

4

Background Check:

Process

Status

Initials

Date

CRC CHECK



FP SENT



FP RESULTS



10/27/21, 9:41 AM

Process

Status

Initials

Permitum

Date

Comments:

--	--	--	--

PHOTO



AUTHORIZED RELEASE



UA TRAINING



FA TRAINING



CWC



Date Received



TERMINATION DATE



10/27/21, 9:41 AM

Permitum

Process

Status

Initials

Date

Investigator's Recommendation

Comments:

Approval with discussion; previous denial of SGP license

Dep Dir

Comments:

Missing photograph of applicant 10/07/2021

Investigator Notes (Interview Questions/ccwInterview/C631XHB7W)

**+ 1 Attached Documents**

**+ Add files...**

**Action Date:**

Action User:

Action Type:

Description / Notes:

8/21/21 8:40 AM

Submitted

*Submitted for processing, no payment.*

8/25/21 6:11 PM

garcia,graham

OwnerChange

*The application was moved to user 'kim.odom':*

8/31/21 5:35 PM

kim.odom

OwnerChange

*The application was moved to user 'andrew.martino':*

8/31/21 5:35 PM

kim.odom

**StatusChange**

*The order status was updated to 'Investigator Assigned'.*

10/7/21 4:23 PM

andrew.martino

InterviewUpdated

Interview Information Updated

10/7/21 4:23 PM

andrew.martino

InterviewUpdated

Interview Information Updated

10/7/21 4:28 PM

andrew.martino

OwnerChange

*The application was moved to user 'kim.odom'.*

10/8/21 10:52 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 10:58 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 10:59 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:00 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:01 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:01 AM

kim.odom

InterviewUpdated



10/27/21, 9:41 AM

Permittum

**Interview Information Updated**

10/8/21 11:01 AM

kim.odom

SaveProgress

The application data was updated.

10/8/21 11:02 AM

kim.odom

OwnerChange

The application was moved to user 'amanda.rolle'.

10/8/21 9:53 PM

amanda.rolle

SaveProgress

The application data was updated.

10/8/21 9:55 PM

amanda.rolle

OwnerChange

The application was moved to user 'garcia.graham'.

10/11/21 5:12 PM

garcia.graham

File Deleted

File attachment (image.png) was deleted

10/11/21 5:12 PM

garcia.graham

SaveProgress

The application data was updated.

10/11/21 5:12 PM

garcia.graham

SaveProgress

The application data was updated.

10/12/21 11:08 AM

paul.sherwin

SaveProgress

The application data was updated.

10/12/21 11:08 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21, 9:41 AM

Permitium

10/20/21 5:34 PM

garcia.graham

SaveProgress

The application data was updated.

10/27/21 9:39 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21 9:39 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21 9:41 AM

paul.sherwin

DenyOrder

The application was denied. This is an automated message. Denied proprietary point-of-contact application for unfavorable employment and criminal history. The original denial letter will be sent to you by certified mail.

10/27/21 9:41 AM

paul.sherwin

EmailSent

A deny email has been sent.

Move Order

Assign Inv

Order Pending

Request Documentation

Add Invoice (/dynamicapp/Invoice/new?associatedOrderId=G631XHBTW)

Approve Order

Withdraw Order

Deny Order

Assess Fine

Background Check

CRC CHECK	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP SENT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP RESULTS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
PHOTO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
AUTHORIZED RELEASE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
UA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CWC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date Received	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TERMINATION DATE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Investigator's Recommendation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dep Dir	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Save Progress

Print

Search Archive

# APPLICATION PRESENTATION FORM

**Applicant Name:** David Bradford Russell

**License for Which Applying:** Proprietary

**Investigator:** Andrew Martino Andrew.martino@ncdps.gov 3101 Industrial Drive, Suite 104 Raleigh, NC 27609 984-220-8635

**Board Date:** 10/21/2021

**Employing Agency:** Bottom Time LLC

**Physical Address:** [REDACTED]

**Mailing Address:** [REDACTED]

## Initial Contact

On Wednesday October 06, 2021 I visited Mr. David Bradford Russell at [REDACTED] At approximately 1300 hours. I conducted a site inspection for a proprietary application he has submitted for his new business which has a partial potential opening date of 4-6 months.

The following procedures were used in order to conduct a special review of these allegations:

### Interview Meeting Notes

#### Experience

Mr. Russell is applying for a proprietary license. He is requesting this approval to work armed security officers (5 total) at his business Bottom Time LLC. This location is currently under construction. When completed the name of the establishment may change. The establishment will be a breakfast, lunch and dinner café with indoor and outdoor seating. There is also a NC railroad caboose on site that Mr. Russell is restoring and making a small museum. On the back of property Mr. Russell is building a small live music area with picnic seating for live local shows. The business will be open seven days a week.

While the establishment is currently under construction, it has been burglarized twice. Unknown person(s) have taken building materials without permission or consent to do so.

Mr. Russell has not yet taken his firearms training course and will be unarmed until he passes his NC firearms training courses. We also spoke about the employees he hires also needing to be registered and have proof of taking and passing the NC firearms training. The employees also must be employees at his establishment.

Note: Mr. Russell was denied a security guard and patrol license at the August 2021 meeting for lack of verifiable experience, unfavorable employment and criminal history.

#### Interview Meeting Notes

On October 06, 2021 at approximately 1230 hours I visited with Mr. David Bradford Russell at 5873 Ridgeville Road, Prospect Hills, NC. All questions have been asked and answered. The personal review form was discussed and signed by Mr. Russell and me, indicating his understanding of the rules and regulations regarding this license. Mr. Russell and I personally reviewed 74C at this meeting. I gave Mr. Russell a copy of 74C for his personal review before our meeting and requested he contact me should he have any questions or concerns. He was invited to attend the next board meeting and all subsequent meetings of the Private Protective Services Board.

Mr. Russell also reviewed 74C with Investigator Darla Cole within the last 90 days. He is familiar with the rules and regulations regarding this license.

Proposed proprietary license site:

5873 Ridgeville Road, Prospect Hills, NC

Intentionally  
Blank

10/27/21, 9:42 AM

<https://ppsapplication.permitium.com/interviewQuestions/cwInterview/C63IXHB7W>

Intentionally  
Blank

### Criminal History

Mr. Russell's criminal background check showed a 1996 conviction for misdemeanor larceny. He was given a 45-day sentence and placed on supervised probation for 12 months. He also was ordered to pay restitution of \$900 to the employer and court costs of \$110. The background check also showed two speeding convictions in 1984 and 1985.

Mr. Russell's fingerprint check showed the 1996 conviction listed above.



**Additional information:**

**Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Private Protective Services Board or one of its Committees. You should understand that once presented to the board or a Committee, the staff's position may be adopted, amended or reversed.**

**Recommendation**

**Approval with discussion: previous denial of SGP license**

**Offenses**

Case Filing Date: 03/23/1984  
Court Case Number: 3101984CR 009500  
Court Offense: NOT SPECIFIED  
Court Disposition: DISPOSED

**Court Activity**

[NONE FOUND]

**4: North Carolina Court Report**

**Offender information**

Name: RUSSELL, DAVID BRADFORD  
Address: RR 4 BX 66  
DURHAM, NC  
Case Number: 3101983CR 033203  
Case Filing Date: 11/09/1983  
Case Type: CRIMINAL  
DOB: 06/1967  
SSN: 239-15-XXXX  
Race: WHITE  
Sex: Male

**Offenses**

Case Filing Date: 11/09/1983  
Court Case Number: 3101983CR 033203  
Court Offense: NOT SPECIFIED  
Court Disposition: DISPOSED

**Court Activity**

[NONE FOUND]

**1: North Carolina Department Of Corrections**

**Offender information**

Name: RUSSELL, DAVID B  
Address: NC  
DOC Number: 0518021  
Case Number: 95005022  
Case Type: Department Of Correction  
DOB: 06/1967  
SSN: 239-15-XXXX  
Race: WHITE  
Sex: Male  
Eyes: BLUE  
Hair: BROWN  
Height: 6'0"  
Weight: 250 lbs.

**Offenses**

**Offense #1**

Case Number: 95005022  
Case Type: Department Of Correction  
Offense Date: 03/01/1995  
Offense Type: M  
Sentence Date: 01/10/1996  
Sentence: Sentence Type : COUNTY JAIL Sent Start Date: 19960110  
Offense: LARCENY (PRINCIPAL)  
Level: M1  
Sentence: Sentence Type : COUNTY JAIL Sent Start Date: 19960110



**Parole/Probations**

[NONE FOUND]

**Prison Inmate Records**

**Latest Admission Date:** 01/10/1996

**7: North Carolina Court Report**

**Offender information**

**Name:** RUSSELL, DAVID BRADFORD  
**Address:** RR 4 BX 66  
DURHAM, NC  
**Case Number:** 9101985CR 075670  
**Case Type:** CRIMINAL  
**DOB:** 06/1967  
**SSN:** 239-15-XXXX  
**Race:** WHITE  
**Sex:** Male

**Offenses**

**Court Case Number:** 9101985CR 075670  
**Court Offense:** NOT SPECIFIED  
**Court Disposition:** DISPOSED

**Court Activity**

[NONE FOUND]

**1: North Carolina Department Of Corrections**

**Offender information**

**Name:** RUSSELL, DAVID  
**Names Associated with Suspect:** RUSSELL, BRADFORDRUSSELL, DAVID BRUSSELL, DAVID BRADFORD  
**Address:** NC  
**DOC Number:** 0518021  
**Case Type:** Department Of Correction  
**Party Status:** INACTIVE PAROLE/PROBATION  
**DOB:** 06/1967  
**SSN:** 239-15-XXXX  
**Race:** WHITE  
**Sex:** Male

**Offenses**

**Offense #1**

**Case Type:** Department Of Correction  
**Convicted County:** GRANVILLE  
**Offense Date:** 03/01/1995  
**Offense Type:** M  
**Sentence:** Sentence Type : COUNTY JAIL  
**Offense:** LARCENY (PRINCIPAL)  
**Level:** M1  
**Sentence:** Sentence Type : COUNTY JAIL

**Offense #2**

**Case Type:** Department Of Correction  
**Convicted County:** GRANVILLE  
**Offense Date:** 03/01/1995  
**Offense Type:** M  
**Sentence:** Sentence Type : PROBATION  
**Offense:** LARCENY (PRINCIPAL)  
**Level:** M1  
**Sentence:** Sentence Type : PROBATION

**Carrier Information**

**Carrier:** NEW CINGULAR WRLS GA  
**Carrier City:** RALEIGH  
**Carrier State:** NC

5:

**Personal Information**

**Name:** RUSSELL, DAVID  
**Address:** 239 ROCKY RIDGE RD  
LEASBURG, NC 27291-8945  
**Phone Number:** (919) 801-6745  
**Phone Type:** Mobile

**Carrier Information**

**Carrier:** VERIZON WIRELESS-NC  
**Carrier City:** RALEIGH  
**Carrier State:** NC

6:

**Personal Information**

**Name:** RUSSELL, DAVID  
**Address:** 239 ROCKY RD  
APEX, NC 27523-4704  
**Phone Number:** (919) 869-5706  
**Phone Type:** Mobile

**Carrier Information**

**Carrier:** VERIZON WIRELESS-NC  
**Carrier City:** CHAPEL HILL  
**Carrier State:** NC

7:

**Personal Information**

**Name:** RUSSELL, DAVID  
  
**Address:** 239 ROCKY RIDGE RD  
LEASBURG, NC 27291-8945  
**Phone Number:** (919) 949-6131  
**Phone Type:** Mobile

**Carrier Information**

**Carrier:** T-MOBILE USA  
**Carrier City:** DURHAM  
**Carrier State:** NC

Utility Information - 2 records found

1: Utility Data

**Utility Type**

**Utility Type:** Convenience (Paging, Long distance phone, local phone, PCS, Cellular phone, Line leasing, Internet, Satellite, Cable TV Service, Cable Equipment, Bundled)

**Dates Associated With Utility**

**Date Service Connected:** 10/4/2016  
**Date First Verified:** 10/4/2016  
**Date Last Verified:** 1/6/2021

**Name Associated With Utility**

**Consumer Last Name:** RUSSELL  
**First Name:** DAVID

**Address**

**Address Type:** Residential  
**Address Type:** Residential  
**Service Address Street Number:** 239  
**Service Address Street Number:** 239  
**Service Address Street Name:** ROCKY  
**Service Address Street Name:** ROCKY RIDGE  
**Service Address Street Type:** RD  
**Service Address Street Type:** RD  
**Service Address City:** APEX  
**Service Address City:** LEASBURG

✓ The most recent telephone listing as reported by the EDA source.

**Important:** The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State.


Your DPPA Permissible Use: Litigation

Your GLBA Permissible Use: Legal Compliance

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End of Document

BAILEY  DIXON

Jeffrey P Gray

October 29, 2021

jgray@bdixon.com

*Certified Mail – Return Receipt Requested*

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

**RE: *Administrative Hearing for David Bradford Russell***

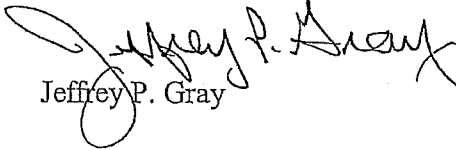
Dear Mr. Russell:

Enclosed is a copy of the Notice of Hearing which I have filed with the Office of Administrative Hearings in this matter. As indicated on said Notice, the Board is requesting that your hearing be conducted by the Office of Administrative Hearings, located at 1711 New Hope Church Road, Raleigh, NC 27609, on **Tuesday, December 14, 2021, at 2:00 p.m.** Your failure to attend this court proceeding may result in dismissal of your case.

If you have any questions, you may call me at (919) 828-0731.

Sincerely,

**BAILEY & DIXON, LLP**

  
Jeffrey P. Gray

Enclosure

cc: Paul Sherwin, Director  
NC Private Protective Services Board



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

DAVID BRADFORD RUSSELL, )  
 )  
 ) Petitioner, )  
 )  
 ) v. )  
 )  
 ) N.C. PRIVATE PROTECTIVE )  
 ) SERVICES BOARD, )  
 )  
 ) Respondent. )  
 )  
 \_\_\_\_\_ )

**NOTICE OF HEARING**

FOR: David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

DATE: Tuesday, December 14, 2021

TIME: 2:00 p.m.

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

RE: Denial of armed proprietary security organization application. The denial was for the following reasons:  
  
Lack of unfavorable employment and criminal history.

STATUTES: N.C.G.S. § 74C-12(a)(1) & (31); N.C.G.S. § 150B-3(c)

ADMINISTRATIVE  
LAW JUDGE: Honorable Karlene S. Turrentine

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

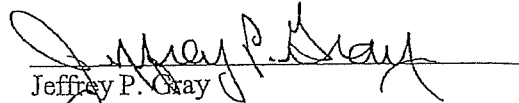
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

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.

This the 29<sup>th</sup> day of October, 2021.

Private Protective Services Board  
Paul Sherwin, Director



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

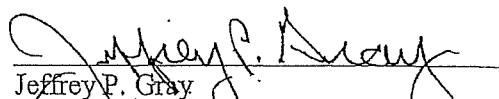


CERTIFICATE OF SERVICE

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

This the 29<sup>th</sup> day of October, 2021.

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

cc: Paul Sherwin, Director  
NC Private Protective Services Board

PS Form 3811, July 2013  
Domestic Return Receipt

2. Article Number  
(Transfer from service label)  
7020 3160 0000 3519 2514

1. Article Addressed to:  
David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291  
3394.000001 NOH dbc

3. Service Type  
 Certified Mail®  
 Priority Mail Express™  
 Registered  
 Return Receipt for Merchandise  
 Insured Mail  
 Collect on Delivery

4. Restricted Delivery? (Extra Fee)  
 Yes  
 No

1. Article Addressed to:  
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature *[Signature]*  
 B. Received By (Printed Name)  
 C. Date of Delivery 11-11

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

**COMPLETE THIS SECTION ON DELIVERY**

**SENDER: COMPLETE THIS SECTION**

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage \$ 7.93

Total \$

Postmark Here 10-29-21

David Bradford Russell  
 239 Rocky Ridge Road  
 Leasburg, NC 27291  
 3394.000001 NOH dbc

4792 BTSE 0000 09TE 0207

PS Instructions

**Sherwin, Paul**

---

**From:** Martino, Andrew  
**Sent:** Friday, October 22, 2021 10:58 AM  
**To:** Sherwin, Paul  
**Cc:** Odom, Kim; Rolle, Amanda  
**Subject:** FW: [External] Appeal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Paul,

FYI

Thank you,

Andrew Martino

---

**From:** [REDACTED]  
**Sent:** Thursday, October 21, 2021 7:32 PM  
**To:** Martino, Andrew <andrew.martino@ncdps.gov>  
**Cc:** [REDACTED]  
**Subject:** [External] Appeal

CAUTION: External email. Do not click links or open attachments unless you've received a request for email as an attachment to Report 30410.

Good evening Investigator Martino,  
Based on the boards vote yesterday on my application for a proprietary security license, I would like to appeal the decision, please advise me on the next step.

Best Regards,  
David B. Russell

---

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

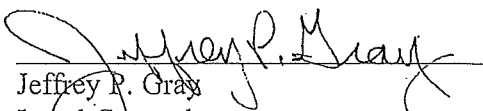
BEFORE THE NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD  
21 DOJ 04652

DAVID BRADFORD RUSSELL, )  
)  
Petitioner, )  
)  
V, )  
)  
N. C. PRIVATE PROTECTIVE )  
SERVICES BOARD, )  
)  
Respondent. )  
\_\_\_\_\_ )

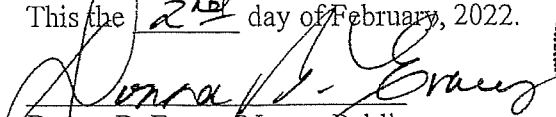
CERTIFICATION

The undersigned, as attorney of record in this matter who appeared and presented this case on January 27, 2022, hereby certifies that the attached documents, labeled Respondent's Exhibit 1, Respondent's Exhibit 2, and Respondent's Exhibit 4, are true and accurate copies of the Exhibits admitted into evidence in the hearing.

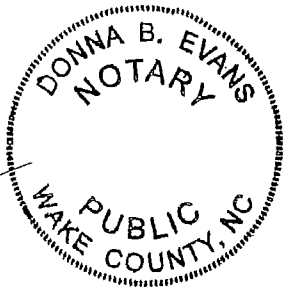
This the 2nd day of February, 2022.

  
Jeffrey P. Gray  
Legal Counsel  
N.C. Private Protective Services Board

Sworn to and subscribed before me  
This the 2nd day of February, 2022.

  
Donna B. Evans, Notary Public

My commission expires: 03/04/2023.





**North Carolina Department of Public Safety**  
**Private Protective Services Board**

Roy Cooper, Governor  
Casandra Hoekstra, Interim Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

September 7, 2021

David Bradford Russell  
Executive Protective Services

Dear Mr. Russell:

Your application for a Security Guard and Patrol License was denied by the Private Protective Services Board on August 19, 2021 for the following reason(s):

Denied for lack of verifiable experience, unfavorable employment and criminal history.

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

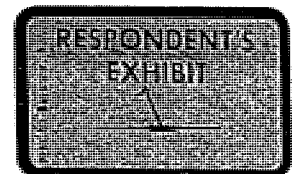
This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena  
Chairperson

Paul Sherwin  
Director





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




www.ncdps.gov/pps  
An Equal Opportunity employer

OFFICE LOCATION:  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 788-5365

Order Number	C6CA23ZUA 
Product	License Application (new) Security Guard And Patrol
Type	security/GuardAndPatrol
Order Received	03/17/2021
Status	Investigation Complete 
Processor	garcia.graham
Board	PPSB

Payment History	<input type="button" value="Refund"/>
\$ 197.87	



Background	Unavailable
<input type="button" value="Refresh"/>	
Background	
CRC Token	45771d821d3b3374db29

Investigator: Darla G. Cole

Investigation Due Date: Monday, June 7th 2021

Applicant will be charged \$50 Education fee:

Application Review for Board Meeting Date: 08/19/2021

Director Result  
Discussion

Note  
Lack of verifiable experience, work history, criminal history, company name

Committee Result

Deny  
Note  
Security Guard & Patrol License for lack of verifiable experience, unfavorable employment and criminal history.

Board Result  
Accepted

Note  
 [Edit](#)

\* Type of License(s), Permits(s), Associate or Certification for which application is being made  
Select all that apply

- Armored Car Profession
- Polygraph Trainee Permit
- Electronic Countermeasures
- Private Investigator
- Electronic Countermeasures Trainee
- Private Investigator Associate
- Courier Service Profession
- Psychological Stress Evaluator Profession
- Guard Dog Service Profession

- Security Guard and Patrol Profession
- Polygraph Examiner License
- Special Limited Guard and Patrol License
- Private Investigator Temporary Permit
- Private Investigator Associate Temporary Permit

**Required Uploads for selected types above**

\* Upload one (1) recent color head and shoulders photo. Must have been taken in the last five (5) years.

Browse

\* Upload notarized release of records form.

Browse

**Licensee Name**

\* First Name

Middle Name

\* Last Name

Suffix

**Demographics**

\* Gender

\* Race

\* Hair

\* Eyes



10/27/21, 9:35 AM

Pennilium

Brown	Blue
* Height (Feet) 6	* Height (Inches) 0
	* Weight (Lbs) 260

Birth Info

* Birth County Durham	* Country United States
* Birth State North Carolina	

Citizenship Info

\* Citizenship  
 U.S. Citizen     Resident Alien     Other?

Drivers License

\* Do you possess a valid motor vehicle operator's license?  
 Yes     No

\* State Issued  
 North Carolina

Residential Address Must Provide Street or Road Name and/or Number.

Current Address

10/27/21, 9:35 AM

\* Address Line 1

[Redacted]

Permitium  
Address Line 2

[Redacted]

\* City

[Redacted]

\* State

[Redacted]

\* Zip

[Redacted]

\* Country

[Redacted]

\* County

[Redacted]

Mailing is same address as home.

Period of residence at this address, to the present

\* From Year

2016

\* From Month

September

Previous Addresses A 60 month history is required.

Address

[Redacted]

From

January 2010

To

September 2016

Edit

Delete

Phone Numbers

\* Primary Number

[Redacted]

Secondary (Cell, Home, etc.) Number

10/27/21, 9:35 AM

Permitium

Office Number

Fax Number

Enter Phone Number

Enter Phone Number

Email

\* Email Address

[Redacted Email Address]

Out Of State Licenses

Type State

Expiration Date

Edit

Delete

Add Out-Of-State License

Experience

\* List all experience you believe you have for the type(s) of license for which you are applying in accordance with G.S. 74C and 14B NCAC 16. Note: A Board Investigator will contact you to obtain the relevant documentation. Examples of documentation to substantiate your experience will include evaluations, job descriptions, investigative logs and reports.

- 1984 - 1987 US Navy
- 1989 - 2019 Credentialed with NC PPSSB (Armed and Unarmed Security & Patrol Supervisor and Training Officer)
- \* The last position held was with Kiker Investigations / P&G Security as a private security contractor for Joint Force Headquarters Army National Guard as a shift supervisor at the RDU Air National Guard Base, Raleigh, NC. (Approximate dates were 2016 - 2019)
- 1989 - 1993 Durham County Sheriffs Office (Jail Operations and Inmate Transportation)
- 1993 - 1994 NC Central University Police Department (Patrol & Field Training Officer)
- 1994 - 1996 Creedmoor Police Department (Patrol, Investigations & Field Training Officer)
- 2009 - Present (NRA Firearms Instructor of Pistol, Rifle, Shotgun, Inside The Home / Outside The Home Protection and RSO)
- 2009 - Present (NC Department of Justice Firearms Instructor)
- 2016 - Present (OSHA / MESH approved safety investigator and instructor)

Education

\* Have you graduated from high school, passed the high school equivalency test, or graduated from an accredited college or university?  
 Yes  No

\* Upload proof of High School Graduation, General Education Certificate, College or University diploma.

Browse DR Dipolma.pdf

\* Education History

School	Course	Edit	Delete
Add Previous Education			

Marital Status

\* Select Marital Status  
 Single  Married  Separated or Divorced

\* Family Add spouse if married. Add father and mother if applicable.

Full Name	Relationship	Age	Address	Edit	Delete
[Redacted]	[Redacted]	[Redacted]	[Redacted]	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Add Family Member					

Military Status

Add Character Reference

★ Employment History

Company	Supervisor	Work Dates	Edit	Delete
Name: Humphrey Mechanical Address: 2421 N. Marine Blvd. Jacksonville, NC 28546 Onslow County Phone: (910) 455-1418	Name: [REDACTED] Title: Company President Phone: [REDACTED]	Start: 04/17/2019 End: 02/20/2020	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Name: P&G Security / Kiker Investigations Address: 133 E. Council St. Salisbury, NC 28144 Rowan County Phone: (704) 636-9592	Name: [REDACTED] Title: Company Owner Phone: [REDACTED]	Start: 05/31/2016 End: 04/16/2019	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Name: Carolina Sunrock Contracting Address: 2116 Camden Ave. Durham, NC 27704 Durham County Phone: (919) 575-3894	Name: [REDACTED] Title: Project Coordinator Phone: [REDACTED]	Start: 05/29/2015 End: 05/27/2016	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Name: Carolina Hyperbarics Address: 8300 Health Park Raleigh, NC 27615 Wake County Phone: (919) 720-4377	Name: [REDACTED] Title: CEO Phone: [REDACTED]	Start: 05/15/2012 End: 05/29/2015	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Name: UNC Healthcare (Rex Hospital) Address: 2916 Blue Ridge Road Raleigh, NC 27607 Wake County Phone: (919) 784-2580	Name: [REDACTED] Title: Center Director Phone: [REDACTED]	Start: 03/16/2011 End: 05/07/2012	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
Name: WSI, subsidiary of Mackenhut and G4S Address: 7121 Fairway Dr, Ste# 301 Palm Beach Gardens, FL 33418 Palm Beach County County Phone: (234) 600-5839	Name: [REDACTED] Title: COO Overseas Operations (Irad) Phone: [REDACTED]	Start: 07/16/2009 End: 10/10/2010	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>

★ Background Questions

★  Yes  No

Have you ever been sued to collect a debt allegedly owed by you to a creditor?

★  Yes  No

Are you now or have you ever been engaged in any business as an owner, partner, or corporate board member?

★  Yes  No

Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?

★  Yes  No

Have you ever been charged, arrested, convicted, pled guilty or granted a Prayer for Judgment to a criminal offense other than a minor traffic violation?

★ Explanation

No contest plea to misdemeanor larceny, disposition date of 1996, Granville County, NC.

★  Yes  No

Have you ever been required to pay a fine in excess of \$50.00?

★ Explanation

Not sure, maybe for a motor vehicle citation (speeding)

★  Yes  No

Have you ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces?

★  Yes  No

Have you ever been denied any Board license or had any similar license revoked in any state, including North Carolina?

★  Yes  No

Are you currently a sworn law enforcement officer or court official?

★  Yes  No

Have you ever been diagnosed as having a mental or emotional disorder?

★  Yes  No

Have you ever been denied a driver's license or had it revoked in any state including North Carolina?

Office Setup

10/27/21, 9:35 AM

Permitium

Add Previous Employment

At least 10 years history is required.

\* Background Questions

Have you ever been sued to collect a debt allegedly owed by you to a creditor?

Are you now or have you ever been engaged in any business as an owner, partner, or corporate board member?

Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?

Have you every been charged, arrested, convicted, pled guilty or granted a Prayer for Judgement to a criminal offense other than a minor

\* Explanation

No contest plea to misdemeanor larceny, disposition date of 1996, Granville County, NC.

Have you ever been required to pay a fine in excess of \$50,000?

\* Explanation

Not sure, maybe for a motor vehicle citation (speeding)

Have you ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces?

Have you ever been denied any Board license or had any similar license revoked in any state, including North Carolina?

Are you currently a sworn law enforcement officer or court official?

Have you ever been diagnosed as having a mental or emotional disorder?

Have you ever been denied a driver's license or had it revoked in any state, including North Carolina?

**Office Setup**

\* Type of office associated with this application?

Establishing a main office for a company not yet registered with the board.

**Company Name**

\* Name of Company

Large Lad, LLC

DBA

Executive Protective Services

**Company Address**

\* Address Line 1

239 ROCKY RIDGE RD

Address Line 2

\* City

LEASBURG

\* State

North Carolina

\* Zip

27291

\* Country

United States



\* County

Caswell

Mailing is same address as physical.

Company Phone Numbers

\* Company Phone Number

(919) 607-1295

Company Fax Number

Enter Phone Number

Position At The Company

\* Will your position be managerial?

Yes  No

\* Will you exercise direct control and supervision over the registered employees?

Yes  No

Company Licensing

\* Select Business Type

Sole Proprietorship

\* If the company under which you intend to do business is a partnership, firm, association, or corporation, have you applied for a company business license which is issued by the Board?

Yes  No

\* Has the Board issued your business a company license in accordance with 14B NCAC-16.0205?

Yes  No

Company Principals

Permitium

Title

Full Name

Address

Edit

Delete

Owner Operator

David Bradford Russell



Edit

Delete

Add Company Pitholpal

### Qualifying Agent

\* If company is out-of-state, Is the Qualifying Agent a resident of North Carolina?

Yes  No

#### Qualifying Agent's Full Name

\* First Name

David

Middle Name

Bradford

\* Last Name

Russell

Suffix

Nickname (optional)

#### Qualifying Agent's Address

\* Address Line 1

[Redacted]

Address Line 2

\* City

[Redacted]

\* State

[Redacted]

\* Zip

[Redacted]

\* Country

[Redacted]

10/27/21, 9:35 AM

Perridium

\* County

I hereby certify that all answers and statements in this application are true and accurate to the best of my knowledge. I am aware that should an investigation disclose any misrepresentation or falsification, my application may be denied.

\* Sign with your initials

DR

Background Check:

Process

Status

Initials

Date

ORC CHECK



FP SENT



FP RESULTS



Comments:

Placed In Kim's basket. SM 4/19/2021

Charges on fingerprint results same as Record 1 on orc. KO 4/22/2021

Investigator Cole,

I would like to request that my scheduled Board Meeting for June 17th be rescheduled for an August 2021 date due to previously scheduled medical appointments.

Best Regards,  
David B. Russell

PHOTO



AUTHORIZED RELEASE



10/27/21, 9:35 AM

Permillum

Process

Status

Initials

Date

UA TRAINING

FA TRAINING

CWC

Date Received

TERMINATION DATE

Investigator's Recommendation:

Recommendation: Discussion on experience, work history, criminal charges, company name.

Dep Dir

Comments:

10/27/21, 9:35 AM

Permitium

Process

Status

Initials

Date

Comments:

Empty rectangular box for notes or comments.

### Investigator Notes (/interviewQuestions/ccwinterview/C6CCA23ZUA)

Work Comments:

Large empty rectangular box for investigator notes.

+ 16 Attached Documents

+ Add files...

Action Date:

Action User:

Action Type:

Description / Notes:

Empty rectangular box for action details.

10/27/21, 9:35 AM

StartPayment

Starting payment processing.

3/17/21 11:38 AM

StartPayment

Starting payment processing.

3/26/21 9:29 AM

sycondamarrow

SaveProgress  
The application data was updated.

3/26/21 9:30 AM

sycondamarrow

OwnerChange

The application was moved to user 'kim.odom';

3/26/21 1:05 PM

kim.odom

OwnerChange

The application was moved to user 'darla.cole';

3/26/21 1:05 PM

kim.odom

StatusChange

The order status was updated to 'Investigator Assigned'.

4/19/21 11:33 AM

mary.shephard

SaveProgress

The application data was updated.

4/19/21 2:02 PM

sycondamarrow

SaveProgress

The application data was updated.

4/22/21 9:42 AM

kim.odom

SaveProgress

The application data was updated.

5/12/21 12:17 PM

kim.odom

SaveProgress

The application data was updated.

5/12/21 12:17 PM

kim.odom

SaveProgress

The application data was updated.

5/12/21 12:17 PM

kim.odom

SaveProgress

10/27/21, 9:35 AM

Permittum

The application data was updated.

7/26/21 12:41 PM

darla.cole

InterviewUpdated

Interview Information Updated

7/26/21 12:41 PM

darla.cole

InterviewUpdated

Interview Information Updated

7/26/21 12:41 PM

darla.cole

OwnerChange

The application was moved to user 'kim.odom'.

7/29/21 8:51 AM

darla.cole

InterviewUpdated

Interview Information Updated

7/29/21 8:51 AM

darla.cole

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

InterviewUpdated

Interview Information Updated

8/1/21 7:55 PM

kim.odom

SaveProgress

The application data was updated.

8/1/21 7:55 PM

kim.odom

OwnerChange

The application was moved to user 'amanda.rolfe'.

8/1/21 8:47 AM

paul.sherwin

SaveProgress

10/27/21, 9:35 AM

Permitium

The application data was updated.

8/12/21 8:47 AM

paul.sherwin

SaveProgress

The application data was updated.

8/12/21 8:47 AM

paul.sherwin

OwnerChange

The application was moved to user 'garcia.graham'.

8/18/21 2:29 PM

garcia.graham

SaveProgress

The application data was updated.

8/18/21 8:22 PM

garcia.graham

SaveProgress

The application data was updated.

8/20/21 5:56 PM

garcia.graham

SaveProgress

The application data was updated.

8/20/21 5:59 PM

garcia.graham

DenyOrder

The application was denied. This is an automated message. Denied Security Guard & Patrol License for lack of verifiable experience, unfavorable employment and criminal history.

The original denial letter will be sent to you by certified mail.

8/20/21 5:59 PM

garcia.graham

EmailSent

A deny email has been sent.

10/8/21 10:58 AM

system

BgStatusCheck

Status of background report checked:

10/8/21 11:00 AM

Kim.odom

InterviewUpdated

Interview Information Updated

Move Order

Assign Inv

Order Pending

Defer Order



10/27/21, 9:35 AM

Permitium

Request Documentation

Add Invoice (/dynamicapp/invoice/new?associatedOrderId=C6CA23ZUA)

Approve Order

Withdraw Order

Deny Order

Assess Fine

Background Check

CRC CHECK



FP SENT



FP RESULTS



PHOTO



AUTHORIZED RELEASE

UA TRAINING



FA TRAINING



CWC



Date Received



TERMINATION DATE

Investigator's Recommendation



Dep Dir



Save Progress

Print

Search Archive

## APPLICATION PRESENTATION FORM

**Applicant Name:** David Bradford Russell

**License for Which Applying:** Security Guard And Patrol

**Investigator:** Darla G. Cole

**Board Date:** 08/19/2021

**Employing Agency:** Large Lad, LLC

**Physical Address:**



**Mailing Address:**



**The following procedures were used in order to conduct a special review of these allegations:**

**Interview Meeting Notes**

The experience requirements for the Security license have not been verified.

Mr. Russell provided three sworn affidavits from persons who worked with him at P&G Security at the Joint Force Headquarters and RDU National Guard from 2016 to 2019. Each of the affidavits stated that Mr. Russell performed supervisory duties, such as site supervision, training and paperwork. However, when contacted about the affidavits, two of the subjects stated that they did not think that Mr. Russell was ever officially made a supervisor by P & G or that he was ever given any official rank status. They stated he was the most senior man on the shift and would train the new guards on the post patrols and was who they contacted if there was a problem.

Teri Kiker, owner of P&G Security, said that Mr. Russell was not a supervisor for her company. She stated that he worked the guard shack for the third shift and there was a reason why he was at the location and shift that he was on. She also said that he was not a trainer for her company.

Mr. Russell did serve in the U.S. Navy, active duty, for a year and seven months from 1985 to 1987. He was discharged due to an injury and received an honorable discharge, according to the DD214 he provided. The honorable discharge would give him 400 hours toward his experience.

He also served just short of two years as a police officer, but his N.C. Law Enforcement certification was revoked in 1996.

I met with Mr. Russell in Hillsborough on 7/15/2021. I had previously sent him copies of the state law, NCGS 74C, and the administrative codes, Chapter 16. Together we reviewed the law and codes and I answered Mr. Russell's questions.

Mr. Russell said he mainly wants his license because he and his wife are opening a café/pub that is going to offer live entertainment and he wants to be able to provide his own security for the venue. He said he is seeking a full license rather than a proprietary because he wants to keep his options open in case he decides to venture out more into security.

I asked Mr. Russell about the discrepancy between the job descriptions that he listed on his application and those of his employers.

Mr. Russell said he was not hired by P&G to be a supervisor but that after he got on site and started working, the commanders at the Joint Base put him in place as a supervisor. "I don't think anybody ever said anything to her about it," he said. "But she knew that I was in charge of that base. But as far as being hired and paid for that no."

Mr. Russell said he left P&G on good terms to take the job at Humphrey. He said he did not know anything about an unemployment claim.

He said he did not know why Sunrock had him listed as a driver. He said he has had a hard time getting in touch with the human resources people at many of the places he has worked.

Mr. Russell also clarified that he is authorized by the state to teach concealed carry classes but that he is not actually an NCJA firearms instructor.

When asked about his time in Creedmoor, Mr. Russell explained that he was working off duty at the Piggly Wiggly in town. He said he was not just security for the store but was working to do whatever was needed. He said one of the things that he was responsible for was the money drops at the end of shift. He said that about \$800 to \$900 got missing and the manager accused him of taking it. He said he did not have the resources to defend himself and he knew it wouldn't come to anything because "the manager and police chief were sleeping together." He said he was charged with the felony larceny by employee and pled no contest to misdemeanor larceny. He said he received 12 months probation and had to pay restitution to

the Piggly-Wiggly. Mr. Russell said he did not know why the court records show that he pled guilty. He said he would hope that we would look at his time since then and see that he has not had any other criminal charges since.

Mr. Russell most recently worked for W.T. Humphrey from April 2019 to February 2020. Mr. Russell stated that he was the corporate safety and training director for the company. According to the company's human resources department, he was the safety director and was let go in 2020 due to a "reduction in force." They reported there were no issues with his employment but that he was not eligible for rehire.

Mr. Russell worked for P&G Security from May 2016 to April 2019. Teri Kiker stated that his work ethic was good, but she felt there were some times when he was "in the gray" with some issues. She said that she could not comment on whether he should get his license. "He's not a bad person," she said. "It's just that he doesn't think all rules apply to him."

Kiker said that Mr. Russell left her company to go to another job, but that he later put in for unemployment and she had to appeal it.

From May 2015 to May 2015, Mr. Russell worked for Carolina Sunrock Contracting. He stated on his application that he handled "materials logistics and safety" and "coordinated transportation of materials and employee safety training for the contracting division." According to the human resources department, Mr. Russell was a driver for the company and did not have anything to do with logistics and safety. They said he left for "personal reasons" and would be eligible for rehire.

Mr. Russell reported that he worked for Carolina Hyperbarics from May 2012 to May 2015 as safety director and left when the company closed business in North Carolina. I was unable to verify this employment since the listed phone numbers and addresses are no longer correct.

Mr. Russell also reported that he worked as a safety director for Rex Hospital (UNC Healthcare) from March 2011 to May 2012. His listed supervisor is no longer with the hospital and calls to human resources were not returned. I was unable to verify this employment.

Mr. Russell reported that he was a private contractor for WSI from 2009 to 2010. The telephone number listed for the company and his immediate supervisor no longer belonged to the subjects listed. An alternate number located through internet searches rang continuously busy, so I was unable to verify this employment.

A review of PPS records show that Mr. Russell has been registered as an armed guard several times since the mid-1990s.

Mr. Russell was a certified law enforcement officer in North Carolina from 1994 to 1996. According to CJ Training and Standards, he was certified as a company police officer in 1994 while working at N.C. Central University and was a certified law enforcement officer from August 1994 to June 1996 with the Creedmoor Police Department. His certification was revoked in 1996 after an investigation into "an alleged commission of a felony." Mr. Russell was charged with felony larceny by employee in 1995. Mr. Russell's file was no longer available at CJ Standards. Similarly, the City of Creedmoor said that Mr. Russell's personnel file and internal affairs file were no longer available due to the length of time that had passed.

### Operating without a license

Mr. Russell proposes to do business as Executive Protective Services and is currently conducting business under that name, according to both his Facebook and LinkedIn pages. On Mr. Russell's LinkedIn page, he has listed that he is a contractor for Executive Protective Services since 1995 and is an "approved OSHA 10 & 30 instructor, private security consultant, executive protection coordinator, and firearms instructor." The LinkedIn page also lists him as a "Civilian Personal Defense Instructor (contractor)" for the N.C. Department of Justice since 1996 and states that he has been a security consultant and security director for special events.

During my interview with Mr. Russell, I explained that a security license would not cover executive protection in North Carolina and that the proposed business name might be a problem. I also advised Mr. Russell, who was wearing a golf shirt with the words "Executive Protective Services" on it, that he could not be advertising executive protection services or security services when he was not yet licensed. I told him that the postings on his social media pages were already advertising his business as such. Mr. Russell replied that this was not a problem. He said he used the Executive Protective Services business name for his firearms training classes but that he did not have to use the name for his security business.

Screenshots from Mr. Russell's social media pages have been attached to the application.

### Credit History

On 5/11/2021, I conducted an Equifax credit check on Mr. Russell. The report showed that Mr. Russell has five accounts that are all listed as "pays as agreed," one that was listed as a lost or stolen card, and 10 that were paid and closed. There were no bankruptcies, collections, charge-offs or other negative findings on his report.

### Criminal History

Mr. Russell's criminal background check showed a 1996 conviction for misdemeanor larceny. He was given a 45-day sentence and placed on supervised probation for 12 months. He also was ordered to pay restitution of \$900 to the employer and court costs of \$110. The background check also showed two speeding convictions in 1984 and 1985.

Mr. Russell's fingerprint check showed the 1996 conviction listed above.

### Personal References

Mr. Russell submitted five (5) notarized references from people who have known him either professionally or personally. He was described as honest, hardworking, having "good moral character," and always willing to help others. All recommended him for his license.

**Additional Information**

Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Private Protective Services Licensing Board or one of its Committees. You should understand that once presented to the board or a Committee, the staff's position may be adopted, amended or reversed.

Recommendation: Discussion on experience, work history, criminal charges, company name.

Date Received: 03/05/2021	Date Completed: 03/11/2021
Payment Received: 03/05/2021	Research Completed By: ID# 100823

Order Confirmation# C218255

Personal Information:

Name: David Bradford Russell

[REDACTED]

Addresses for Places of Residence

[REDACTED]

Addresses for Places of Employment

Unemployed (2/2020 - 3/2021)  
2421 N. Marine Blvd., Jacksonville, NC, 28546 (7/2019 - 2/2020)

Addresses for Schools Attended

Social Security Number Verifier Results:

Date Issued: NORTH CAROLINA  
Year Issued: 1974-1975  
Search Index: NO ENTRY FOUND

Names on:  
DAVE B RUSSELL  
DAVID B RUSSELL  
DAVID BRADF RUSSELL  
DAVID BRADFORD RUSSELL  
DAVID D RUSSELL

Address Section:

/ID BRADFORD RUSSELL

[REDACTED]

/ID BRADFORD RUSSELL

[REDACTED]

/ID BRADFORD RUSSELL

[REDACTED]

/ID BRADFORD RUSSELL

[REDACTED]

/ID BRADFORD RUSSELL

[REDACTED]





Jurisdiction(s) Searched:

North Carolina Statewide Search  
General Criminal Record Check

Criminal Background Check:

General Criminal Record Check  
Clear\*

North Carolina Statewide Search 3 record(s)

Record 1

Court: GRANVILLE SUPERIOR  
 Case Number: 95CRS005022  
 Offense Severity: MISDEMEANOR  
 Offense Dates: 03/01/1995  
 Charges: MISDEMEANOR LARCENY (MISDEMEANOR)  
 Disposition Dates: 01/10/1996  
 Dispositions: GUILTY  
 Sentence: SENTENCE TYPE: COMMUNITY  
 SENTENCE LENGTH: 045 D  
 PROBATION: 12 MONTHS SUPERVISED  
 COSTS: \$110.00  
 RESTITUTION: \$900.00  
 PAID: YES  
 Special Conditions: \* REST. DUE PIGGLY WIGGLY,ETC.

Identifiers on Record:

Name on File: RUSSELL,DAVID,B  
 DOB on File: DOB MATCH  
 Address on File: DOVE ROAD ,CREEDMOOR,NC,27522  
 # on File: NOT LISTED  
 SSN on File: NOT LISTED

Record 2

Court: WAKE DISTRICT  
 Case Number: 85CR 075670  
 Offense Severity: CRIMINAL TRAFFIC  
 Offense Dates: 11/16/1985  
 Charges: SPEEDING (CRIMINAL TRAFFIC)  
 Disposition Dates: 12/05/1985  
 Dispositions: GUILTY  
 Sentence: FINE/COSTS: \$62.00  
 PAID: YES

Identifiers on Record:

Name on File: RUSSELL,DAVID,BRADFORD  
 DOB on File: DOB MATCH  
 Address on File: RT 4 BOX 66 ,DURHAM,NC  
 # on File: NOT LISTED  
 SSN on File: NOT LISTED

Record 3

Court: DURHAM DISTRICT



Case Number: 84CR 009500  
Offense Severity: CRIMINAL TRAFFIC  
Offense Dates: 03/20/1984  
Offense Charges: SPEEDING 050/35 (CRIMINAL TRAFFIC)  
Disposition Dates: 03/21/1984  
Disposition: GUILTY  
Sentence: FINES: \$10.00

*Identifiers on Record:*

Name on File: RUSSELL, DAVID, BRADFORD  
DOB on File: DOB MATCH  
Address on File: RT 4 BOX 86, DURHAM, NC  
SSN on File: NOT LISTED  
MID on File: NOT LISTED



Please contact our offices directly if you wish to dispute any information returned within this Criminal Record Check.

By Mail  
P.O. Box 90998  
Raleigh, NC 27675-0998

By Phone  
Local - 919-459-1029  
Toll Free - (877) 272-0266

By Fax  
Toll Free - (800) 650-5992

By Email  
ensing@mycroc.com

Please locate the security token on your home page and copy it into the Permitium system to provide this report to the ASLB/PPSB.

Reports are archived after 60 days. If reports need to be accessed after 60 days, please contact us directly using one of the methods provided above.



**NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD  
AUTHORIZATION FOR RELEASE OF RECORDS**

(Print Full Name) David Bradford Russell

Social Security Number: [REDACTED] and date of birth of [REDACTED]

I hereby request and authorize the following:

**Release of General Records**

I am applying for a license, registration, certification, or permit from the North Carolina Private Protective Services Board. I request that all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me to release and furnish to the North Carolina Department of Justice and to the Private Protective Services Board all records and other information concerning me, including internal affairs files, disciplinary files and any information concerning pending and/or closed investigations. The above mentioned agencies are currently conducting a personal background to determine my suitability for a Private Protective Services license, Certification and/or Registration. Your assistance and cooperation will be greatly appreciated. A copy of this signed and notarized authorization shall be as effective and valid as the original.

**Release of Criminal Records**

I am applying for a license, registration, certification, or permit from the North Carolina Private Protective Services Board. I hereby consent to allow the Private Protective Services Board and the N.C. Department of Justice to access my criminal record. In order to conduct a thorough criminal record check on me, I authorize the Private Protective Services Board and the N.C. Department of Justice to use my fingerprints and any other identifying information as may be required by any state or national repository. I acknowledge that my fingerprints may be submitted to the North Carolina State Bureau of Investigation or any other states' criminal record depository for a search of the state criminal history record file. The North Carolina State Bureau of Investigation has my permission to forward my fingerprints and any other identifying information to the Federal Bureau of Investigation for a national criminal history check.

**Equifax Credit Check**

I am applying for a license from the North Carolina Private Protective Services Board. I hereby consent to allow the Private Protective Services Board and the N.C. Department of Justice to access my credit history through Equifax. I acknowledge that it is my responsibility to prove to the Board that I am financially responsible. Once Equifax produces a copy of my credit check, I will review the credit check with the investigator. If I determine that my credit check contains errors, I will contact Equifax. Once I am satisfied that my credit check is correct, I will notify the Board's investigator to advise that I am providing a true and accurate copy of my credit history to the Board as part of my application process.

**Interview Release**

Once all General Records and Criminal Records have been obtained, I hereby grant permission to the Private Protective Services Board, by and through its administrative staff, employees, or agents, to meet with my current employer, sponsor, or potential employer to discuss the complete results of my background investigation, to include a review of the above-referenced documents. I hereby grant permission and allow the Board, its administrative staff, employees, or agents, to discuss all aspects of my background, both positive and negative, with my current employer, sponsor, or potential employer.

**Liability Release**

By making this request, I release all doctors, nurses, hospitals, military organizations, insurance companies, educational institutions, governmental agencies, banks, and other credit agencies, my present and former employers, and any other individuals who may have records or other information about me from any liability whatsoever and from any damages whatsoever, which may at any time result because of compliance with this authorization and request.

has the 16<sup>th</sup> day of March, 2021

David Bradford Russell  
Applicant's Signature

Caswell County, North Carolina State  
I, Donna J. Shanklin, do hereby certify that David BR Russell personally appeared before me this day and acknowledged the due execution of the foregoing document. Witness my hand and official seal this the 16 day of March, 2021.  
Donna J. Shanklin  
Notary Public  
My Commission Expires: 01-30-2023

DONNA J. SHANKLIN  
NOTARY PUBLIC  
CASWELL COUNTY, NC  
My Commission Expires: 01-30-2023  
(Official Seal)

# Durham County High Schools

Durham County



North Carolina

This Certificate that  
**EMMA MARION MARSH**

has satisfactorily completed the prescribed course of study at the  
**Charles E. Mann High School**  
and in fastening thereof is awarded this

**Diploma**

Given this seventh day of June, 1935

*Carroll B. Smith*  
Principal

*W. C. Smith*  
Superintendent of Public Schools

*James E. Smith*  
Principal

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD SAFEGUARD IT

ANY ALTERATIONS IN SHADDED AREAS RENDER FORM VOID

DD FORM 214 JUL 79 PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) RUSSELL, DAVID BRADFORD  
 2. DEPARTMENT, COMPONENT AND BRANCH NAVY - USN  
 3. SOCIAL SECURITY NO. [REDACTED]

4. GRADE, RATE OR RANK STSA  
 5. PAY GRADE E2  
 6. DATE OF BIRTH [REDACTED]  
 7. PLACE OF ENTRY INTO ACTIVE DUTY DURHAM, NC

8. LAST DUTY ASSIGNMENT AND MAJOR COMMAND USS THOMAS C. HART (FF-1092)  
 9. STATION WHERE SEPARATED NAVAL STATION NORFOLK VA BY PSD

10. COMMAND TO WHICH TRANSFERRED N/A  
 11. REASON FOR SEPARATION: RESERVE  NONE

12. PRIMARY SPECIALTY NUMBER, TITLE AND YEARS AND MODERN EQUIVALENT (Navy and Army specialty numbers and other matching periods of one or more years)

SM - (000) SIGNALMAN

12. RECORD OF SERVICE	YEAR(S)	MONTH(S)	DAY(S)
A. Date Entered Active Service	87	JUN	02
B. Separation Date (This Period)	87	FEB	04
C. Date Active Service This Period	00	07	00
D. Date Prior Active Service	00	00	00
E. Date Prior Active Service	00	00	00
F. Date Prior Active Service	00	00	00
G. Date Prior Active Service	00	04	00
H. Effective Date of Pay Grade	85	JAN	02
I. Reserve Duty, Training, Study		N/A	

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND EMPLOYMENT RIBBONS AWARDED (Check boxes if awarded)

NONE  X  X  X  X

14. MILITARY EDUCATION (Check box, number weeks, and month and year completed)

SIGNALMAN CLASS "A" SCHOOLS DL WKS - OCT 85/ X  X  X  X

15. MEMBER CONTRIBUTED TO POST-VETERANARY VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM  YES  NO  
 16. HIGH SCHOOL GRADUATE OR EQUIVALENT  YES  NO  
 17. GATES ACCRUED LEAVE PAID: NONE

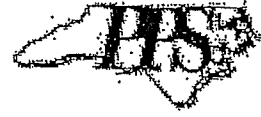
18. REMARKS  
 STSA DAVID BRADFORD RUSSELL HAS EXECUTED A CLAIM FOR COMPENSATION, OR PENSION, OR HOSPITALIZATION TO BE FILED WITH VETERAN'S ADMINISTRATION.  
 DISABILITY SEVERANCE PAY AUTHORIZED AND PAID IN THE AMOUNT OF \$ 2952.00  
 X  X  X

19. MAILING ADDRESS AFTER SEPARATION  
 5515 APEX HIGHWAY 55  
 DURHAM, NC 27713  
 20. MEMBER REQUESTS COPY OF: SERVICE NO. [REDACTED] DATE OF VET AFFAIRS  YES  NO

21. SIGNATURE OF MEMBER BEING SEPARATED: MEMBER NOT AVAILABLE FOR SIGNATURE  
 22. DIRECTOR, GUIDE, TITLE AND SIGNATURE OF OFFICIAL: M. H. MORGAN, PFC, USN, SER/SOFT/OPVR BY DER OIC



# NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD



3101 Industrial Drive - Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 - Fax: (919) 788-5365  
E-Mail: PPSASL@ncdoj.gov  
Web Page: www.ncdps.gov/PPS

## PERSONAL REFERENCE QUESTIONNAIRE

TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and notarize this personal reference questionnaire. Security Guard

Name: David B. Russell Date: 2/21/21 License Type: Private # [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been received.\*\***

How long have you known the applicant? 4 years

Do you know him/her personally or professionally? Both

Have you ever known the applicant to have alcohol or drug problems? NO

What kind of person do you think he/she is and how would you summarize his/her moral character? Extremely with extreme integrity. Always willing to help others.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? NO

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? NO

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: David Shanklin Signature: [Signature]

Address: City/State/Zip: [REDACTED] Date: \_\_\_\_\_

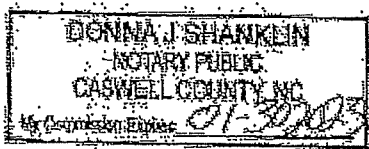
Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

the 22 day of February, 2021

Donna J. Shanklin  
Notary Public

My Commission Expires: 01-30-23





# NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: PPSASL@ncdps.gov  
Web Page: www.ncdps.gov/PPS



## PERSONAL REFERENCE QUESTIONNAIRE

TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and notarize the personal reference questionnaire.

Name: David B. Russell Date: 21 Jan 21 License Type: Security Guard Federal Private

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27608.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 3 years

Do you know him/her personally or professionally? personally

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character?  
Always helpful and of good moral character.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license?  
No

Would you recommend the applicant for the license that he/she has requested?

Print Name: Roy W. Rater Signature: Roy W. Rater

Address: City/State/Zip: [Redacted] Date: 2/6/2021

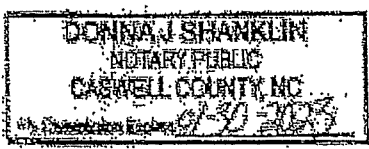
Telephone: [Redacted]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 6<sup>th</sup> Day of February, 2021

Donna J. Shanklin  
Notary Public

My Commission Expires: 01/30/2025

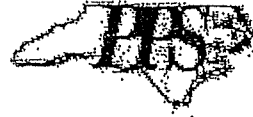






**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

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E-Mail: PPSASL@ncdoj.gov  
Web Page: www.ncdps.gov/PPS



**PERSONAL REFERENCE QUESTIONNAIRE**

~~TO THE APPLICANT:~~ Print your name, date and phone number below and have each of your character references complete and notarize this personal reference questionnaire.

Name: David B. Russell Date: 22 Jan 21 License Type: Security Guard Patrol

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC, 27609.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? professionally/personally

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character?  
Superior friend and responsible professional

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? PS

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Christopher Ann Bradley Signature: Chris Ann Bradley

Address: City/State/Zip [Redacted] Date: 1/27/2021

Telephone: [Redacted]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

This 29 Day of January A.D. 21

[Signature]  
Notary Public

My Commission Expires: November 18 2023





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

3101 Industrial Drive - Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 788-5365  
E-Mail: [PPSASL@ncdps.gov](mailto:PPSASL@ncdps.gov)  
Web Page: [www.ncdps.gov/PPS](http://www.ncdps.gov/PPS)



**PERSONAL REFERENCE QUESTIONNAIRE**

**TO THE APPLICANT:** Print your name, date and phone number below and have each of your character references complete and notarize the personal reference questionnaire.

Name: David B. Russell Date: 20 Feb 21 License Type: Security Guard Patrol Ph: [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been returned\*\***

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? personally

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? David Russell is an honest, hard working, person who displays a good moral character. He is always there to help anyone who needs it.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? No

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Samuel Travis Winstler Signature: Samuel Travis Winstler

Address: City/State/Zip [REDACTED] Date: 2/21/2021

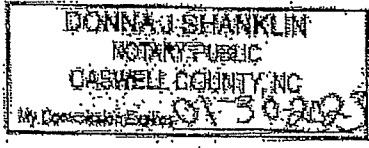
Telephone: [REDACTED]

THE ABOVE WAS SHOWN AND SUBSCRIBED BEFORE ME THIS

The 21 day of February, 2021

Donna J. Shanklin  
Notary Public

My Commission Expires: 01-30-2023





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**

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Web Page: [www.ncdoj.gov/PPS](http://www.ncdoj.gov/PPS)



**PERSONAL REFERENCE QUESTIONNAIRE**

~~TO THE APPLICANT: Print your name, date and phone number below and have each of your character references complete and return the personal reference questionnaire.~~ **Security Guard**

Name: David B. Russell Date: 2/21/21 License Type: Patrol Ph: [REDACTED]

REFERENCE: This questionnaire is to be completed by the reference only and the original must be included with your application submitted to: Private Protective Services, 3101 Industrial Drive, Suite 104, Raleigh, NC 27609.

**\*\*Your application will not be presented to the Board until all references have been received\*\***

How long have you known the applicant? 5 years

Do you know him/her personally or professionally? Personally, as a neighbor

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? David Russell has always displayed good moral character. He is friendly, cares about the safety and wellbeing of his neighbors.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? No

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? No

Would you recommend the applicant for the license that he/she has requested? Yes

Print Name: Ashley L. Parks Signature: Ashley L. Parks

Address: City/State/Zip: [REDACTED] Date: 02/20/2021

Telephone: [REDACTED]

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS  
20 Day of February, 2021  
Donna J. Shanklin  
 Notary Public  
 My Commission Expires: 01-30-2023

DONNA J. SHANKLIN  
 NOTARY PUBLIC  
 CASHIEL COUNTY, NC  
 My Commission Expires: 01-30-2023

Investigator Cole,

I would like to request that my scheduled Board Meeting for June 17th be rescheduled for an August 2021 date due to previously scheduled medical appointments.

Best Regards,  
David B. Russell

---

David Russell



Friends

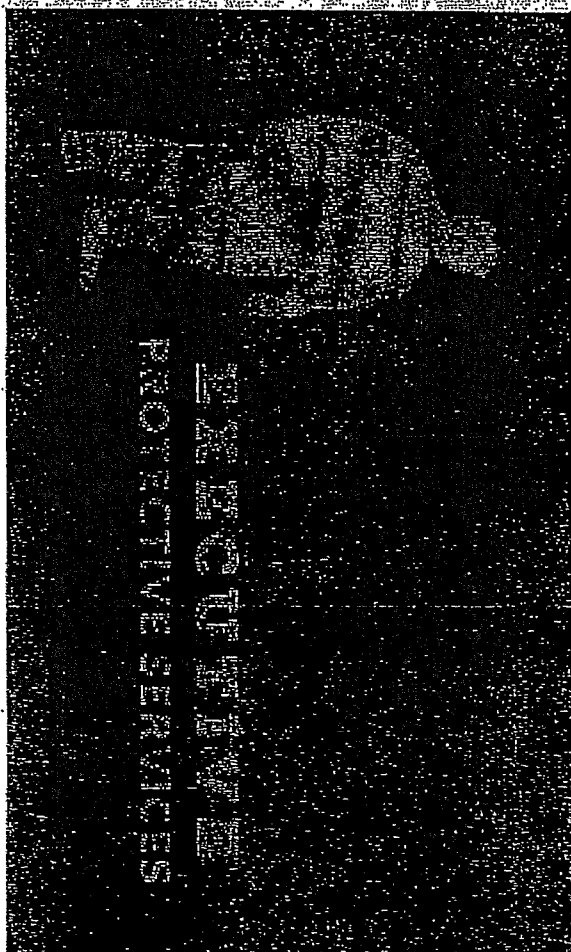
See All Friends

Life Events

See All

Started New Job at Executive Protective Services  
1996

David Russell updated his cover photo.  
November 12, 2018



David Russell updated his cover photo.  
November 10, 2018

Share

44

Type here to search

← → C · [in.linkedin.com/in/david-russell-48592442](https://in.linkedin.com/in/david-russell-48592442)

David Russell - Corporate Safety X

### Contractor

Executive Protective Services

Jan 1995 - Present · 26 years 4 months

North Carolina

Approved OSHA 10 & 30 Instructor, Private Security Consultant, Executive Protection Coordinator and Firearms Instructor.

Civilian Personal Defense Instructor (contractor)



NC Department of Justice

Jan 1996 - Present · 25 years 4 months

Raleigh-Durham, North Carolina Area

Security Consultant for former North Carolina Attorney General

Security Director for Jimmy "V" Kids Classic

Security Director for Super Kids Foundation

Special Agent Wake County Chitlin Club

Security Contractor

1- 30th Attack Recon Battalion (ARB) Air National Guard

2015 - Dec 2018 · 3 years

Type here to search

10/27/21, 9:39 AM

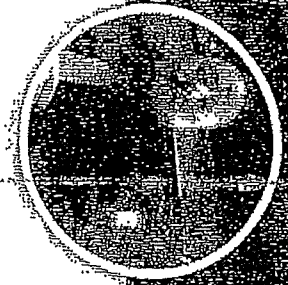
1827817358099 (2736x1824)

← → 🔍 LinkedIn / david-russell-4839242

David Russell - Corporate Safety · X

People

David Russell



## David Russell

Corporate Safety & Training Director at U.S. Government  
 Contractor OSHA / C-MESH  
 Raleigh-Durham, North Carolina Area · 259 connections

[Join to connect](#)

About

U.S. Government Contractor

North Carolina Community College System

Type here to search

Navigation icons: Home, Search, Network, Jobs, Learning, Settings





THIS IS AN IMPORTANT RECORD - KEEP IT IN A SAFE PLACE. ANY ALTERATIONS IN SHADY AREAS RENDER FORM VOID.

**FORM 214** PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE. **CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY**

1. NAME (Last, first, middle)  
**RUSSELL, LAYD BRADLEY**

2. DEPARTMENT, COMPONENT AND BRANCH  
**ARMY USA**

3. SOCIAL SECURITY NUMBER  
**[REDACTED]**

4. GRADE OR RANK  
**PFC**

5. PAY GRADE  
**[REDACTED]**

6. DATE OF BIRTH  
**[REDACTED]**

7. PLACE OF ENTRY INTO ACTIVE DUTY  
**DELMAR, DE**

8. LAST DUTY ASSIGNMENT AND MAJOR COMMAND  
**USC THOMAS C. HART (F) 3000**

9. LOCATION WHERE SEPARATED  
**NAVAL STATION, NORFOLK, VA 23504**

10. COMMAND TO WHICH TRANSFERRED  
**N/A**

11. SERVICEMAN'S COMPENSATION (MCS) COVERAGE  
 AMOUNT: \$  NONE

12. RECORD OF SERVICE (Years and Months)

Category	Year(s)	Month(s)	Day(s)
A. Basic Active AD (Total Period)	66	11	13
B. Separation AD (Total Period)	66	11	13
C. Net Active Service (Total Period)	66	11	13
D. Delayed Active Service			
E. Total Active Service	66	11	13
F. Foreign Service			
G. Sea Service			
H. Effective Date of Pay Grade	66	11	13
I. Date of Obligation Term Date			

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND COMMERCIAL CITATIONS AWARDED OR AUTHORIZED (All awards of 10 lines)

14. MILITARY EDUCATION (Course title, number, dates and month and year completed)

**GERMAN CLASS AT SCHOOL IN DECEMBER 1967**

15. MEMBER CONTRIBUTED TO POST-VETERANARY VETERANS' EDUCATION ASSISTANCE PROGRAM  YES  NO

16. HIGH SCHOOL GRADUATE OR EQUIVALENT  YES  NO

17. DAYS ACCRUED LEAVE PAID **NONE**

REMARKS

USA DAVIS BRADLEY RUSSELL HAS EXECUTED A CLAIM FOR COMPENSATION OF BENEFITS RE HOSPITALIZATION TO BE FILED WITH VETERAN'S ADMINISTRATION.

SEVERANCE PAY AUTHORIZED AND PAID IN THE AMOUNT OF \$ 2542.116

FILED  
 BOOK 111 PAGE 359  
 MAR 13 8 46 AM '68

18. HOME ADDRESS AFTER SEPARATION  
**131 ALEX HIGHWAY 55  
 CHARL, VA 22603**

19. MEMBER REQUESTS COPY A BE  
 COPY TO BE  YES  NO  
 OF VET AFFAIRS  YES  NO

20. SIGNATURE OF MEMBER BEING SEPARATED  
**[REDACTED]**

21. TITLE AND SIGNATURE OF OFFICIAL AUTHORIZED TO SIGN  
**U. ROSE, PFC, UNCL. SERVICE UNIT BY THE 570**

**SPECIAL ADDITIONAL INFORMATION (For use by authorized personnel only)**

22. TYPE OF SEPARATION  
**DISCHARGED**

23. CHARACTER OF SERVICE (Check appropriate box)  
**HONORABLE**

24. SEPARATION AUTHORITY  
**CHIEF OF FORCE (10 USC 1161)**

25. SEPARATION CODE  
**31A**

26. REENTRY CODE  
**R-0**

27. NARRATIVE REASON FOR SEPARATION  
**AWARDED**

28. SPECIAL DISABILITY: ENTITLED TO RECEIVE SEVERANCE PAY  YES  NO

29. DATE OF TIME LOST DURING THIS PERIOD  
**NONE**

30. MEMBER REQUESTS COPY A BE  YES  NO



**North Carolina Department of Public Safety**  
**Private Protective Services Board**

Roy Cooper, Governor  
Casandra Hoekstra, Interim Secretary

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

October 27, 2021

David Bradford Russell  
Bottom Time LLC  
[REDACTED]

Dear Mr. Russell:

Your application to serve as the point of contact for an armed proprietary security organization was denied by the Private Protective Services Board on October 21, 2021 for the following reason(s):

Denied for unfavorable employment and criminal history.

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena  
Chairperson

Paul Sherwin  
Director



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



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

OFFICE LOCATION:  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 788-5365



10/27/21, 9:41 AM

Permitium

Approval Discussion  
Note  
Previously denied for SG&P license

Committee Result  
Deny  
Note  
Proprietary application.

Board Result  
Accepted  
Note

Edit

Organization Name

★ Name of Company  
Bottom Time LLC

Address

★ Address Line 1

Address Line 2

★ City

★ State

★ Zip

★ Country

[Redacted]

[Redacted]

★ Country

[Redacted]

Mailing is same address as physical.

Phone Numbers

★ Company Phone Number

(919) 607-1295

Company Fax Number

Enter Phone Number

The Below Information is for the Security Contact Person who will be responsible to our agency.

Security Contact Person

★ First Name

David

Middle Name

Bradford

★ Last Name

Russell

Suffix

★ Title

CEO

### Positive Identification Information

\* Social Security Number

[Redacted]

\* Date of Birth

[Redacted]

### Demographics

\* Race

White

\* Gender

Male

### Drivers License

\* Do you possess a valid motor vehicle operator's license?

Yes  No

\* Drivers License #

[Redacted]

\* State Issued

[Redacted]

Security Contact Address Must Provide Street or Road Name and/or Number.

\* Address Line 1

[Redacted]

Address Line 2

[Redacted]

\* City

[Redacted]

\* State

[Redacted]

\* Zip

[Redacted]

\* Country

[Redacted]

\* Country

[Redacted]

Mailing is same address as home.

**Security Contact Phone Numbers**

\* Primary Number

[Redacted]

Secondary (Cell, Home, etc.) Number

Enter Phone Number

Office Number

Enter Phone Number

Fax Number

Enter Phone Number

**Security Contact Email** Login information will be sent to this email address

\* Email Address

[Redacted]

CEO/PresidentManager

10/27/21, 9:41 AM

Permitium

★ First Name

David

Middle Name

Bradford

★ Last Name

Russell

Suffix

★ Title

CEO

### Armed Guards

★ Approximate Number of Security Guards to be Armed:

4

### Background Check:

Process	Status	Initials	Date
CRC CHECK			
FP SENT			
FP RESULTS			



10/27/21, 9:41 AM

Permittum

Process

Status

Initials

Date

Comments:

--	--	--	--

PHOTO



AUTHORIZED RELEASE



UA TRAINING



FA TRAINING



CWC



Date Received



TERMINATION DATE



10/27/21, 9:41 AM

Permitum

Process

Status

Initials

Date

Investigator's Recommendation

Comments:

Approval with discussion; previous denial of SGP license

Dep Dir

Fail

amanda.rolle

10/8/2021

Comments:

Missing photograph of applicant 10/07/2021

Investigator Notes (/Interview/Questions/ccwInterview/C631XHB7W)

10/27/21, 9:41 AM

Permitium

Work Comments:

+ 1 Attached Documents

+ Add files...

Action Date:

Action User:

Action Type:

Description / Notes:

8/21/21 8:40 AM

Submitted

*Submitted for processing, no payment.*

8/25/21 6:11 PM

garcia-graham

OwnerChange

*The application was moved to user 'kim.odom'.*

8/31/21 5:35 PM

kim.odom

OwnerChange

*The application was moved to user 'andrew.marino'.*

8/31/21 5:35 PM

kim.odom

10/27/21, 9:41 AM

Permitium

**Status Change**

The order status was updated to Investigator Assigned.

10/7/21 4:23 PM

andrew.martino

InterviewUpdated

Interview Information Updated

10/7/21 4:23 PM

andrew.martino

InterviewUpdated

Interview Information Updated

10/7/21 4:28 PM

andrew.martino

OwnerChange

The application was moved to user 'kim.odom'.

10/8/21 10:52 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 10:58 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 10:59 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:00 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:01 AM

kim.odom

InterviewUpdated

Interview Information Updated

10/8/21 11:01 AM

kim.odom

InterviewUpdated

10/27/21, 9:41 AM

Permitem

*Interview Information Updated*

10/8/21 11:01 AM

kim.odom

SaveProgress

The application data was updated.

10/8/21 11:02 AM

kim.odom

OwnerChange

The application was moved to user 'amanda.rolle'.

10/8/21 9:53 PM

amanda.rolle

SaveProgress

The application data was updated.

10/8/21 9:55 PM

amanda.rolle

OwnerChange

The application was moved to user 'garcia.graham'.

10/11/21 5:12 PM

garcia.graham

File Deleted

File attachment (image.png) was deleted

10/11/21 5:12 PM

garcia.graham

SaveProgress

The application data was updated.

10/11/21 5:12 PM

garcia.graham

SaveProgress

The application data was updated.

10/12/21 11:08 AM

paul.sherwin

SaveProgress

The application data was updated.

10/12/21 11:08 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21, 9:41 AM

Permitium

10/20/21 5:34 PM

garcia.graham

SaveProgress

The application data was updated.

10/27/21 9:39 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21 9:39 AM

paul.sherwin

SaveProgress

The application data was updated.

10/27/21 9:41 AM

paul.sherwin

DenyOrder

The application was denied. This is an automated message. Denied proprietary point-of-contact application for unfavorable employment and criminal history. The original denial letter will be sent to you by certified mail.

10/27/21 9:41 AM

paul.sherwin

EmailSent

A deny email has been sent

Move Order

Assign Inv

Order Pending

Request Documentation

Add Invoice (/dynamicapp/Invoice/new?associatedOrderId=CGAIXHBTW)

Approve Order

Withdraw Order

Deny Order

Assess Fine

Background Check

CRC CHECK	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP SENT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FP RESULTS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
PHOTO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
AUTHORIZED RELEASE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
UA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
FA TRAINING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CWC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Date Received	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
TERMINATION DATE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Investigator's Recommendation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dep Dir	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Save Progress

Print

Search Archive

# APPLICATION PRESENTATION FORM

**Applicant Name:** David Bradford Russell

**License for Which Applying:** Proprietary

**Investigator:** Andrew Martino Andrew.martino@ncdps.gov 3101 Industrial Drive, Suite 104 Raleigh, NC 27609 984-220-8635

**Board Date:** 10/21/2021

**Employing Agency:** Bottom Time LLC

**Physical Address:** [REDACTED]

**Mailing Address:** [REDACTED]

## Initial Contact

On Wednesday October 06, 2021 I visited Mr. David Bradford Russell at [REDACTED] [REDACTED] At approximately 1300 hours. I conducted a site inspection for a proprietary application he has submitted for his new business which has a partial potential opening date of 4-6 months.



The following procedures were used in order to conduct a special review of these allegations:

### Interview Meeting Notes

#### Experience

Mr. Russell is applying for a proprietary license. He is requesting this approval to work armed security officers (5 total) at his business Bottom Time LLC. This location is currently under construction. When completed the name of the establishment may change. The establishment will be a breakfast, lunch and dinner café with indoor and outdoor seating. There is also a NC railroad caboos on site that Mr. Russell is restoring and making a small museum. On the back of property Mr. Russell is building a small live music area with picnic seating for live local shows. The business will be open seven days a week.

While the establishment is currently under construction, it has been burglarized twice. Unknown person(s) have taken building materials without permission or consent to do so.

Mr. Russell has not yet taken his firearms training course and will be unarmed until he passes his NC firearms training courses. We also spoke about the employees he hires also needing to be registered and have proof of taking and passing the NC firearms training. The employees also must be employees at his establishment.

Note: Mr. Russell was denied a security guard and patrol license at the August 2021 meeting for lack of verifiable experience, unfavorable employment and criminal history.

#### Interview Meeting Notes

On October 06, 2021 at approximately 1230 hours I visited with Mr. David Bradford Russell at 5873 Ridgeville Road, Prospect Hills, NC. All questions have been asked and answered. The personal review form was discussed and signed by Mr. Russell and me, indicating his understanding of the rules and regulations regarding this license. Mr. Russell and I personally reviewed 74C at this meeting. I gave Mr. Russell a copy of 74C for his personal review before our meeting and requested he contact me should he have any questions or concerns. He was invited to attend the next board meeting and all subsequent meetings of the Private Protective Services Board.

Mr. Russell also reviewed 74C with Investigator Darla Cole within the last 90 days. He is familiar with the rules and regulations regarding this license.

Proposed proprietary license site:

5873 Ridgeville Road, Prospect Hills, NC

Intentionally  
Blank

Intentionally  
Blank

**Criminal History**

Mr. Russell's criminal background check showed a 1996 conviction for misdemeanor larceny. He was given a 45-day sentence and placed on supervised probation for 12 months. He also was ordered to pay restitution of \$900 to the employer and court costs of \$110. The background check also showed two speeding convictions in 1984 and 1985.

Mr. Russell's fingerprint check showed the 1996 conviction listed above.

**Additional Information**

**Any alleged allegations or suggested resolution by the staff has not yet been reviewed by the North Carolina Private Protective Services Board or one of its Committees. You should understand that once presented to the board or a Committee, the staff's position may be adopted, amended or reversed.**

**Recommendation**

**Approval with discussion: previous denial of SGP license**

October 29, 2021

jgray@bdixon.com

**Certified Mail – Return Receipt Requested**

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

**RE: *Administrative Hearing for David Bradford Russell***

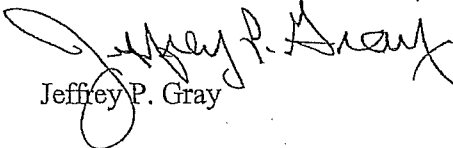
Dear Mr. Russell:

Enclosed is a copy of the Notice of Hearing which I have filed with the Office of Administrative Hearings in this matter. As indicated on said Notice, the Board is requesting that your hearing be conducted by the Office of Administrative Hearings, located at 1711 New Hope Church Road, Raleigh, NC 27609, on **Tuesday, December 14, 2021, at 2:00 p.m.** Your failure to attend this court proceeding may result in dismissal of your case.

If you have any questions, you may call me at (919) 828-0731.

Sincerely,

**BAILEY & DIXON, LLP**

  
Jeffrey P. Gray

Enclosure

cc: Paul Sherwin, Director  
NC Private Protective Services Board



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

DAVID BRADFORD RUSSELL, )  
 )  
 ) Petitioner, )  
 )  
 v. )  
 )  
 ) N.C. PRIVATE PROTECTIVE )  
 ) SERVICES BOARD, )  
 )  
 ) Respondent. )  
 \_\_\_\_\_ )

**NOTICE OF HEARING**

FOR: David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

DATE: Tuesday, December 14, 2021

TIME: 2:00 p.m.

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

RE: Denial of armed proprietary security organization application. The denial was for the following reasons:

Lack of unfavorable employment and criminal history.

STATUTES: N.C.G.S. § 74C-12(a)(1) & (31); N.C.G.S. § 150B-3(c)

ADMINISTRATIVE  
LAW JUDGE: Honorable Karlene S. Turrentine

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

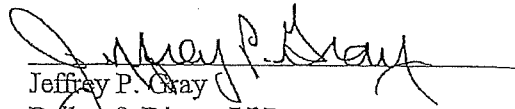
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

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.

This the 24 day of October, 2021.

Private Protective Services Board  
Paul Sherwin, Director



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

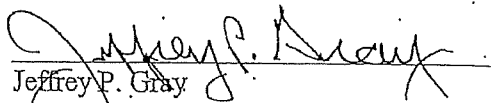


CERTIFICATE OF SERVICE

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

This the 20th day of October, 2021.

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

cc: Paul Sherwin, Director  
NC Private Protective Services Board

PS Form 3811, July 2013  
Domestic Return Receipt

2. Article Number  
(Transfer from service label)  
7020 3160 0000 3519 2614

1. Article Addressed to:  
David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291  
3394.000001 NOH dbc

3. Service Type  
 Certified Mail®  
 Priority Mail Express™  
 Registered  
 Return Receipt for Merchandise  
 Insured Mail  
 Collect on Delivery

4. Restricted Delivery? (Extra Fee)  
 Yes  
 No

5. Signature  
 Agent  
 Addressee  
 B. Received By (Printed Name)  
 C. Date of Delivery  
 D. Is delivery address different from item 1? Yes  No  If YES, enter delivery address below:

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.  
 1. Article Addressed to:

U.S. Postal Service  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee  
 \$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage  
 \$ 7.93

Total  
 \$

10-29-21  
 Postmark Here

David Bradford Russell  
 239 Rocky Ridge Road  
 Leasburg, NC 27291  
 3394.000001 NOH dbc

INSTRUCTIONS

HTZ BTSE 0000 DTTE 0201

Sherwin, Paul

---

**From:** Martino, Andrew  
**Sent:** Friday, October 22, 2021 10:58 AM  
**To:** Sherwin, Paul  
**Cc:** Odom, Kim; Rolle, Amanda  
**Subject:** FW: [External] Appeal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Paul,

FYI

Thank you,

Andrew Martino

---

**From:** [REDACTED]  
**Sent:** Thursday, October 21, 2021 7:32 PM  
**To:** Martino, Andrew <andrew.martino@ncdps.gov>  
**Cc:** [REDACTED]  
**Subject:** [External] Appeal

**CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.**

Good evening Investigator Martino,  
Based on the boards vote yesterday on my application for a proprietary security license, I would like to appeal the decision, please advise me on the next step.

Best Regards,  
David B. Russell

---

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

STATE OF NORTH CAROLINA  
COUNTY OF CASWELL

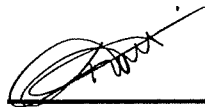
IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

<p>David Bradford Russell, Petitioner,</p> <p style="text-align: center;">v.</p> <p>NC Private Protective Services Board, Respondent.</p>	<p style="text-align: center;"><b>POST-HEARING SCHEDULING ORDER</b></p>
---	---

**HAVING CONCLUDED** the hearing of this matter on January 27, 2022, the Undersigned establishes the following Post-Hearing Scheduling Order:

As no transcript of the proceeding has been requested pursuant to 26 NCAC 03 .0123, the parties' Proposed Decisions shall be electronically mailed in Microsoft Word to the Undersigned's law clerk at [daniel.chunko@oah.nc.gov](mailto:daniel.chunko@oah.nc.gov) on or before **February 24, 2022 by 5:00 p.m.**

**SO ORDERED**, this the 4th day of February, 2022.



Karlene S Turrentine  
Administrative Law Judge

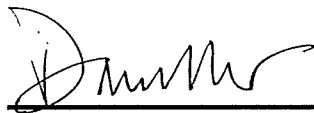
CERTIFICATE OF SERVICE

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg NC 27291  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 4th day of February, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

STATE OF NORTH CAROLINA  
COUNTY OF CASWELL

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

<p>David Bradford Russell, Petitioner,</p> <p style="text-align: center;">v.</p> <p>NC Private Protective Services Board, Respondent.</p>	<p style="text-align: center;"><b>AMENDED POST-HEARING SCHEDULING ORDER</b></p>
---	---

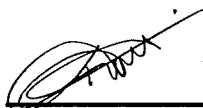
The Post-Hearing Order filed 2/4/2022 is amended as follows: the parties shall NOT electronically mail Proposed Decisions to the Undersigned's law clerk but instead:

All Proposed Decisions shall be e-filed by all e-filers so these pleadings are directly placed on the Docket. If parties are not e-filers, the parties shall e-mail their Proposed Decisions to OAH.Clerks@oah.nc.gov so the Office of Administrative Hearing's ("OAH") Clerk's office can properly process these documents into the record. In order to have a complete Official Record these documents must be on the Docket.

When e-filing these documents the Clerk's office has the ability to place them on the Docket and in the Correspondence tab. The document will appear in a PDF format on the Docket and in a WORD format in the Correspondence section of the case file.

All deadlines in the previous Order remain in effect.

**SO ORDERED.** This the 4th day of February, 2022.



Karlene S Turrentine  
Administrative Law Judge

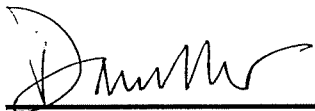
**CERTIFICATE OF SERVICE**

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg NC 27291  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 4th day of February, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

**Erwin, Maria**

**From:** russell1209@aol.com  
**Sent:** Thursday, February 24, 2022 8:38 AM  
**To:** Clerks, Oah  
**Cc:** nrb9317@gmail.com; russell1209@aol.com  
**Subject:** [External] 21 DOJ 04652  
**Attachments:** page 1 response nc PPS Board.pdf; page 2 response nc PPS Board.pdf; page 3 response nc PPS Board.pdf; page 4 response nc PPS Board.pdf; page 5 response nc PPS Board.pdf; page 6 response nc PPS Board.pdf; page 7 response nc PPS Board.pdf; page 8 response nc PPS Board.pdf; page 9 response nc PPS Board.pdf; page 10 response nc PPS Board.pdf; page 11 response nc PPS Board.pdf; page 12 response nc PPS Board.pdf; page 13 response nc PPS Board.pdf; page 14 response nc PPS Board.pdf; page 15 response nc PPS Board.pdf

**CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.**

Reference to 21 DOJ 04652, please add this response and documents to the record.

Sincerely,  
David Bradford Russell  
Petitioner

**FILED**

**FEB 24 2022**

**OFFICE OF ADMIN HEARINGS**

-----Original Message-----

**From:** Nancy Brown <nrb9317@gmail.com>  
**To:** russell1209 <russell1209@aol.com>  
**Sent:** Wed, Feb 23, 2022 3:34 pm  
**Subject:** NC Private Protective Services Board Response



## POST HEARING RESPONSE

Reference: 21DOJ04652

David Bradford Russell,

Petitioner,

V.

NC Private Protective Services Board,

Respondent.

FILED

FEB 24 2022

OFFICE OF ADMIN HEARINGS

In response to closing statements from the State in January, my consulting and training service has never engaged in, performed any, or in any way advertised providing any type of private protective services currently requiring a license or registration in the State of North Carolina, in complete compliance with the provisions of Chapter 74C.

Chapter 74C, specifically 74C-3 "PPS Profession Defined" does not mention "Executive Protection Services" or "Close Protection Services." These two descriptions are regularly used internationally to describe any person or entity engaging in Private Detective or Private Investigator services that entail Protection of individuals from serious bodily harm or death, my consulting and training service has never offered, advertised or conducted any of those services requiring a license or registration from NC Private Protective Services.

In the previous closing statements by State PPS Investigators and State Legal Counsel, the State showed little to no records to corroborate my claims of employment and stated that I was never employed by Loomis, NC Detective Agency, Rex Hospital, Carolina Hyperbarics and was operating a security company without proper licensing. More false information was also given in a phone interview with Mrs. Kiker when interviewed by Investigator Cole, Investigator Cole even stated under oath that Mrs. Kiker requested that some of her information in the interview not be revealed so that I wouldn't know about it.

Please accept the following documents and admit them into the record.

David Bradford Russell

Petitioner / February 23, 2022.

Page 1 of 2

David Bradford Russell,

Petitioner,

v.

NC Private Protective Services Board,

Respondent.

D1 – NC PPS 1996 credentials after the disposition of my misdemeanor larceny no contest plea.

D2 – NC PPS 2018 credentials for P&G prior to resigning.

D3 – Email confirmation of “unarmed” volunteer work for Super Kids Foundation.

D4 – Email confirmation of “unarmed” volunteer work for Jimmy V. Kids Classic JVKK.

D5 – Appreciation plaque for my volunteer service for JVKK.

D6 – Resignation from P&G with a positive reply from my supervisor, Major Jeffrey Johnson. This email clearly states my resignation date and the purpose. The information received by Investigator Cole from Mrs. Kiker was totally fabricated, I wasn't released from my duties, and I didn't resign to start my own security company.

D7 – A photo of my instructor shirt that Mrs. Kiker submitted to Investigator Cole when she said I was running my own security company. This shirt clearly shows no services that are regulated by NC PPS.

D8 – NC Detective Agency email communication with Melvin Turner with NC PPS and the business card for my supervisor Marc Marziale, his employment affidavit should already be on record.

D9 – Email communication with Loomis in reference to my return employment.

D10 – Loomis armed training records, Martin McLamb is an approved NCPPS instructor.

D11 – Loomis paystub.

D12 – Hiring letter for Carolina Hyperbarics and my business card.

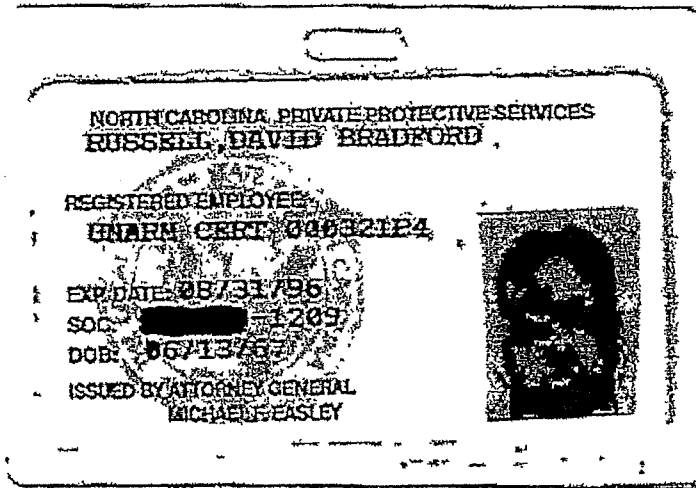
D13 – Page 2 of D12.

D14 – Rex Hospital resignation and my business card.

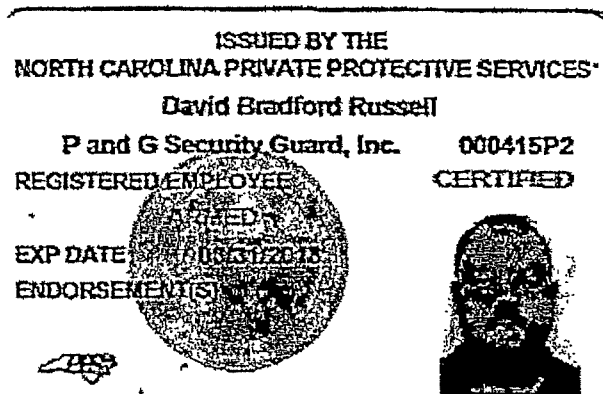
David Bradford Russell

Petitioner / February 23, 2022.

D1



D2



Calendar

super

Reply on AOL

New Mail 15a

Old Mail

Drafts

Sent

Spam

Recently Deleted

Contacts

Calendar

Folders

Saved Mail

Quick Contacts

- A
- at142b043218392...
- s608527857a33a7b...
- chris.beac@9000
- Adam
- caudy@glow.com
- acsbush#1j@sc.com

Reply Reply All Forward Delete More

Re: Security at 2nd Annual Christmas party supporting SUPER KIDS

David, take a look at this email all the way to bottom. Let me know if you can assist? The, Keith

Sent from my iPad

Begin forwarded message:

From: kash2452 <kash2452@gmail.com>  
 Date: September 22, 2015 at 11:08:33 AM EDT  
 To: Steve Gillooly <sgilooly@giloolyrealty.com>  
 Cc: Steven Erik <stevenerik@stevenerik.com>, Cheryl Mallooly (nufus@nufuseddit.com) <nufus@nufuseddit.com>  
 Subject: Re: Security at 2nd Annual Christmas party supporting SUPER KIDS

Steve, looking forward to this event. There will not be a charge for either one of us, love to help out. Let's get together a week or so before the event at the location. Thanks and see you soon, Keith

Sent from my iPad

On Sep 21, 2015, at 9:37 PM, Steve Gillooly <sgilooly@giloolyrealty.com> wrote:

Keith,

Shawn and I plan to pay you and your friend for your time please let us know how much we need to pay you both.

Have a great evening!

Sincerely,

Steve Gillooly

(919) 612-9885  
 (919) 808-3821 Fax  
 sgilooly@giloolyrealty.com  
 www.giloolyrealty.com

ADDRESS

Keep as New Reply Reply All Forward Delete Show More

▼ Mail

- Today on AOL
- New Mail 236
- Old Mail
- Drafts 5
- Sent
- Spam
- Recently Deleted
- Contacts
- Calendar
- ▼ Folders
- ▼ Saved Mail

Jvick security details

From: Keith2452 wthfieldps@gmail.com Hide

To: David Russell russell1209@aol.com, Marshall Dall camgoooo12@yahoo.com, Scott Parker sj9045@gmail.com, Tony Smith tonjts@gmail.com, Mike Edmiston jmedmiston@hotmail.com, Steve Cleary sjcleary1@yahoo.com, AJ@shley-adventist1990@gmail.com

Hey guys, I need to know who will be at Friday event? I still need David & Marshall to drive beer carts along with their lady's. Ashley & Richard will be the last how you want your name tag to read! Need all by 5 pm today. We have our final meeting tonight. Scott, I need to know if Rocky is coming to help or visit? He is welcomed either. As always, thanks to you guys for all you do and your friendships to me.

Keith

Sent from my iPad

Reply Reply All Forward

Quick Contacts

- A
- #4147850601350392...
- #58852765743078...
- chris.brand0999
- Adam
- eeasy@joversonnet...
- amburh41joc@out.com

D4

From: russell17@gmail.com,

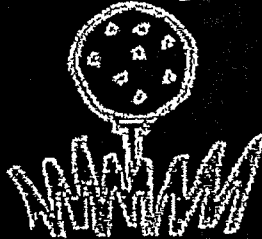
To: russell1209@aol.com,

Subject: Plaque

Date: Wed, Feb 23, 2022 11:01 am

Attachments:

Jim Valvano  
Kids  
Klassic



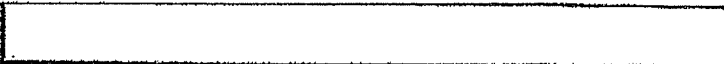
Presented To

David Russell

In Recognition Of Your  
Outstanding Service Providing  
Security To Our Annual  
Jim Valvano Kids Klassic.

D5

*Thank you for being important*



COMPOSE

Reply Reply All Forward Delete More

johnson

RE: [Non-DoD Source] Resignation

- Today on AOL
- New Mail 256
- Old Mail
- Drafts
- Sent
- Spam
- Recently Deleted
- Contacts
- Calendar
- Folders

Thank you Sir!!!  
Wish the salaries were compatible, but honestly, it's two different worlds and can't pass it up...  
Dave

On Wednesday, April 17, 2019 Johnson, Jeffery CTR (US) <jeffery.johnson6.ctr@mail.mil>  
Congrats Dave,

We really appreciate you doing a great job for us and I also appreciate your friendship as well. I will definitely miss my firing partner. I pray that you will continue to do well. Take care and may God bless you.

Jeffery Johnson, Major  
Contract Security Forces Manager

Original Message

From: russell1209@aol.com [mailto:russell1209@aol.com]  
Sent: Wednesday, April 17, 2019 1:26 PM  
To: teri@kikerpi.com; jefferyj02@gmail.com; Johnson, Jeffery CTR (US) <jeffery.johnson6.ctr@mail.mil>; russell1209@aol.com  
Subject: [Non-DoD Source] Resignation

Good afternoon Teri,

I have been offered A Safety Director position in Jacksonville, NC.

The start date is the 29th of April and my last day with P&G will be April 25th.

Count Mail

Quick Contacts

- A
- a414f8b0fd8f393392...
- a6865278f57a33a79...
- chris.brand9999
- Adam
- aedy@gloverconstr...
- ambush41jes@aol.com

Thank you for all you do, I have enjoyed my employment with P&G and the friendships that I've made.

Best Regards,  
David Russell  
AASF-1 Morrisville, NC

Reply Reply All Forward

D6



FROM: RUSSELL1209@GMAIL.COM,

To: russell1209@aol.com,

Subject: Shirt

Date: Wed, Feb 23, 2022 11:15 am

Attachments:



D7



COMPOSE

Keep as New Reply Reply All Forward Delete Spam More

loomis

- Today on AOL
- New Mail 285
- Old Mail
- Drafts 5
- Sent
- Spam
- Recently Deleted
- Contacts
- Calendar
- Folders
- Saved Mail

**Fwd: NCDA Registration**

4901 Glenwood Ave, Suite 200  
Raleigh, NC 27612  
Ofc.# 919-788-5320, ext. 212  
Fax# 919-788-5365

PPSB Website: [www.NCDPS.gov/PPS](http://www.NCDPS.gov/PPS)  
ASLB Website: [www.NCDPS.gov/ASL](http://www.NCDPS.gov/ASL)

PPS Training link:

<https://www.ncdps.gov/About-DPS/Boards-Commissions/Private-Protective-Services>

From: [russell11209@aol.com](mailto:russell11209@aol.com) [mailto:[russell11209@aol.com](mailto:russell11209@aol.com)]

Sent: Tuesday, March 15, 2016 10:57 AM

To: Turner, Melvin

Cc: [russell11209@aol.com](mailto:russell11209@aol.com)

Subject: Russell, David B.

Good morning Mr. Turner,

I spoke with you in January about the credibility of FENIX Training Group in Charlotte, NC.

You stated that FENIX was in good standing with PPS, that was a great confirmation and thoroughly by NCPS since about 1989 and Jason Speller by far the most professional, passionate and knowledgeable.

I have a question, when I returned from Iraq in 2009, I registered with PPS again through NC Detective. My initial registration with NCDA came back rejected, so I spoke with Mr. Bonapart and he said he w

There were no further issues and I continued on with my employment with NCDA and LOOMIS.

This week I will be registering again with P&G in Salisbury and I want to make sure I'm in good standi

Best Regards,

David Bradford Russell

Quick Contacts

- A
- a414f8b0fd8f392392...
- a6865278f57a33a79...
- chris.brand9999
- Adam
- aeady@gloverconstr...
- ambush41jes@aol.com

D8

Mark P. Mazzino  
Director

919-236-1005  
919-286-2410

**N.C. Detective Agency**  
Security Specialists

1020 Broad Street  
Durham, NC 27705

E-mail: [ncdetectiveagency@gmail.com](mailto:ncdetectiveagency@gmail.com)  
[www.nc-detectiveagency.com](http://www.nc-detectiveagency.com)

-----Original Message-----

From: russell1209@aol.com  
To: Steven.Gulledge@us.loomis.com  
Sent: Fri, Jan 24, 2014 12:52 pm  
Subject: RE: Federal Reserve Route Supervisor

Roger that, thank you!

Dave

-----Original Message-----

From: Gulledge, Steven <Steven.Gulledge@us.loomis.com>  
To: russell1209 <russell1209@aol.com>  
Sent: Fri, Jan 24, 2014 12:26 pm  
Subject: RE: Federal Reserve Route Supervisor

HR telling me your file is nearly complete. Check with me next week.

Steve Gulledge  
Branch Manager  
Raleigh, NC #3640  
Fayetteville, NC #3680

cid:image001.g

Loomis  
125 Nova Drive  
Morrisville, NC 27560

O (919) 469-5992  
F (919) 469-1354  
C (919) 427-0404

steven.gulledge@us.loomis.com

www.loomis.com ;

---

From: russell1209@aol.com [mailto:russell1209@aol.com]  
Sent: Friday, January 24, 2014 11:23 AM  
To: Gulledge, Steven  
Subject: Federal Reserve Route Supervisor

Good morning Mr. Gulledge,

I just wanted to touch base with you to see where we are in the hiring process, it's been about two weeks since you and I spoke.

Best Regards,

David Russell  
(919)607-1295

---

D9

Martin J. McLamb

Firearms Training Course Hours

April 21, 2014 – April 25, 2014

Employee: 223210 RUSSELL, DAVID B.

Employer Location: LOOMIS 3640

	DAILY TRAVEL HOURS	CLASS HOURS	TOTAL HOURS
Monday	1.75	9.00	10.75
Tuesday	.75	9.00	9.75
Wednesday	.75	10.00	10.75
Thursday	.75	11.00	11.75
Friday	1.75	14.00	15.75

**Total Work Hours** April 21 – April 25, 2014

**58.75 hrs**

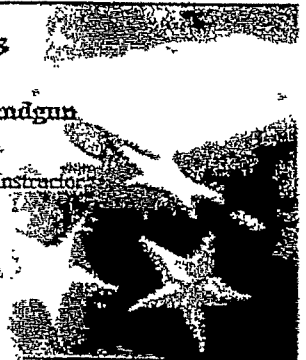
David B. Russell

**25 April 2014**

D10

**McLamb Firearms  
Training**  
N.C.P.S.B./N.R.A./Handgun  
N.C. Conceal Carry

Martin J. McLamb, Certified Instructor  
1365 N.C. Hwy 27 W  
Benzon, North Carolina, 27504  
(919) 894-4625 Office  
(919) 631-1321 Cell  
tripfemmcclamb@yahoo.com



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Loomis Armored US, LLC CHECK NO. A117267

125 Nova Drive CHECK DATE: 09/18/2014

PERIOD ENDING: 09/14/2014

Morrisville, NC 27560 PAY FREQUENCY: BI-WEEKLY

919-469-5992 PAY PERIOD: 09/01/2014 - 09/14/2014

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DAVID RUSSELL STATUS EXEMPT TAX ADJUSTMENTS STATE AND LOCAL CODES

966 HICKS RD ID NUM: 223210 FED: M 3 FED: %00.0 ST1: \$0.00 PRE: NC LOC1: LOC3:

BASE RATE: 11.40 ST1: 1 DI/UC: SEC: NC LOC2: LOC4:

YOUNGSVILLE, NC 27596 SSN: XXX-XX-1209 ST2: 1 LOCAL: \$0.00 ST2: LOC5:

D11

April 11, 2013

Via Electronic Mail: David Russell <russell1209@aol.com>

David Russell  
966 Hicks Road  
Youngsville, NC 27596

Re: Employment Offer

Dear David,

On behalf of Baromedical Associates, LLC (the "Company"), I am pleased to confirm the offer to become the Company's Hyperbaric Technician & Safety Director. In this capacity you will report to Mary Marchbanks and will work out of the Carolina Hyperbarics clinic in Raleigh, North Carolina. We anticipate that you will begin employment on or before April 24, 2013. The remaining terms of your employment are as follows:

- Your hourly rate of pay will be \$21.50 per hour. Your position is classified as "hourly, non-exempt", meaning that you will be entitled to overtime compensation for hours worked in excess of 40 in any workweek. Any wage increases will be determined annually at the anniversary of your hire date with the exception of your first six month period. Wage increases will be based upon an evaluation of your performance. All wage increases are within the discretion of the Company.
- Additional Retention Bonuses may be earned on a quarterly basis. Bonus Plan details to be provided to you by 5/1/13.
- You will be eligible to participate in the Company's medical, vision and dental insurance plans, and will receive company-paid life insurance coverage in the amount of one times your annual salary plus \$15,000. Coverage will be effective the first of the month following your hire date. A 2013 benefits summary is enclosed.
- You will be eligible to participate in the Company's Paid Time Off program, pursuant to which you will earn an annual PTO award in the amount of 10 days per year.
- All compensation and benefit programs are administered in accordance with the Company's Employee Handbook and the applicable plan documents, which will be provided to you under separate cover. All such programs are subject to change within the Company's discretion.
- This offer of employment is contingent upon the successful completion of all background checking, drug screening and credentialing processes.

- By executing this offer letter, you are representing that you have the authority, power and right to fully perform your employment obligations under this letter within its terms. You further warrant that your employment hereunder will not require any authorization or other action by any other party and does not (a) conflict with or result in the breach of the terms of, (b) constitute a default under, or (c) result in a violation of any agreement, order, judgment or decree to which you are subject, including but not limited to, any covenant not to solicit or covenant not to compete entered into with your current or a former employer.
- Nothing in this letter should be construed to establish any contractual relationship or promise of continued employment, as all employees are employed at will, meaning either party may terminate the relationship at any time for any reason.

Please confirm your understanding of and agreement to these terms by signing, dating and returning a copy of this letter to me by email or fax to 214-361-1830. If you have any questions, please contact me.

Very truly yours,

BAROMEDICAL ASSOCIATES, LLC

Mary Marchbanks  
President

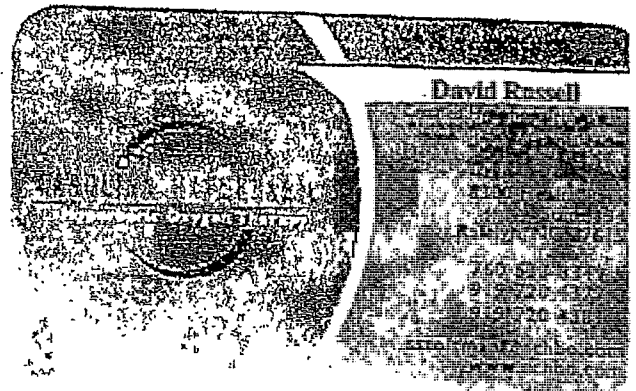
/mm  
Enclosure

Offer Accepted:

David Russell  
David Russell

12 April 2013  
Date

D13



November 18, 2011

Mark Johnson, Program Director  
Rex Wound Healing Center  
2916 Blue Ridge Road  
Raleigh, North Carolina 27607

Dear Mark Johnson:

Please accept this letter as my formal resignation as CHT, Safety Director and Training Coordinator from Rex Hospital. My last day here will be December 02, 2011. I received my college acceptance letter in the mail today and will be returning to school full time January 2012.

This was not an easy decision. My time here at Rex Hospital has been invaluable, both personally and professionally. I'm sure that you have already compiled plenty of excellent prospects from the HBO position that was posted three weeks ago; I can only hope that there is a suitable replacement to fill my position also.

Please be assured that I continue to take pride in my work. I will do my best to complete any pending projects. Any unfinished work will be handed over in good shape to the appropriate department.

I look forward to what the future will bring for the both of us.

Sincerely,

*David B. Russell*


David B. Russell

966 Hicks Road

Youngsville, North Carolina 27596

STAFF

DAVID  
RUSSELL




CHT, EMT, BCLS-INSTRUCTOR  
WHO SAFETY DIRECTOR

Chosen for excellence

UNC HEALTH CARE

REX



D14

CC: DER, HR

 **REX**  
UNC HEALTH CARE

Rex Wound Healing Center  
4420 Lake Boone Trail  
Raleigh, North Carolina 27607  
(919) 784-2500  
Fax (919) 784-2547

David B. Russell  
CHT, EMT, BCLS-Instructor  
Safety Director

[david.russell@vohhealth.com](mailto:david.russell@vohhealth.com)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

DAVID BRADFORD RUSSELL, )  
)  
Petitioner, )  
v. )  
)  
N.C. PRIVATE PROTECTIVE )  
SERVICES BOARD, )  
)  
Respondent. )  
\_\_\_\_\_ )

**PROPOSED  
PROPOSED  
FINAL DECISION**

On January 27, 2022, Administrative Law Judge Karlene S. Turrentine called this case for hearing in Raleigh, North Carolina.

APPEARANCES

Petitioner appeared *pro se*.

Respondent was represented by attorney Jeffrey P. Gray, Bailey & Dixon, LLP, P.O. Box 1351, Raleigh, North Carolina 27602.

ISSUE

Whether Petitioner should be denied proprietary security organization status based on Petitioner’s unfavorable employment history and criminal history.

APPLICABLE STATUTES AND RULES

Official notice is taken of the following statutes and rules applicable to this case:  
N.C.G.S. § 74C-12(a)(25)

FINDINGS OF FACT

1. Respondent Board is established pursuant to N.C. Gen. Stat. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.
2. Petitioner applied to Respondent Board for proprietary security organization status.
3. Respondent denied the proprietary security organization status due to Petitioner’s



previous and current employment history and a conviction in Granville County, State of North Carolina, on January 10, 1996 for misdemeanor Larceny on October 21, 2021.

4. Petitioner had previously applied to the Board for a Security Guard and Patrol business license and was denied for a lack of verifiable experience, as well as the above reasons, on August 19, 2021. Petitioner did not petition for a contested case hearing on the denial of his Security Guard and Patrol business license.
5. A Security Guard and Patrol license allows a business to engage in activities defined by N.S. Gen. Stat. § 74C-3 as “the security guard and patrol profession.” In contrast, proprietary security organization is defined by 14B NCAC 16 .0103(13) as any person, firm, association, corporation, or department that employs its own security guards and does not contract out these guards. To employ armed guards, however, the organization must apply to the Board and the armed guards must be registered with the Board.
6. Petitioner requested a hearing on Respondent’s denial of proprietary security organization status to employ armed guards.
7. By Notice of Hearing dated October 29, 2021, and mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his proprietary security organization application would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on December 14, 2021. This matter was continued to January 27, 2022 on motion of the Respondent Board. Petitioner appeared at the hearing.
8. Paul Sherwin, Director of Respondent Board, testified to the internal procedures used for all license applications, including a background investigation by a Board Investigator. The Board’s Grievance Committee relied on the background investigation performed for Petitioner’s Security Guard and Patrol business license application when considering his proprietary security organization application. Petitioner’s Security Guard and Patrol business license application package, including the Investigator’s background report, was admitted into evidence as Respondent’s Exhibit 1.
9. Director Sherwin also testified to the types of conduct which the Board considers to be a “lack of good moral character” pursuant to N.C. Gen. Stat. § 74C-12(a)(25) and N.C. Gen. Stat. § 74C-8(d)(2).
10. Board Investigator Andrew Martino was assigned Petitioner’s proprietary security organization investigation. He testified that there is no “background” investigation conducted for proprietary status. He merely personally interviewed Petitioner and inspected the site of his business, a café with indoor and outdoor seating, a small outdoor live music area, and a picnic area. Investigator Martino determined the site was a legitimate business entity and suitable.

11. At the time, Investigator Martino was not aware Petitioner had been denied a Security Guard and Patrol license by the Board two months earlier.
12. Investigator Darla G. Cole testified to the background investigation of Petitioner she performed for his Security Guard and Patrol license.
13. To obtain the license Petitioner was required to show he had the requisite experience totaling 3,000 hours, including supervisory experience. He was given 400 hours credit for his military service for 19 months in the U.S. Navy in 1985-1987. After that, Petitioner falsified his experience and Investigator Cole concluded he had none.
14. Petitioner claimed he was a supervisor for P&G Security which has a contract for security at the Joint Force Headquarters for the Army Air National Guard facility at RDU Airport in Raleigh-Durham, North Carolina. Investigator Cole contacted the owner of P&G Security who advised her he was not a supervisor, and that he "worked the guard shack for the third shift and there was a reason why he was at the location and shift that he was on." The owner would not elaborate.
15. Petitioner stated in his application that he worked for Carolina Sunrock Contracting handling "material logistics and safety" and "coordinated transportation of materials and employee safety training for the contracting division." Investigator Cole contacted the Human Resources Department of Sunrock and was advised that Petitioner was only a truck driver and did not have anything to do with safety training or logistics.
16. Additionally, Petitioner was a certified law enforcement officer in North Carolina from 1994 to 1996. According to the records of the Criminal Justice Education and Training Standards Commission he was certified as a company police officer in 1994 while working for N.C. Central University and from August 1994 to June 1996 as an officer with the Creedmoor Police Department. His certification was revoked by the Commission in 1996 for "commission of a felony." Petitioner had been charged with felony Larceny by Employee in 1995. Petitioner did not appeal the revocation of his law enforcement certification.
17. Petitioner's criminal record background check (included as part of Respondent's Exhibit 1) showed that he pled guilty to, and was convicted of, misdemeanor Larceny in Granville County Criminal Superior Court on January 10, 1996. He received a 45-day active sentence, 12 months supervised probation, and was ordered to pay \$900.00 restitution.
18. Investigator Cole asked Petitioner about the underlying facts of his criminal conviction and Petitioner explained he worked off-duty at the Piggly Wiggly in Creedmoor, North Carolina while he was working there as a police officer, and among other things was responsible for the nightly bank deposit drop. He said, "\$800.00 to \$900.00 got missing and the manager accused him of taking it." He

- denied he pled guilty to a lesser offense, but admitted to being convicted.
19. Also on his application Petitioner stated falsely he was a firearms instructor for the North Carolina Justice Academy, the training academy for law enforcement officers located in Salemsburg, North Carolina. It was established that he is only an approved teacher for the class required to obtain a concealed handgun permit. There is no relationship between the Justice Academy and being an approved teacher.
  20. During the course of the hearing of this matter it was revealed that Petitioner had worked as an armored car guard for Loomis, but was not registered with the Board as required. It was also revealed -- through an Affidavit offered by Petitioner -- that he had worked as a Private Investigator Associate unlawfully for a Private Investigator in Raleigh, North Carolina. Both of these should have been listed on his application as previous employment.
  21. Petitioner testified in his own behalf and stated that everyone considered him to be a supervisor for P&G and the commanders at the Joint Base put him in place as a supervisor for P&G. On cross examination by the Board's attorney Petitioner was asked about his LinkedIn page which states he is a "Security Contractor 1-130<sup>th</sup> Attack Recon Battalion (ARB) Air National Guard" when he was merely an employee of the security guard and patrol company (i.e. P&G) that currently held the contract for private security. He replied that since he is a security guard there that the statement is truthful.
  22. It was Petitioner's own testimony that revealed he worked unregistered as an armored car guard for Loomis and as an unapproved Private Investigator Associate.
  23. Irrespective of the misleading statements regarding his employment in various jobs, revocation of his law enforcement officer certification, and the resulting loss of his job as a police officer for the Creedmoor Police Department, coupled with his conduct as an employee of Piggly Wiggly that caused the loss of his job and revocation of his certification, establishes by a preponderance of the evidence an unfavorable employment history which the Board considers to be a lack of good moral character in such instances. Petitioner presented no evidence to refute these established facts.

#### CONCLUSIONS OF LAW

1. The parties properly are before the Office of Administrative Hearings.
2. Under G.S. §74C-12(a)(25), Respondent Board may refuse to grant a registration if it determined that the applicant has demonstrated intemperate habits or lacks good moral character. Pursuant to the Respondent Board's guidelines as testified to by Director Sherwin an unfavorable employment history is an indicator of a lack of good moral character.

3. Many occupational and professional licensing boards in North Carolina have “good moral character” standards and one of the most comprehensive lists is the State Board of Law Examiners’ guidelines ([www.ncble.org/character-and-fitness-guidelines](http://www.ncble.org/character-and-fitness-guidelines)). Further, numerous appellate court cases discuss the concept. *See*, generally, *In re: Willis*, 215 S.E. 2d 771 (1975); *In re: Lynn Marie Burke*, 768 S.E. 2d 554 (2015). Respondent Board presented sufficient evidence that Petitioner lacks good moral character through his employment history as a police officer and falsification of his employment.
4. Under G.S. § 74C-8(d)(2), conviction of any crime involving an act of larceny is *prima facie* evidence that the applicant does not have good moral character or temperate habits.
5. Respondent Board presented evidence that Petitioner lacks good moral character through a conviction in Granville County, North Carolina for misdemeanor Larceny and Petitioner failed to rebut the presumption.

Based on the foregoing, the undersigned makes the following:

#### PROPOSED FINAL DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the undersigned hereby recommends that Petitioner be denied a proprietary security organization.

#### NOTICE AND ORDER

The North Carolina Private Protective Services Board will make the Final Agency Decision in this contested case. As the Final Decision maker, that agency 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 pursuant to N.C. Gen. Stat. § 150B-40(e).

The undersigned hereby orders that agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714.

This the \_\_\_\_\_ day of February, 2022.

---

Honorable Karlene S. Turrentine  
Administrative Law Judge

Submitted this the \_\_\_\_\_ day of February, 2022.

BAILEY & DIXON, LLP

By: \_\_\_\_\_

Jeffrey P. Gray  
Attorney for Respondent  
P.O. Box 1351  
Raleigh, NC 27602-1351  
Telephone: (919) 828-0731  
Fax: (919) 828-6592

CERTIFICATE OF SERVICE

The undersigned attorney for Respondent certifies that on this day the foregoing Proposed Final Decision was served upon the Petitioner in this action by depositing a copy of same in the United States mail, postage prepaid, and addressed as follows:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg, NC 27291

This the \_\_\_\_ day of February, 2022.

---

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  
COUNTY OF CASWELL

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
21 DOJ 04652

David Bradford Russell Petitioner,  v.  NC Private Protective Services Board Respondent.	<b>PROPOSED FINAL DECISION</b>
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**THIS CONTESTED CASE** came on for hearing before the Honorable Karlene S. Turrentine, Administrative Law Judge, on January 27, 2022, at the NC Office of Administrative Hearings in Raleigh, Wake County, North Carolina. This case was heard after Respondent requested, pursuant to N.C.G.S. § 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes.

**APPEARANCES**

For Petitioner: David Bradford Russell  
Petitioner appeared *pro se*

For Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Attorney for Respondent

**WITNESSES**

For Petitioner:

Petitioner testified on his own behalf but presented no other witnesses.

For Respondent:

Respondent presented testimony from: Paul Sherwin, Director of the NC Private Protective Services Board ("PPSB"); Andrew Anthony Martino, Board Investigator; and Darla Cole, Board Investigator.

**EXHIBITS**

For Petitioner:

None.

For Respondent:

<b>EXHIBIT NO.</b>	<b>PETITIONER'S EXHIBITS ADMITTED WITHOUT OBJECTION</b>
1	Resp's September 7, 2021 Denial Ltr to Petitioner/Executive Protective Services & Investigator Darla Cole's investigation report, including: Petitioner's security guard and patrol license application, Application Presentation Form with Ms. Cole's Interview Notes, Criminal Background Check, Authorization for Release of Records, Petitioner's high school Diploma & Certificate of Release or Discharge from the Navy, (5) Personal Reference Questionnaires, Facebook and LinkedIn page copies
2	Resp's October 27, 2021 Denial Ltr to Petitioner/Bottom Time LLC & Investigator Andrew Martino's investigation report, including: Petitioner's proprietary security organization application, Application Presentation Form with Mr. Martino's Interview Notes
4	Resp's Certified Ltr to Petitioner Re: Administrative Hearing (10.29.21), Notice of Hearing, Proof of Petitioner's receipt of Bd's Ltr & Petitioner's Request to appeal Board's Decision (10.21.21)

**ISSUE**

Whether Petitioner should be denied proprietary security organization status based on Petitioner's unfavorable employment history and criminal history.

**APPLICABLE STATUTES AND RULES**

Official notice is taken of the following statutes and rules applicable to this case: N.C.G.S. § 74C-3(a)(6), § 74C-8(d)(2), § 74C-12(a)(1), (6), (21) and, (25); and, 14B NCAC 16 .0103(13)

**FINDINGS OF FACT**

1. Respondent Board, an agency of the State of North Carolina, is created pursuant to N.C.G.S. §74C-1, *et seq.*, and is charged with the duty of licensing and registering individuals engaged in the armed and unarmed security guard and patrol business or as a proprietary security organization employing armed security guards.

2. On March 17, 2021, Petitioner applied to the Board for a Security Guard and Patrol business license under the name Large Lad, LLC doing business as Executive Protective Services. *See* Respondent's Exh 1.



3. On August 19, 2021, the Board denied Petitioner's the application due to a lack of verifiable experience, unfavorable employment and a conviction in Granville County, State of North Carolina, on January 10, 1996, for misdemeanor larceny (file no.: 95 CRS 5022). *Id.*

4. Petitioner did not petition for a contested case hearing on the denial of his Security Guard and Patrol business license.

5. Instead, on August 21, 2021, Petitioner applied to Respondent Board for armed proprietary security organization status under the name Bottom Time, LLC. *See* Respondent's Exh 2.

6. On October 21, 2021, the Board denied Petitioner's status due to Petitioner's previous and current employment history and criminal history (as outlined in FOF ¶3 above). The lack of verifiable experience was *not* listed as a reason for Respondent's denial of Petitioner's second application.

7. A Security Guard and Patrol license allows a business to engage in activities defined by N.C.G.S. § 74C-3(a)(6) as "the security guard and patrol profession." In contrast, proprietary security organization is defined by 14B NCAC 16 .0103(13) as any person, firm, association, corporation, or department that employs its own security guards, officers, patrol and/or watchmen and does not contract (hire) these employees out to any other person or entity.

8. Although businesses with *unarmed* guards are exempted from Respondent Board's oversight, when a business desires to employ *armed* guards, the business must apply to and obtain a license from the Board and the armed guards must be individually registered with the Board.

"The [Private Protective Services] Act requires any individual or company that engages in private protective services to be licensed in accordance with the Act's terms. Specifically, the Act provides that '[n]o private person, firm, association, or corporation shall engage in, perform any services as, or in any way represent or hold itself out as engaging in a *private protective services profession or activity* in this State without having first complied with the provisions of this Chapter.' N.C. Gen. Stat. § 74C-2(a) (emphasis added); *see also* N.C. Gen. Stat. § 74C-8 (providing that '[a]ny person, firm, association, or corporation desiring to carry on or engage in the private protective services profession in this State shall be licensed in accordance with this Chapter'). Section 74C-3 defines "private protective services profession" as covering several broad categories of services and activities, including the 'security guard and patrol profession.' N.C. Gen. Stat. § 74C-3(a)(6)."

*Kelly v. Conner*, 769 F. Appx 83, 91 (4th Cir. 2019).

9. Upon being noticed that his armed proprietary security organization application was denied, Petitioner timely requested a hearing to appeal the denial.

10. By Notice of Hearing dated October 29, 2021, mailed via certified mail, Respondent advised Petitioner that a hearing on the denial of his proprietary security organization application would be held at the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh, North Carolina 27609 on December 14, 2021.

11. On November 23, 2021, Respondent motioned the Tribunal for a continuance, which was granted, and on November 24, 2021, the Undersigned served the parties with Notice of Rescheduled Hearing setting the matter on for January 27, 2022, which both parties received.

12. Paul Sherwin, Director of Respondent Board, testified to the internal procedures used for all license and registration applications, including that one of six of the Board's investigators is assigned to do a background investigation of each applicant.

13. Investigator Darla Cole was assigned to investigate Petitioner's first application for his Security Guard and Patrol license. She has twenty-five years of law enforcement experience. To obtain the license, Petitioner was required to show he had the requisite experience totaling 3,000 hours, including supervisory experience. Investigator Cole credited Petitioner with 400 hours credit for his military service for 19 months he served in the U.S. Navy in 1985-1987.

14. Petitioner's application states his "last position held was with Kiker Investigations/P&G Security as a private security contractor for Joint Force Headquarters Army National Guard as a shift supervisor at the RDU Air National Guard Base, Raleigh, NC. (Approximate dates were 2016-2019)[.]" Respondent's Exh. 1, Application, p.6/20. Investigator Cole spoke with Teri Kiker, owner of P&G Security and she said, "Mr. Russell was not a supervisor for her company [...but] he worked the guard shack for the third shift...[and] he was not a trainer for her company." Respondent's Exh 1, Interview Meeting Notes, p.2/6. When confronted with what Ms. Kiker said, Petitioner told Investigator Cole that "he was not hired by P&G to be a supervisor but that after he got on site and started working, the commanders at the Joint Base put him in place as a supervisor. [He didn't] think anybody ever said anything to [Ms. Kiker] about it...[b]ut she knew that [he] was in charge of that base. But as far as being hired and paid for that[,] no." *Id.*

15. As Investigator Cole continued following up on various statements made by Petitioner in his application and on his Facebook and LinkedIn pages, she discovered several similar "misunderstandings" and or "misstatements" which did not support Petitioner's assertions to the Board.

16. Petitioner testified in his own behalf and stated that everyone considered him to be a supervisor for P&G and the commanders at the Joint Base put him in place as a supervisor for P&G. On cross examination by the Board's attorney Petitioner was asked about his LinkedIn page which states he is a "Security Contractor 1-130<sup>th</sup> Attack Recon Battalion (ARB) Air National Guard" when he was merely an employee of the security guard and patrol company (i.e., P&G) that currently held the contract for private security. He replied that since he is a security guard there that the statement is truthful.

17. Petitioner stated in his application that he worked for Carolina Sunrock Contracting handling “material logistics and safety” and “coordinated transportation of materials and employee safety training for the contracting division.” Investigator Cole contacted the Human Resources Department of Sunrock and was advised that Petitioner was only a truck driver and did not have anything to do with safety training or logistics.

18. Thus, Investigator Cole was unable to verify that Petitioner had the necessary and relevant work experience required. She also could not verify any supervisory experience.

19. Petitioner was a certified law enforcement officer in North Carolina from 1994 to 1996. According to the records of the Criminal Justice Education and Training Standards Commission, “he was certified as a company police officer in 1994 while working for N.C. Central University and was a certified law enforcement officer from August 1994 to June 1996 with the Creedmoor Police Department.” Respondent’s Exh 1, Interview Notes/Work History, p.3/6.

20. However, Petitioner’s officer certification was revoked by the Commission in 1996 “after an investigation into ‘an alleged commission of a felony.’” *Id.* Petitioner acknowledged the revocation but did not know whether his certification was revoked based on his being charged or convicted.

21. Although charged with felony Larceny by employee, his criminal record background check reveals Petitioner pled guilty to, and was convicted of, misdemeanor larceny in Granville County Criminal Superior Court on January 10, 1996. He received a 45-day active sentence, 12 months supervised probation, and was ordered to pay \$900.00 restitution. *See* Respondent’s Exh 1, Criminal background report p.2/4.

22. Petitioner did not appeal the revocation of his law enforcement certification.

23. Investigator Cole asked Petitioner about the underlying facts of his criminal conviction and Petitioner explained he worked off-duty at the Piggly Wiggly in Creedmoor, North Carolina while he was working there as a police officer, he was among other things was responsible for the nightly bank deposit drop. He said, “\$800.00 to \$900.00 got missing and the manager accused him of taking it.” Petitioner denied he pled guilty to a lesser offense but admitted to being convicted.

24. Also on his application, Petitioner stated he was a firearms instructor for the North Carolina Justice Academy, the training academy for law enforcement officers located in Salemsburg, North Carolina. However, at hearing, he admitted he is only an approved teacher for the class required to obtain a concealed handgun permit. There is no relationship between the Justice Academy and being an approved teacher.

25. Investigator Andrew Martino was assigned Petitioner’s second application—the armed proprietary security organization investigation. He testified that there is no “background” investigation conducted for proprietary status. Instead, for proprietary security organization investigations, Investigator Martino stated all he did was personally interviewed Petitioner and inspected the site of Petitioner’s business—a café with indoor and outdoor seating, a small outdoor

live music area, and a picnic area. Investigator Martino determined the site was a legitimate business entity and suitable.

26. At the time of his investigation, Investigator Martino was not aware Petitioner had been denied a Security Guard and Patrol license by the Board two months earlier.

27. The Board's Grievance Committee reviews the applications and investigation reports and makes a recommendation to the full Board as to each application reviewed. Regarding the instant case, the Grievance Committee relied on Investigator Cole's background investigation performed for Petitioner's Security Guard and Patrol business license (the first) application when considering his proprietary security organization (the second) application. Petitioner's Security Guard and Patrol business license application package, including the Investigator's background report, was admitted into evidence, without objection, as Respondent's Exh 1.

28. Director Sherwin also testified to the types of conduct which the Board considers to be a "lack of good moral character" pursuant to N.C.G.S. § 74C-12(a)(25) and N.C.G.S. § 74C-8(d)(2). The Board determined that Petitioner exaggerated his experiences in violation of N.C.G.S. 74C-12(a)(1), (6) and, (21) and lacked moral character in violation of N.C.G.S. § 74C-12(a)(25).

**BASED ON** the foregoing findings of fact, the Undersigned makes the following

#### CONCLUSIONS OF LAW

1. The parties properly are before the Office of Administrative Hearings.
2. Under N.C.G.S. §74C-12(a)(25), Respondent Board may refuse to grant a registration to an applicant if it determines that the applicant has demonstrated intemperate habits or lacks good moral character. Pursuant to the Respondent Board's guidelines as testified to by Director Sherwin, an unfavorable employment history is an indicator of a lack of good moral character.
3. Many occupational and professional licensing boards in North Carolina have "good moral character" standards and one of the most comprehensive lists is the State Board of Law Examiners' guidelines ([www.ncble.org/character-and-fitness-guidelines](http://www.ncble.org/character-and-fitness-guidelines)). Further, numerous appellate court cases discuss the concept. *See, generally, In re: Willis*, 215 S.E. 2d 771 (1975); *In re: Lynn Marie Burke*, 768 S.E. 2d 554 (2015). Respondent Board presented sufficient evidence that Petitioner lacks good moral character through his employment history as a police officer and falsification of his employment.
4. Moreover, under N.C.G.S. § 74C-8(d)(2), conviction of any crime involving an act of larceny is *prima facie* evidence that the applicant does not have good moral character or temperate habits.

"The following shall be *prima facie* evidence that the applicant does not have good moral character or temperate habits: conviction by any local, State, federal, or

military court of any crime involving the illegal use, carrying, or possession of a firearm; conviction of any crime involving the illegal use, possession, sale, manufacture, distribution, or transportation of a controlled substance, drug, narcotic, or alcoholic beverage; conviction of a crime involving felonious assault or an act of violence; conviction of a crime involving unlawful breaking or entering, burglary, larceny, or any offense involving moral turpitude; or a history of addiction to alcohol or a narcotic drug; provided that, for purposes of this subsection, "conviction" means and includes the entry of a plea of guilty or no contest or a verdict rendered in open court by a judge or jury.

N.C.G.S. § 74C-8(d)(2) (emphasis added).

5. Thus, Respondent Board presented evidence that Petitioner lacks good moral character through a conviction in Granville County, North Carolina for misdemeanor Larceny and Petitioner failed to rebut the presumption.

6. Though occurring some twenty-five (25) years ago, the revocation of his law enforcement officer certification, and the resulting loss of his job as a police officer for the Creedmoor Police Department, coupled with his conduct as an employee of Piggly Wiggly that caused the loss of his job and revocation of his certification, in conjunction with the *many* misleading (and sometimes outright false) statements regarding his employment in various jobs over the years to the present, establishes by a preponderance of the evidence an unfavorable employment history. Moreover, Petitioner's criminal history statutorily establishes a lack of good moral character.

7. Petitioner presented no evidence to refute these established facts.

8. The Board did not exceed its authority, act erroneously, fail to use proper procedure, act arbitrarily or capriciously or fail to act as required by law when it denied Petitioner's armed proprietary security organization license based on Petitioner's unfavorable employment and criminal history.

**BASED ON** the foregoing Findings of Fact and Conclusions of Law,

### **PROPOSED FINAL DECISION**

The Undersigned finds and concludes that Respondent-Board's actions in denying Petitioner an armed proprietary security organization license is supported by the evidence and is, therefore, **AFFIRMED**.

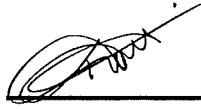
### **NOTICE**

The **North Carolina Private Protective Services Board** will make the Final Decision in this contested case. As the Final Decision maker, that agency 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 pursuant to N.C. Gen. Stat. § 150B-40(e).

**ORDER**

**IT IS ORDERED** that the agency shall serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6700. Moreover, the agency shall also serve a copy of its Final Decision upon each party by one of the methods for service of process under N.C.G.S. § 1A-1, Rule 5(b). A copy shall also be furnished to each party's attorney of record. N.C.G.S. § 150B-42(a).

**SO ORDERED.** This the 6th day of April, 2022.

A handwritten signature in black ink, appearing to read 'K. Turrentine', written over a solid horizontal line.

Hon. Karlene S. Turrentine  
Administrative Law Judge

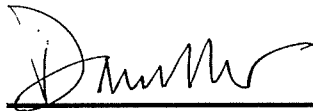
CERTIFICATE OF SERVICE

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:

David Bradford Russell  
239 Rocky Ridge Road  
Leasburg NC 27291  
Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 6th day of April, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

5.

FILED  
OFFICE OF ADMINISTRATIVE HEARINGS  
06/03/2022 4:10 PM

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ 00770

COUNTY OF WAKE

<p>Terry Wayne Sutherland Jr Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p><b>PROPOSAL FOR DECISION</b></p>
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**THIS MATTER**, a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes, came on for hearing before Administrative Law Judge J. Randolph Ward on March 29, 2022 in Raleigh.

**APPEARANCES**

Petitioner: Joel Hart Miles, Jr.  
Cheshire Parker Schneider, PLLC  
Raleigh, N.C.

Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Raleigh, NC 27602

**ISSUE**

Whether Petitioner's Private Investigator license should be denied for lack of good moral character?

**RULES AND STATUTES AT ISSUE**

N.C. Gen. Stat. § 74C-12(a)(25); 14B NCAC 16 .0401; and, 14B NCAC 16 .0106(a);

**WITNESSES**

Petitioner: Terry Wayne Sutherland  
Wayne Delancey  
Brent Douglas



Respondent: Paul Sherwin  
Daniel Cheatham

## EXHIBITS

*The following exhibits were admitted with the stipulation of the parties:*

Petitioner: Exhibits 1-5

Respondent: Exhibits 1-3

**UPON DUE CONSIDERATION** of the arguments and stipulations of counsel; the exhibits admitted; and the sworn testimony of each of the witnesses, viewed in light of their opportunity and ability to know of relevant facts and occurrences, any interests they may have in the outcome of the case, and whether their testimony is reasonable and consistent with other credible evidence; and, upon assessing the greater weight of the evidence from the record as a whole in accordance with applicable law, the undersigned makes the following:

## FINDINGS OF FACT

1. On February 22, 2022, the Respondent Private Protective Services Board denied the application of Petitioner Terry Wayne Sutherland, Jr. for a Private Investigator license on the grounds that he had "...demonstrated lack of good moral character related to employment history and falsification of reference forms." (Res. Ex. 2) The information leading to this decision was obtained during the background check performed by the Respondent's Investigator Daniel Cheatham.

2. During his investigation, Mr. Cheatham found irregularities in the notarization of Personal Reference Questionnaire forms presented in support of Petitioner's application. He contacted two of the three signators, and was told that they had no contact whatsoever with the notary public. None of the original character reference forms were determined to be fraudulent in any way other than that the signatures were not notarized in the presence of the notary.

3. Petitioner readily admitted to Investigator Cheatham that his sister notarized the personal reference forms for Petitioner without the personal presence of the signators. At the hearing Petitioner testified that the signators were all personally known to his sister and the notarizations were done this way due to time pressure and COVID-19 concerns.

4. Petitioner credibly testified that his sister and he were confused as to the rules for notaries during the COVID-19 state of emergency. Due to the pandemic, the Legislature had enacted N.C. Gen. Stat. § 10B-25, titled "Emergency video notarization," which allowed a notary who was "satisfied that the principal's [signator's] identity [was] proven by satisfactory evidence" to notarize a signature without meeting the normal requirement that the document be signed in the physical "presence of" the notary. Petitioner is not a notary and relied on his sister's judgment.

She did not testify at the hearing. Investigator Cheatham correctly considered the documents improperly notarized because the “emergency” statute, which expired at the end of 2021, required that the signator and notary be capable of “communicating simultaneously by sight and sound through an electronic device or process.” N.C. Gen. Stat. § 10B-25(b)(2).

5. Following his interview with Investigator Cheatham, the Petitioner promptly collected new Personal Reference Questionnaire forms with proper notarizations.

6. Investigator Cheatham also found that Petitioner had been among a group of officers investigated while employed with the Guilford County Fire Marshall’s Office after the Guilford County human resources department discovered he had not obtained the Chief’s actual signature, as required, on a form to attend training. It had become regular practice of officers there to attach a pre-printed form bearing the Chief’s signature and the office’s equal opportunity statement to documents when the Chief was unavailable. After the human resources’ investigation, a policy was changed to specifically prohibit this. The investigation report remained in his file, but Petitioner continued in his employment as before.

7. Investigator Cheatham testified that Petitioner’s training portfolio was “impressive,” and that his former supervisors spoke highly of him both as a fire investigator and as a person.

8. Petitioner currently is employed at Donan Engineering as a fire investigator and is licensed as a private investigator in Virginia, South Carolina, Tennessee and Georgia.

9. Petitioner was employed as a fire inspector and fire fighter in North Carolina for over 31 years and has 3000 plus hours of investigative experience. He was in a supervisory position for more than 5 years.

10. Wayne Delancey, N.C. Deputy State Fire Marshal, testified that he had known Petitioner for 17 years and that he was an excellent investigator, of “impeccable character,” and that he had no reason to question his moral character.

11. Brent Douglas, a former Deputy Sheriff presently employed by Home Depot, testified that he had known Petitioner all of his life and worked with him while a Deputy Sheriff. He described Petitioner as a “meticulous investigator” and “over the top in a good way,” with unquestioned integrity. He also knew Petitioner’s sister, and the issue regarding the false notary has not changed his opinion of them. He believes Petitioner to be of good moral character.

12. Petitioner is a youth baseball coach, active in his church and community, and one of two members on the Board of the International Association of Arson Investigators representing North Carolina.

13. All of the Petitioner’s Personal Reference Questionnaires (Pet. Ex. 1-5) indicated that he was of good moral character.

14. The Respondent gave the Petitioner due notice of his right to a hearing in the Office of Administrative Hearings by letter dated February 22, 2022, and Petitioner timely requested a hearing. (R Ex 2 & 3)

*Based on the foregoing Findings of Fact, the undersigned makes the following*

### **CONCLUSIONS OF LAW**

1. The Office of Administrative Hearings has jurisdiction of the parties and the cause. N.C. Gen. Stat. § 150B-40(e).2.

2. The Respondent the N.C. Private Protective Services Board, established pursuant to N.C. Gen. Stat. § 74C-1, *et seq.*, may "[c]onduct investigations regarding alleged violations" by its licensees of Chapter 74C or the Board's rules, and punish misconduct by suspending or revoking a perpetrator's license. N.C. Gen. Stat. § 74C-5(3) and (6). The Board's Director is empowered to summarily suspend a licensee pursuant to N.C. Gen. Stat. § 150B-3(c) if it is found "that the public health, safety, or welfare requires emergency action."

3. In this contested case, subject to Article 3A of the Administrative Procedure Act, the facts must be established, upon consideration of the record as a whole, by evidence admissible in the General Court of Justice, or if necessary, "the most reliable and substantial evidence available." N.C. Gen. Stat. §§ 8C; 150B-2(c); 150B-41(a).

4. Except as otherwise provided by statutes or by rules adopted under G.S. 150B-38(h), the rules contained in Title 26, Chapter 03 shall govern the conduct of contested case hearings under G.S. 150B-40 when an Administrative Law Judge has been assigned to preside in the contested case. 26 NCAC 03 .0101(d).

5. The preponderance of the credible evidence adduced at the hearing shows that the Petitioner did not knowingly and willfully seek to deceive the board, and that he is of good moral character.

*Based on the foregoing Findings of Fact and Conclusions of Law, the undersigned respectfully offers the following*

### **PROPOSAL FOR DECISION**

That the Petitioner Terry Wayne Sutherland, Jr. be **GRANTED** Private Investigator license.

### **NOTICE**

The agency that will make the final decision in this contested case is the **North Carolina Private Protective Services Board**.

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).

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).

**SO ORDERED.**

This the 3rd day of June, 2022.

A handwritten signature in black ink, appearing to read 'J Randolph Ward', is written over a solid horizontal line.

J Randolph Ward  
Administrative Law Judge

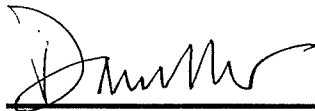
**CERTIFICATE OF SERVICE**

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:

Joel Hart Miles Jr.  
Cheshire Parker Schneider, PLLC  
hart.miles@cheshirepark.com  
Attorney For Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 3rd day of June, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

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


*I hereby certify the attached (electronic file) 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):*

***"22 DOJ 00770", "Terry Wayne Sutherland Jr, Petitioner, v. NC Private Protective Services 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 5<sup>th</sup> day of July, 2022.*

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

By: 



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ 00770

---

Terry Wayne Sutherland, Jr.            )  
  )  
  )  
v.    )  
  )  
N.C. Private Protective Services Board,    )  
  )  
  )

**NOTICE OF APPEARANCE**

---

NOW COMES undersigned counsel and hereby enters this Notice of Appearance on behalf of Petitioner, Terry Wayne Sutherland, Jr., in the above-captioned case.

Counsel for Petitioner requests all future legal documents and correspondence be directed to the undersigned at the address indicated below.

Respectfully submitted, this the 24<sup>th</sup> day of March, 2022.

CHESHIRE PARKER SCHNEIDER, PLLC

/s/ J. Hart Miles  
Hart Miles  
North Carolina State Bar No. 23342  
PO Box 1029  
Raleigh, NC 27602  
Phone: (919) 833-3114  
Fax: (919) 832-0739  
Electronic Mail: hart.miles@cheshirepark.com

## CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Notice of Appearance was this day serviced on the Respondent by electronic service as defined in 26 NCAC 03.0501(4) and addressed as follows:

Mr. Jeffrey P. Gray, Attorney for Respondent  
Bailey & Dixon, LLP  
jgray@bdixon.com

This the 24<sup>th</sup> day of March, 2022.

/s/ J. Hart Miles  
Hart Miles  
Cheshire Parker Schneider, PLLC

*Attorney for Petitioner*



22DOJ00770

STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ

COUNTY OF WAKE

TERRY WAYNE SUTHERLAND, JR., )  
 )  
 Petitioner, )  
 v. )  
 )  
 N.C. PRIVATE PROTECTIVE )  
 SERVICES BOARD, )  
 )  
 Respondent. )

---

**NOTICE OF HEARING**

FOR: Terry Wayne Sutherland, Jr.  
3708 Pemberton Way  
High Point, NC 27265

DATE: Tuesday, March 29, 2022

TIME: 2:00 p.m.

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

RE: Denial of Private Investigator license. The denial was for the following reason:  
  
Lack of good moral character related to employment history and falsification of reference forms.

STATUTES: N.C.G.S. § 74C-12(a)(25); 14B NCAC 16 .0106(a)

ADMINISTRATIVE  
LAW JUDGE: Honorable J. Randolph Ward

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

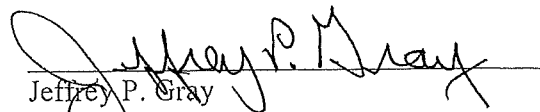
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

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.

This the 2nd day of March, 2022.

Private Protective Services Board  
Paul Sherwin, Director



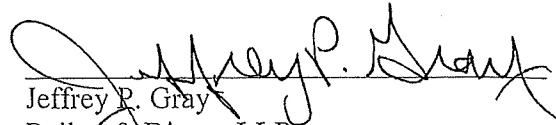
Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
(919) 828-0731 – telephone  
(919) 828-6592 – facsimile

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:

Terry Wayne Sutherland, Jr.  
3708 Pemberton Way  
High Point, NC 27265

This the 2nd day of March, 2022.

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

cc:

**Carr, Ronald D**

---

**From:** Lisa Rampello <lisa.rampello@cheshirepark.com>  
**Sent:** Friday, July 1, 2022 11:24 AM  
**To:** Clerks, Oah  
**Cc:** Hart Miles  
**Subject:** [External] FW: [External]22DOJ00770 - Terry Wayne Sutherland Jr v. NC Private Protective Services Board  
**Attachments:** Exhibit 1 - Rocky Watts Personal Reference Questionnaire.pdf; Exhibit 2 - Kevin Rigoli Personal Reference Questionnaire.pdf; Exhibit 3 - Amanda Wilhort Personal Reference Questionnaire.pdf; Exhibit 4 - Joseph Preston Sullivan Personal Reference Questionnaire.pdf; Exhibit 5 - Patrick J. Barker Personal Reference Questionnaire.pdf

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Attached please find Petitioner's exhibits 1 through 5 that were admitted at the hearing in this matter.

Thank you,

Lisa Rampello  
CHESHIRE PARKER SCHNEIDER, PLLC  
Physical: 133 Fayetteville Street - 4th Floor  
Mailing: P.O. Box 1029 Raleigh, North Carolina 27602  
Tel: (919) 833-3114 | Fax: (919) 832-0739

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ADMINISTRATIVE  
SERVICES

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

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**From:** Hart Miles <Hart.Miles@cheshirepark.com>  
**Sent:** Friday, July 1, 2022 11:21 AM  
**To:** Lisa Rampello <lisa.rampello@cheshirepark.com>  
**Subject:** FW: [External]22DOJ00770 - Terry Wayne Sutherland Jr v. NC Private Protective Services Board

---

**From:** Chunko, Daniel L <daniel.chunko@oah.nc.gov>  
**Sent:** Friday, July 1, 2022 9:11 AM  
**To:** Hart Miles <Hart.Miles@cheshirepark.com>  
**Cc:** Gray, Jeffrey <jgray@bdixon.com>  
**Subject:** [External]22DOJ00770 - Terry Wayne Sutherland Jr v. NC Private Protective Services Board

Counsel,

Our Clerk's Office has requested that you kindly file Exhibits 1-5 which were admitted at the hearing. They can be filed directly at: [oah.clerks@oah.nc.gov](mailto:oah.clerks@oah.nc.gov).

Please contact me if you have any questions.

Thank you.

Daniel L. Chunko  
Law Clerk  
NC Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609  
Email: [daniel.chunko@oah.nc.gov](mailto:daniel.chunko@oah.nc.gov)  
Phone: 984-236-1902  
Fax: 984-236-1871

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.



NORTH CAROLINA STATE PROTECTIVE SERVICES BOARD

3101 Industrial Drive • Suite 104
Raleigh, North Carolina 27609
Phone: (919) 788-5320 • Fax: (919) 715-0379
E-Mail: PPSASL@ncdps.gov
Web Page: www.ncdps.gov/PPS



PERSONAL REFERENCE QUESTIONNAIRE

TO APPLICANT: Print your name, the date and phone number below and have each of your character references complete the personal reference questionnaire. This form will be uploaded during your application process. Keep the original with your application confirmation page as it may be requested for review by your assigned investigator.

Name: TERRY WAYNE SUTHERLAND JR Date: 12/29/21 License Type: PI Ph: 336-442-1872

\*\*\*YOUR APPLICATION WILL NOT BE PRESENTED TO THE BOARD UNTIL ALL REFERENCES HAVE BEEN RECEIVED\*\*\*

REFERENCE: This questionnaire is to be completed by the reference only, signature notarized and returned to Applicant.

How long have you known the applicant? Since March 15th, 2021

Do you know him/her personally or professionally? (Both) met him at HCFD and built a friendship

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character?

Wayne is a handworker that is honest and has integrity. He is conscientious and dedicated to doing his job and takes pride in his job performance.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? None

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? None

Would you recommend the applicant for the license that he/she has requested? Yes

Reference Name: Rocky A. Watts Date: 12/29/2021

Signature: Rocky A. Watts

Address: City/State/Zip 206 Rebecca Dr., Thomasville, NC 27360

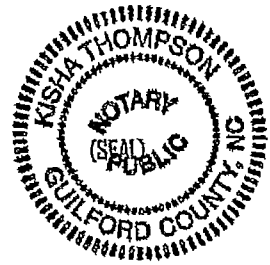
Telephone: 336-688-5012

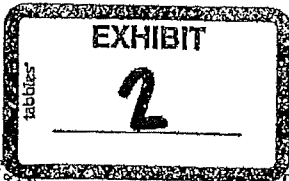
THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 29 Day of Dec, 2021

[Signature] Notary Public

My Commission Expires: 09/20/2026





NORTH CAROLINA  
 PRIVATE PROTECTIVE SERVICES BOARD  
 3101 Industrial Drive • Suite 104  
 Raleigh, North Carolina 27609  
 Phone: (919) 788-5320 • Fax: (919) 715-0379  
 E-Mail: PPSASL@ncdps.gov  
 Web Page: www.ncdps.gov/PPS



**PERSONAL REFERENCE QUESTIONNAIRE**

TO APPLICANT: Print your name, the date and phone number below and have each of your character references complete the personal reference questionnaire. This form will be uploaded during your application process. Keep the original with your application confirmation page as it may be requested for review by your assigned investigator.

Name: WAYNE SUTHERLAND Date: 1/25/2022 License Type: PI Ph: 336-442-1372

\*\*\*YOUR APPLICATION WILL NOT BE PRESENTED TO THE BOARD UNTIL ALL REFERENCES HAVE BEEN RECEIVED\*\*\*

REFERENCE: This questionnaire is to be completed by the reference only, signature notarized and returned to Applicant.

How long have you known the applicant? 8 YEARS

Do you know him/her personally or professionally? BOTH

Have you ever known the applicant to have alcohol or drug problems? NO

What kind of person do you think he/she is and how would you summarize his/her moral character? WAYNE POSSESSES EXCELLENT MORAL CHARACTER. HE IS HONEST AND TRUTHFUL. HE IS ALSO TRUSTWORTHY AND RELIABLE. WAYNE'S WORD IS HIS BOND. HE UNDERSTANDS THAT THE RIGHT WAY IS NOT ALWAYS THE EASY OR POPULAR WAY.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? NO. NEVER

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? WAYNE IS A TRUE PROFESSIONAL AND CONDUCTS HIMSELF AS SUCH BOTH PERSONALLY AND PROFESSIONALLY.

Would you recommend the applicant for the license that he/she has requested? YES.

Reference Name: KEVIN RIGOLI

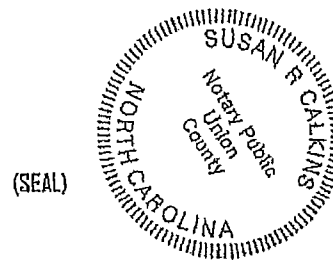
Date: 1/25/2022

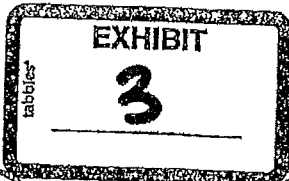
Signature: [Handwritten Signature]

Address: City/State/Zip 5313 NEWELL DR, MONROE, NC 28112

Telephone: 704-506-3677

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS  
 The 25<sup>th</sup> Day of January, 2022  
Susan R Calkins  
 Notary Public  
 My Commission Expires: April 2, 2026





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**  
3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 715-0379  
E-Mail: [PPSASL@ncdps.gov](mailto:PPSASL@ncdps.gov)  
Web Page: [www.ncdps.gov/PPS](http://www.ncdps.gov/PPS)



**PERSONAL REFERENCE QUESTIONNAIRE**

**TO APPLICANT:** Print your name, the date and phone number below and have each of your character references complete the personal reference questionnaire. This form will be uploaded during your application process. Keep the original with your application confirmation page as it may be requested for review by your assigned investigator.

Name: TERRY WAYNE SUMMERS Date: 1-25-22 License Type: PI Ph: 336-442-1822

\*\*\*YOUR APPLICATION WILL NOT BE PRESENTED TO THE BOARD UNTIL ALL REFERENCES HAVE BEEN RECEIVED\*\*\*

**REFERENCE:** This questionnaire is to be completed by the reference only, signature notarized and returned to Applicant.

How long have you known the applicant? 20 years

Do you know him/her personally or professionally? Both

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? Wayne is a Christian and devoted husband and father. He tries to live as a Christian everyday with the utmost morals. He is reliable, dedicated and intelligent.

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? I know Wayne in a personal capacity and have never known him to do anything illegal nor questionable.

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? He is a honorable, trustworthy man who is dependable, fair and always wanting to learn new things.

Would you recommend the applicant for the license that he/she has requested? Yes

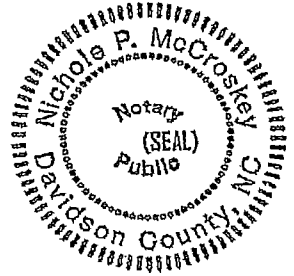
Reference Name: Amanda B. Wilhot Date: 1/25/2022

Signature: Amanda B. Wilhot

Address: City/State/Zip 3350 Lamplight Way High Point NC 27265

Telephone: 336-302-6221

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS  
The 25 Day of January, 20 22  
[Signature]  
Notary Public  
My Commission Expires: 10/04/2025







NORTH CAROLINA PRIVATE PROTECTIVE SERVICES BOARD

3101 Industrial Drive • Suite 104
Raleigh, North Carolina 27609
Phone: (919) 788-5320 • Fax: (919) 715-0379
E-Mail: PPSASL@ncdps.gov
Web Page: www.ncdps.gov/PPS



PERSONAL REFERENCE QUESTIONNAIRE

TO APPLICANT: Print your name, the date and phone number below and have each of your character references complete the personal reference questionnaire. This form will be uploaded during your application process. Keep the original with your application confirmation page as it may be requested for review by your assigned investigator.

Name: \_\_\_\_\_ Date: \_\_\_\_\_ License Type: \_\_\_\_\_ Ph: \_\_\_\_\_

\*\*\*YOUR APPLICATION WILL NOT BE PRESENTED TO THE BOARD UNTIL ALL REFERENCES HAVE BEEN RECEIVED\*\*\*

REFERENCE: This questionnaire is to be completed by the reference only, signature notarized and returned to Applicant.

How long have you known the applicant? 17 YEARS

Do you know him/her personally or professionally? BOTH PERSONALLY & PROFESSIONALLY

Have you ever known the applicant to have alcohol or drug problems? NO

What kind of person do you think he/she is and how would you summarize his/her moral character? THIS APPLICANT IS AN URBAN TALENTED GUY AND A GREAT FAMILY MAN WHO SPENDS MUCH OF HIS TIME IN HIS WEIR AS WELL AS HIS CHILDREN'S BASEBALL. THEY DON'T COME ANY BETTER

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable? ABSOLUTELY NOT!

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? I CAN'T SPEAK HIGHLY ENOUGH OF HIM.

TRULY A GOOD PERSON WHO DOES THE RIGHT THINGS FOR THE RIGHT REASONS.

Would you recommend the applicant for the license that he/she has requested? YES

Reference Name: JOSEPH PETER SULLIVAN Date: 1/26/22

Signature: [Handwritten Signature]

Address: City/State/Zip 413 WINDO-WELL WAY RENOVALE NC 27320

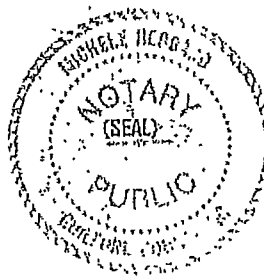
Telephone: 336-549-0080

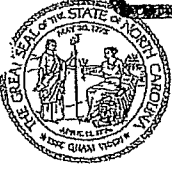
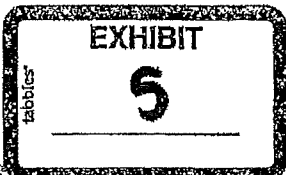
THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 26 Day of January, 2022

[Handwritten Signature]

My Commission Expires: August 17, 2026





**NORTH CAROLINA  
PRIVATE PROTECTIVE SERVICES BOARD**  
3101 Industrial Drive • Suite 104  
Raleigh, North Carolina 27609  
Phone: (919) 788-5320 • Fax: (919) 715-0379  
E-Mail: PPSASL@ncdps.gov  
Web Page: www.ncdps.gov/PPS



**PERSONAL REFERENCE QUESTIONNAIRE**

**TO APPLICANT:** Print your name, the date and phone number below and have each of your character references complete the personal reference questionnaire. This form will be uploaded during your application process. Keep the original with your application confirmation page as it may be requested for review by your assigned investigator.

Name: Terry Wayne Sutherland, Jr. Date: 12/22/21 License Type: PT Ph: 336-442-1872

\*\*\*YOUR APPLICATION WILL NOT BE PRESENTED TO THE BOARD UNTIL ALL REFERENCES HAVE BEEN RECEIVED\*\*\*

**REFERENCE:** This questionnaire is to be completed by the reference only, signature notarized and returned to Applicant.

How long have you known the applicant? 2 years

Do you know him/her personally or professionally? Professionally first & became friends

Have you ever known the applicant to have alcohol or drug problems? No

What kind of person do you think he/she is and how would you summarize his/her moral character? Wayne is an outstanding person who is always willing and able to help out. I currently serve on NC IAAT board and work along side at him on fire scene

Have you ever observed or had knowledge of the applicant doing anything you felt was illegal or questionable?  
Never

Is there anything else about the applicant that has not been asked that you feel we need to know about him/her before we grant the applicant a license? Can't say enough good things about Wayne. Just an all around great guy

Would you recommend the applicant for the license that he/she has requested? Absolutely

Reference Name: Patrick D. Barker Date: 12/22/21

Signature: [Signature]

Address: City/State/Zip 109 Battle Pk Thomasville, NC 27360

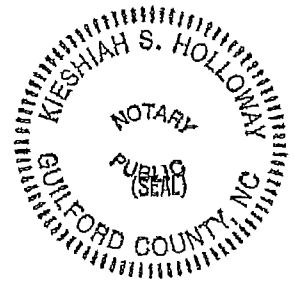
Telephone: 276-285-1422

THE ABOVE WAS SWORN AND SUBSCRIBED BEFORE ME THIS

The 29th Day of December, 2021

[Signature]  
Notary Public

My Commission Expires: October 29, 2024



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ 00770

Terry Wayne Sutherland, Jr. Petitioner,  v.  N.C. Private Protective Services Board, Respondent.	PETITIONER'S PROPOSAL FOR DECISION
--	---------------------------------------

This case came on for hearing on March 29, 2022, before J. Randolph Ward, Administrative Law Judge, at the Office of Administrative Hearings in Raleigh, N.C. This case was heard after Petitioner requested, pursuant to N.C.G.S. § 150B-40(e), designation of an Administrative Law Judge to preside at the hearing of a contested case under Article 3A of Chapter 150B of the North Carolina General Statutes.

**APPEARANCES**

Petitioner: Joel Hart Miles, Jr.  
Counsel for Petitioner  
Cheshire Parker Schneider, PLLC  
PO Box 1029  
Raleigh, NC 27602

Respondent: Jeffrey P. Gray  
Counsel for Respondent  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, NC 27602

**ISSUE**

Whether Petitioner's Private Investigator license should be denied for lack of good moral character?

**RULES AND STATUTES AT ISSUE**

N.C.G.S. § 74C-12(a)(25)  
14B N.C.A.C. 16.0401

**WITNESSES**

For Petitioner:  
Terry Wayne Sutherland  
Wayne Delancey  
Brent Douglas

For Respondent:  
Paul Sherwin  
Daniel Cheatham

**EXHIBITS**

For Petitioner:  
Petitioner's Exhibits 1-5, by stipulation

For Respondent:  
Respondent's Exhibits 1-3, by stipulation

BASED UPON careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, and the entire record in this proceeding, the Tribunal makes the following Findings of Fact:

**FINDINGS OF FACT**

1. Petitioner Terry Wayne Sutherland ("Petitioner") received by mail the denial of his application for a Private Investigator license in a February 22, 2022 letter (Res. Ex. 2) from the Private Protective Services Board. Petitioner requested an administrative hearing and Respondent filed a Notice of Hearing and notified Petitioner (Res. Ex. 3) that the hearing would take place on Tuesday, March 29, 2022, at 2:00 p.m.
2. The reason provided for the denial of application was "...demonstrated lack of good moral character related to employment history and falsification of reference forms." (Res. Ex. 2)
3. Respondent has the authority under Chapter 74C of the North Carolina General Statutes and Title 14B, Chapter 16 of the North Carolina Administrative Code to grant Private Investigator licenses.
4. Petitioner currently is employed at Donan Engineering as a fire investigator and is licensed as a private investigator in Virginia, South Carolina, Tennessee and Georgia.

5. Petitioner was previously employed as a fire inspector and fire fighter in North Carolina for over 31 years and has 3000 plus hours of investigative experience and was in a supervisory position for more than 5 years.
6. During his review of Petitioner's application Investigator Daniel Cheatham noted an irregularity in the notarization of Petitioner's personal reference forms. He contacted two or three of the signators who stated they had no contact whatsoever with the notary public. Petitioner admitted to Investigator Cheatham that his sister notarized the personal reference forms for Petitioner without the personal presence of the signators. At the hearing Petitioner testified that the signators were all personally known to his sister and the notarizations were done this way due to time pressure and COVID-19 concerns.
7. Petitioner immediately collected new personal reference forms with proper notarizations. None of the original character reference forms were determined to be fraudulent in any way other than the signatures were not notarized in the presence of the notary.
8. Petitioner had been investigated while employed with the Guilford County Fire Marshall's Office after the Guilford County human resources department discovered he did not obtain the Chief's actual signature on a required form to attend training.
9. Investigator Cheatham's report indicated that the 2018 a training authorization form that he used while employed had a "rubber stamp" signature of the Chief. Petitioner testified that it was not a rubber stamp of the Chief's signature but a pre-printed form stating that the department did not discriminate as to race, color, creed, etc. and that this was done by a number of fire fighters, that a full internal investigation was conducted, and that he was allowed to keep his employment. The policy was changed after his investigation.
10. Investigator Cheatham testified that Petitioner's former supervisors spoke highly of him both as a fire investigator and as a person.
11. Wayne Delancey, N.C. Deputy State Fire Marshal, testified that he had known Petitioner for 17 years and that the Petitioner was an excellent investigator, of "impeccable character," and he had no reason to question his moral character.
12. Brent Douglas, a former Deputy Sheriff and presently employed at Home Depot, testified that he had known Petitioner all of his life and worked with him while a Deputy Sheriff. He described Petitioner as a "meticulous investigator" and "over the top in a good way." He has no questions about his integrity, knows Petitioner's sister, and the issue regarding the false notary has not changed his opinion. He considers Petitioner to be of good moral character.
13. In addition to explaining about the pre-signed form, Petitioner testified his sister and he were confused as to the rules for notaries during the COVID-19 state of emergency. He

stated he is a youth baseball coach, active in his church and community, and one of two members on the board of the International Association of Arson Investigators representing North Carolina.

14. All of the personal reference statements of Petitioner (Pet. Ex. 1-5) indicated that he was of good moral character.
15. The Petitioner's explanations for the questions about his character were reasonable and the witnesses that testified as to his character were credible.

### CONCLUSIONS OF LAW

1. The parties are properly before the undersigned Administrative Law Judge and jurisdiction and venue are proper.
2. The Office of Administrative Hearings has personal and subject matter jurisdiction over this contested case. The parties received proper notice of the hearing in this matter. To the extent that the findings of Facts contain Conclusions of Law, or that the Conclusions or Law are Findings of Fact, they should be so considered without regard to the given labels.
3. The party with the burden of proof in a contested case must establish the facts required by N.C.G.S. § 150B-23(a) by a preponderance of the evidence. N.C.G.S. § 150B-29(a).
4. The administrative law judge shall decide the case based upon the preponderance of the evidence. N.C.G.S. § 150B-34(a).
5. Petitioner established by a preponderance of the evidence that he is of good moral character and should be granted a Private Investigator license.

### PROPOSAL FOR DECISION

Based on the foregoing Findings of Fact and Conclusions of Law, it is proposed that Petitioner's Private Investigator license be GRANTED.

### 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 Private Protective Services 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).

IT IS SO ORDERED.

This the \_\_\_\_\_ day of May, 2022.

---

J. Randolph Ward  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

It is hereby certified that a copy of the foregoing **Petitioner's Proposal for Decision** was this day serviced on the Respondent by electronic service as defined in 26 NCAC 03.0501(4) and addressed as follows:

Mr. Jeffrey P. Gray, Attorney for Respondent  
Bailey & Dixon, LLP  
jgray@bdixon.com

This the 3<sup>rd</sup> day of May, 2022.

/s/ J. Hart Miles  
Hart Miles  
Cheshire Parker Schneider, PLLC

*Attorney for Petitioner*



STATE OF NORTH CAROLINA

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ 00770

COUNTY OF WAKE

<p>Terry Wayne Sutherland Jr Petitioner,</p> <p>v.</p> <p>NC Private Protective Services Board Respondent.</p>	<p><b>PROPOSAL FOR DECISION</b></p>
--	-------------------------------------

**THIS MATTER**, a contested case under Article 3A, Chapter 150B of the North Carolina General Statutes, came on for hearing before Administrative Law Judge J. Randolph Ward on March 29, 2022 in Raleigh.

**APPEARANCES**

Petitioner: Joel Hart Miles, Jr.  
Cheshire Parker Schneider, PLLC  
Raleigh, N.C.

Respondent: Jeffrey P. Gray  
Bailey & Dixon, LLP  
Raleigh, NC 27602

**ISSUE**

Whether Petitioner's Private Investigator license should be denied for lack of good moral character?

**RULES AND STATUTES AT ISSUE**

N.C. Gen. Stat. § 74C-12(a)(25); 14B NCAC 16 .0401; and, 14B NCAC 16 .0106(a);

**WITNESSES**

Petitioner: Terry Wayne Sutherland  
Wayne Delancey  
Brent Douglas

Respondent: Paul Sherwin  
Daniel Cheatham

### **EXHIBITS**

*The following exhibits were admitted with the stipulation of the parties:*

Petitioner: Exhibits 1-5

Respondent: Exhibits 1-3

**UPON DUE CONSIDERATION** of the arguments and stipulations of counsel; the exhibits admitted; and the sworn testimony of each of the witnesses, viewed in light of their opportunity and ability to know of relevant facts and occurrences, any interests they may have in the outcome of the case, and whether their testimony is reasonable and consistent with other credible evidence; and, upon assessing the greater weight of the evidence from the record as a whole in accordance with applicable law, the undersigned makes the following:

### **FINDINGS OF FACT**

1. On February 22, 2022, the Respondent Private Protective Services Board denied the application of Petitioner Terry Wayne Sutherland, Jr. for a Private Investigator license on the grounds that he had "...demonstrated lack of good moral character related to employment history and falsification of reference forms." (Res. Ex. 2) The information leading to this decision was obtained during the background check performed by the Respondent's Investigator Daniel Cheatham.

2. During his investigation, Mr. Cheatham found irregularities in the notarization of Personal Reference Questionnaire forms presented in support of Petitioner's application. He contacted two of the three signators, and was told that they had no contact whatsoever with the notary public. None of the original character reference forms were determined to be fraudulent in any way other than that the signatures were not notarized in the presence of the notary.

3. Petitioner readily admitted to Investigator Cheatham that his sister notarized the personal reference forms for Petitioner without the personal presence of the signators. At the hearing Petitioner testified that the signators were all personally known to his sister and the notarizations were done this way due to time pressure and COVID-19 concerns.

4. Petitioner credibly testified that his sister and he were confused as to the rules for notaries during the COVID-19 state of emergency. Due to the pandemic, the Legislature had enacted N.C. Gen. Stat. § 10B-25, titled "Emergency video notarization," which allowed a notary who was "satisfied that the principal's [signator's] identity [was] proven by satisfactory evidence" to notarize a signature without meeting the normal requirement that the document be signed in the physical "presence of" the notary. Petitioner is not a notary and relied on his sister's judgment.

She did not testify at the hearing. Investigator Cheatham correctly considered the documents improperly notarized because the “emergency” statute, which expired at the end of 2021, required that the signator and notary be capable of “communicating simultaneously by sight and sound through an electronic device or process.” N.C. Gen. Stat. § 10B-25(b)(2).

5. Following his interview with Investigator Cheatham, the Petitioner promptly collected new Personal Reference Questionnaire forms with proper notarizations.

6. Investigator Cheatham also found that Petitioner had been among a group of officers investigated while employed with the Guilford County Fire Marshall’s Office after the Guilford County human resources department discovered he had not obtained the Chief’s actual signature, as required, on a form to attend training. It had become regular practice of officers there to attach a pre-printed form bearing the Chief’s signature and the office’s equal opportunity statement to documents when the Chief was unavailable. After the human resources’ investigation, a policy was changed to specifically prohibit this. The investigation report remained in his file, but Petitioner continued in his employment as before.

7. Investigator Cheatham testified that Petitioner’s training portfolio was “impressive,” and that his former supervisors spoke highly of him both as a fire investigator and as a person.

8. Petitioner currently is employed at Donan Engineering as a fire investigator and is licensed as a private investigator in Virginia, South Carolina, Tennessee and Georgia.

9. Petitioner was employed as a fire inspector and fire fighter in North Carolina for over 31 years and has 3000 plus hours of investigative experience. He was in a supervisory position for more than 5 years.

10. Wayne Delancey, N.C. Deputy State Fire Marshal, testified that he had known Petitioner for 17 years and that he was an excellent investigator, of “impeccable character,” and that he had no reason to question his moral character.

11. Brent Douglas, a former Deputy Sheriff presently employed by Home Depot, testified that he had known Petitioner all of his life and worked with him while a Deputy Sheriff. He described Petitioner as a “meticulous investigator” and “over the top in a good way,” with unquestioned integrity. He also knew Petitioner’s sister, and the issue regarding the false notary has not changed his opinion of them. He believes Petitioner to be of good moral character.

12. Petitioner is a youth baseball coach, active in his church and community, and one of two members on the Board of the International Association of Arson Investigators representing North Carolina.

13. All of the Petitioner’s Personal Reference Questionnaires (Pet. Ex. 1-5) indicated that he was of good moral character.

14. The Respondent gave the Petitioner due notice of his right to a hearing in the Office of Administrative Hearings by letter dated February 22, 2022, and Petitioner timely requested a hearing. (R Ex 2 & 3)

*Based on the foregoing Findings of Fact, the undersigned makes the following*

### CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction of the parties and the cause. N.C. Gen. Stat. § 150B-40(e).2.

2. The Respondent the N.C. Private Protective Services Board, established pursuant to N.C. Gen. Stat. § 74C-1, *et seq.*, may "[c]onduct investigations regarding alleged violations" by its licensees of Chapter 74C or the Board's rules, and punish misconduct by suspending or revoking a perpetrator's license. N.C. Gen. Stat. § 74C-5(3) and (6). The Board's Director is empowered to summarily suspend a licensee pursuant to N.C. Gen. Stat. § 150B-3(c) if it is found "that the public health, safety, or welfare requires emergency action."

3. In this contested case, subject to Article 3A of the Administrative Procedure Act, the facts must be established, upon consideration of the record as a whole, by evidence admissible in the General Court of Justice, or if necessary, "the most reliable and substantial evidence available." N.C. Gen. Stat. §§ 8C; 150B-2(c); 150B-41(a).

4. Except as otherwise provided by statutes or by rules adopted under G.S. 150B-38(h), the rules contained in Title 26, Chapter 03 shall govern the conduct of contested case hearings under G.S. 150B-40 when an Administrative Law Judge has been assigned to preside in the contested case. 26 NCAC 03 .0101(d).

5. The preponderance of the credible evidence adduced at the hearing shows that the Petitioner did not knowingly and willfully seek to deceive the board, and that he is of good moral character.

*Based on the foregoing Findings of Fact and Conclusions of Law, the undersigned respectfully offers the following*

### PROPOSAL FOR DECISION

That the Petitioner Terry Wayne Sutherland, Jr. be **GRANTED** Private Investigator license.

### NOTICE

The agency that will make the final decision in this contested case is the **North Carolina Private Protective Services Board**.

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).

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).

**SO ORDERED.**

This the 3rd day of June, 2022.

A handwritten signature in black ink, appearing to read "J Randolph Ward", is written over a solid horizontal line.

J Randolph Ward  
Administrative Law Judge

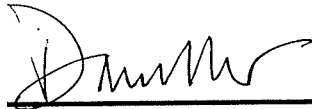
**CERTIFICATE OF SERVICE**

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:

Joel Hart Miles Jr.  
Cheshire Parker Schneider, PLLC  
hart.miles@cheshirepark.com  
Attorney For Petitioner

Jeffrey P Gray  
Bailey & Dixon, LLP  
jgray@bdixon.com  
Attorney For Respondent

This the 3rd day of June, 2022.



Daniel Chunko  
Law Clerk  
N. C. Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh, NC 27609-6285  
Phone: 919-431-3000

**Order Number**  
C7MWOVKLU Q

**Product**  
License Application (new) Private Investigator

**Type**  
privateInvestigator

**Order Received**  
12/07/2021

**Status**  
Order Denied ✖

**Processor**  
garcia.graham

**Board**  
PPSB

**Payment History**  
\$ 197.87



**Background**  
View Report (/attachedFiles/C7MWOVKLU/1638906811780)

**Background**  
complete

**SSN**  
[REDACTED]

**CRC token**  
c4a972a225388ecf00e2

**Investigator:** Daniel Cheatham 279 Performance Dr Hickory, NC 28602 828-330-4278

**Investigation Due Date:** Monday, February 7th 2022

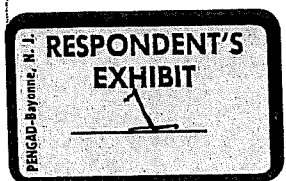
Applicant will be charged \$50 Education fee:

**Application Review for Board Meeting Date:** 02/17/2022

**Director Result**  
ApproveDiscussion  
**Note**  
Credit history and reference form notary discrepancies

**Committee Result**  
Deny  
**Note**  
Private Investigator License for demonstrated lack of good moral character related to employment history and falsification of reference forms. Staff is to notify the North Carolina Secretary of State office regarding the matter of notary public falsifying documents.

**Board Result**  
Accepted  
**Note**



Edit

**\* Type of License(s), Permits(s), Associate or Certification for which application is being made**

Select all that apply

- Armored Car Profession
- Polygraph Trainee Permit
- Electronic Countermeasures
- Private Investigator
- Electronic Countermeasures Trainee
- Private Investigator Associate
- Courier Service Profession
- Psychological Stress Evaluator Profession
- Guard Dog Service Profession
- Security Guard and Patrol Profession
- Polygraph Examiner License
- Special Limited Guard and Patrol License
- Private Investigator Temporary Permit
- Private Investigator Associate Temporary Permit

**Required Uploads for selected types above**

**\* Upload one (1) recent color head and shoulders photo. Must have been taken in the last five (5) years.**

Browse photo.jpg

**\* Upload notarized release of records form.**

Browse Notarized ROR.png

**Licensee Name**

<b>* First Name</b>	<b>Middle Name</b>
Terry	Wayne
<b>* Last Name</b>	<b>Suffix</b>
Sutherland	Jr

**Demographics**

<b>* Gender</b>	<b>* Race</b>
Male	White
<b>* Hair</b>	<b>* Eyes</b>
Brown	Blue



★ Height (Feet)	★ Height (Inches)	★ Weight (Lbs)
6	2	195

**Birth Info**

★ Birth County	★ Country
Gulford	United States
★ Birth State	
North Carolina	
★ Birth Date	
[REDACTED]	

**Citizenship Info**

★ Citizenship
<input checked="" type="radio"/> U.S. Citizen <input type="radio"/> Resident Alien <input type="radio"/> Other?

**Drivers License**

★ Do you possess a valid motor vehicle operator's license?	★ Drivers License #
<input checked="" type="radio"/> Yes <input type="radio"/> No	[REDACTED]
	★ State Issued
	[REDACTED]

**Residential Address** Must Provide Street or Road Name and/or Number.

Current Address	
★ Address Line 1	Address Line 2
[REDACTED]	
★ City	★ State
[REDACTED]	[REDACTED]
★ Zip	★ Country
[REDACTED]	[REDACTED]
★ County	
[REDACTED]	
<input checked="" type="checkbox"/> Mailing is same address as home.	
Period of residence at this address, to the present	
★ From Year	★ From Month
2021	July

Previous Addresses A 60 month history is required

Address	From	To	Edit	Delete
[REDACTED]	May 2003	July 2021	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>

Phone Numbers

\* Primary Number

Secondary (Cell,Home,etc.) Number

Office Number

Fax Number

Email

\* Email Address

Out Of State Licenses

Type	State	Expiration Date	Edit	Delete
------	-------	-----------------	------	--------

Experience

\* List all experience you believe you have for the type(s) of license for which you are applying in accordance with G.S. 74C and 14B NCAC 16. Note: A Board investigator will contact you to obtain the relevant documentation. Examples of documentation to substantiate your experience will include evaluations, job descriptions, investigative logs and reports.

Fire Investigator for approximately 7 years on the public side. Hold numerous certifications in the fire investigations field. I am the fire service director for the state of NC International Association of Arson Investigator Chapter.

Education

\* Have you graduated from high school, passed the high school equivalency test, or graduated from an accredited college or university?

Yes  No

★ Upload proof of High School Graduation, General Education Certificate, College or University diploma.

Browse CSU Diploma.png

★ Education History

School	Course	Edit	Delete
Columbia Southern University 21982 University Lane Orange Beach, AL 36561 Baldwin County	Course: Fire Science Completed: 11/15/2011 Degree(s): AAS Fire Science	Edit	Delete

Add Previous Education

Marital Status

★ Select Marital Status  
 Single  Married  Separated or Divorced

★ Family Add spouse if married. Add father and mother if applicable.

Full Name	Relationship	Age	Address	Edit	Delete
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	Edit	Delete

Add Family Member

Military Status

★ Select Military Status  
 Active  Retired  Discharged  Reserve  N/A

Previous Application

★ Have you ever applied for a license or registration with either the NC Private Protective Services Board or the NC Alarm Systems Licensing Board?  
 Yes  No

★ Employment History

Company	Supervisor	Work Dates	Edit	Delete
Name: Donan Engineering Address: 12450 Lake Station Place Louisville, KY 40299 Jefferson County Phone: (800) 482-5611	Name: Brett Kittle Phone: (205) 603-4306	Start: 10/11/2021 End:	Edit	Delete

Company	Supervisor	Work Dates	Edit	Delete
<b>Name:</b> High Point Fire Department <b>Address:</b> 434 South Elm Street High Point, NC 27260 Gullford County <b>Phone:</b> (336) 883-3358	<b>Name:</b> Tommy Reid <b>Title:</b> Chief <b>Phone:</b> (336) 883-3358	<b>Start:</b> 09/03/2018  <b>End:</b> 10/06/2021	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
<b>Name:</b> Gullford County Fire Marshal Office <b>Address:</b> 1002 Meadowood Street Greensboro, NC 27409 Gullford County <b>Phone:</b> (336) 641-7565	<b>Name:</b> Stephen Thomas <b>Title:</b> Fire Marshal <b>Phone:</b> (336) 641-7565	<b>Start:</b> 05/04/2015  <b>End:</b> 08/31/2018	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>
<b>Name:</b> PTI Airport Fire Department <b>Address:</b> 1000-A Ted Johnson Parkway Greensboro, NC 27410 Gullford County <b>Phone:</b> (336) 665-5650	<b>Name:</b> Doug Younts <b>Title:</b> Retired Captain <b>Phone:</b> (336) 665-5650	<b>Start:</b> 03/01/2005  <b>End:</b> 01/09/2015	<input type="button" value="Edit"/>	<input type="button" value="Delete"/>

At least 10 years history is required.

★ **Background Questions**

★  Yes     No    Have you ever been sued to collect a debt allegedly owed by you to a creditor?

★  Yes     No    Are you now or have you ever been engaged in any business as an owner, partner, or corporate board member?

★  Yes     No    Have you ever been involuntarily dismissed, fired, or allowed to resign in lieu of firing?  
 ★ **Explanation**

★  Yes     No    Have you every been charged, arrested, convicted, pled guilty or granted a Prayer for Judgement to a criminal offense other than a minor traffic violation?

★  Yes     No    Have you ever been required to pay a fine in excess of \$50.00?

★  Yes     No    Have you ever been convicted or pled guilty at a court-martial while a member of the Armed or Reserved Forces?

★  Yes     No    Have you ever been denied any Board license or had any similar license revoked in any state, including North Carolina?

★  Yes     No    Are you currently a sworn law enforcement officer or court official?

★  Yes     No    Have you ever been diagnosed as having a mental or emotional disorder?

★  Yes     No    Have you ever been denied a driver's license or had it revoked in any state, including North Carolina?

**Release of Information**

★ Signed Release of Information form.

Browse Select file (.jpg, .jpeg, .png, .pdf)

### Office Setup

★ Type of office associated with this application?

You will be associating with an existing registered office. ▼

★ Office BPN

006723P8M

### Company Name

★ Name of Company

Donan Engineering Company Inc.

DBA

### Company Address

★ Address Line 1

12450 Lake Station Place

Address Line 2

★ City

Louisville

★ State

Kentucky ▼

★ Zip

40299

★ Country

United States ▼

★ County

Jefferson

Mailing is same address as physical.

Mailing Address \*Post Office Box Number Acceptable.

★ Address Line 1

3708 Pemberton Way

Address Line 2

★ City

High Point

★ State

North Carolina ▼

★ Zip

27265

★ Country

United States ▼

★ County

Guilford

### Company Phone Numbers

★ Company Phone Number

Company Fax Number

(800) 482-5611

Enter Phone Number

### Position At The Company

★ Will your position be managerial?

Yes  No

★ Will you exercise direct control and supervision over the registered employees?

Yes  No

### Company Licensing

★ Select Business Type

Corporation

Please upload business license and corporate documents.

Browse

NCPI.pdf

★ If the company under which you intend to do business is a partnership, firm, association, or corporation, have you applied for a company business license which is issued by the Board?

Yes  No

★ Has the Board issued your business a company license in accordance with 14B NCAC 16.0205?

Yes  No

### Company Principals

Title	Full Name	Address	Edit	Delete
-------	-----------	---------	------	--------

Add Company Principal

### Qualifying Agent

★ If company is out-of-state, is the Qualifying Agent a resident of North Carolina?

Yes  No

Qualifying Agent's Full Name

★ First Name

Scott

Middle Name

★ Last Name

Hume

Suffix

Nickname (optional)

Qualifying Agent's Address

★ Address Line 1

Address Line 2

★ City

★ State

<input type="text"/>	<input type="text"/>
★ Zip	★ Country
<input type="text"/>	<input type="text"/>
★ County	
<input type="text"/>	

I hereby certify that all answers and statements in this application are true and accurate to the best of my knowledge. I am aware that should an investigation disclose any misrepresentation or falsification, my application may be denied.

★ Sign with your  
Initials

TWS

Background Check:

Process	Status	Initials	Date
CRC CHECK	Pass	garcia.graham	12/9/2021
FP SENT	Pass	garcia.graham	12/9/2021
FP RESULTS	Pass	shonveal.harvey	1/19/2022

Comments:

release of information form received 12.08.21 and uploaded by gg

PHOTO	Pass	garcia.graham	12/9/2021
AUTHORIZED RELEASE	Pass	garcia.graham	12/9/2021
UA TRAINING	<input type="text"/>	<input type="text"/>	<input type="text"/>
FA TRAINING	<input type="text"/>	<input type="text"/>	<input type="text"/>
CWC	<input type="text"/>	<input type="text"/>	<input type="text"/>
Date Received	<input type="text"/>	<input type="text"/>	<input type="text"/>
TERMINATION DATE	<input type="text"/>	<input type="text"/>	<input type="text"/>

Process	Status	Initials	Date
Investigator's Recommendation			

Comments:

Approval with discussion regarding Mr. Sutherland's four negative credit accounts and the Notary Issue.

Dep Dir	Fail	amanda,rolle	2/2/2022
---------	------	--------------	----------

Comments:

Approval with discussion regarding Mr. Sutherland's four negative credit accounts and the Notary issue.

**Investigator Notes**  
 (/interviewQuestions/ccwInterview/C7MWOVKLU)

Work Comments:

+ 18 Attached Documents

+ Add files...

Action Date:  
 Action User:  
 Action Type:  
 Description / Notes:  
 12/7/21 2:53 PM  
 StartPayment  
 Starting payment processing.  
 12/7/21 2:53 PM  
 StartPayment  
 Starting payment processing.  
 12/9/21 1:13 PM



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2/9/22 9:39 AM  
paul.sherwin

SaveProgress

The application data was updated.

2/19/22 9:39 AM

paul.sherwin

OwnerChange

The application was moved to user 'garcia.graham'.

2/16/22 10:53 AM

garcia.graham

SaveProgress

The application data was updated.

2/16/22 10:55 AM

garcia.graham

SaveProgress

The application data was updated.

2/16/22 7:14 PM

paul.sherwin

SaveProgress

The application data was updated.

2/18/22 5:41 PM

garcia.graham

SaveProgress

The application data was updated.

2/18/22 5:45 PM

garcia.graham

DenyOrder

The application was denied. Denied Private Investigator License for demonstrated lack of good moral character related to employment history and falsification of reference forms. Staff is to notify the North Carolina Secretary of State office regarding the matter of notary public falsifying documents. The original denial letter will be sent to you by certified mail.

2/18/22 5:45 PM

garcia.graham

EmailSent

A deny email has been sent.

- Move Order
- Assign Inv
- Order Pending
- Defer Order
- Request Documentation
- Add Invoice (dynamicapp/invoice/new?associatedOrderId=C7MWOKLU)
- Approve Order
- Withdraw Order
- Deny Order
- Assess Fine

Background Check		
CRC CHECK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FP SENT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FP RESULTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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CWC	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date Received	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TERMINATION DATE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Investigator's Recommendation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dep Dir	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Attention: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



**North Carolina Department of Public Safety**  
**Private Protective Services Board**

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

Vincent "Bud" Cesena, Chair  
Paul Sherwin, Director

February 22, 2022

Terry Wayne Sutherland, Jr.  
Donan Engineering Company, Inc.  
[REDACTED]

Dear Mr. Sutherland:

Your application for a Private Investigator license was denied by the Private Protective Services Board on February 17, 2022, for the following reason(s):

*Denied for demonstrated lack of good moral character related to employment history and falsification of reference forms.*

Pursuant to the North Carolina Administrative Procedures Act and the regulations of the Board, you have the right to appeal the Board's denial of your application. By filing an appeal, you will be afforded the opportunity to have a hearing before the NC Office of Administrative Hearings.

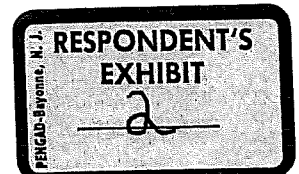
This appeal must be in writing and must be received by this office no later than sixty (60) days from the receipt of this letter. However, should you fail to request a hearing within sixty (60) days of the receipt of this letter the action of the Board will become final.

If you have any questions, please call the Board's Licensing Section at (919) 788-5320.

Sincerely,

Vincent P. Cesena  
Chairperson

Paul Sherwin  
Director




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



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

OFFICE LOCATION:  
3101 Industrial Drive, Suite 104  
Raleigh, NC 27609  
Telephone: (919) 788-5320  
Fax: (919) 788-5365



BAILEY  DIXON

Jeffrey P. Gray

jgray@bdixon.com

March 2, 2022

*Certified Mail – Return Receipt Requested*

Terry Wayne Sutherland, Jr.  
3708 Pemberton Way  
High Point, NC 27265

RE: *Administrative Hearing for Terry Wayne Sutherland, Jr.*

Dear Mr. Sutherland:

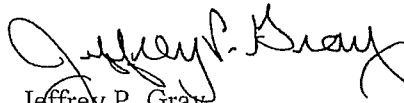
I have received your request for an administrative hearing from the N.C. Private Protective Service Board regarding the denial of your Private Investigator license.

Enclosed is a copy of the Notice of Hearing which I have filed with the Office of Administrative Hearings in this matter. As indicated on said Notice, the Board is requesting that your hearing be conducted by the Office of Administrative Hearings, located at 1711 New Hope Church Road, Raleigh, NC 27609, on **Tuesday, March 29, 2022, at 2:00 p.m.** Your failure to attend this court proceeding may result in dismissal of your case and a continuation of the suspension.

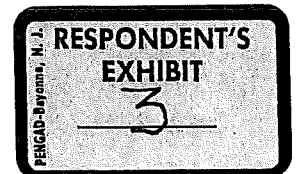
If you have any questions, you may call me at (919) 828-0731.

Sincerely,

BAILEY & DIXON, LLP

  
Jeffrey P. Gray

Enclosures



22DOJ00770

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
22 DOJ

TERRY WAYNE SUTHERLAND, JR., )  
)  
) . Petitioner, )  
)  
) v. )  
)  
) N.C. PRIVATE PROTECTIVE )  
) SERVICES BOARD, )  
)  
) Respondent. )  
\_\_\_\_\_ )

NOTICE OF HEARING

FOR: Terry Wayne Sutherland, Jr.  
3708 Pemberton Way  
High Point, NC 27265

DATE: Tuesday, March 29, 2022

TIME: 2:00 p.m.

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

RE: Denial of Private Investigator license. The denial was for the following reason:  
  
Lack of good moral character related to employment history and falsification of reference forms.

STATUTES: N.C.G.S. § 74C-12(a)(25); 14B NCAC 16 .0106(a)

ADMINISTRATIVE  
LAW JUDGE: Honorable J. Randolph Ward

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

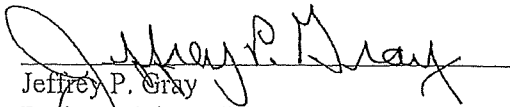
This proceeding is a contested case hearing and will give you the opportunity to present evidence and cross-examine witnesses. The Board will be represented by Jeffrey P. Gray,

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.

This the 2nd day of March, 2022.

Private Protective Services Board  
Paul Sherwin, Director

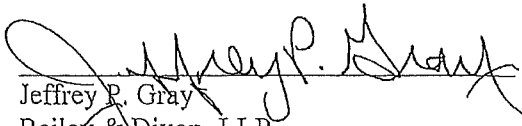
  
Jeffrey P. Gray  
Bailey & Dixon, LLP  
P.O. Box 1351  
Raleigh, North Carolina 27602  
(919) 828-0731 – telephone  
(919) 828-6592 – facsimile

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:

Terry Wayne Sutherland, Jr.  
3708 Pemberton Way  
High Point, NC 27265

This the 2nd day of March, 2022.

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

cc:

**U.S. Postal Service®**  
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Certified Mail Fee \$ \_\_\_\_\_

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_

Return Receipt (electronic) \$ \_\_\_\_\_

Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ 7.33

Total \$ \_\_\_\_\_

To: Terry Wayne Sutherland, Jr.  
 Ser: 3708 Pemberton Way  
 St: High Point, NC 27265  
 City: 3394.000001 NOH dbc

Postmark Here: 3-2-22

PS Instructions

7021 2720 0001 9877 7794

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature: <u>X</u> <u>Terry Wayne Sutherland</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name): <u>Terry Wayne Sutherland</u></p> <p>C. Date of Delivery: <u>3/2/22</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No          If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <p>Terry Wayne Sutherland, Jr.          3708 Pemberton Way          High Point, NC 27265          3394.000001 NOH dbc</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from carrier label)</p> <p>7021 2720 0001 9877 7794</p>	<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p> <p>Domestic Return Receipt</p>

