

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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FILE COPY

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
DELBERT L. SOHOLT,	:	FINAL DECISION AND ORDER
dba PERSONAL PROTECTIVE	:	95 RAL 023
AND CARETAKERS AGENCY, INC.	:	
RESPONDENTS	:	

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Delbert L. Soholt
PO Box 511
Shell Lake, WI 54871

Personal Protective and Caretakers Agency, Inc.
PO Box 511
Shell Lake, WI 54871

Department
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Department. The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Delbert L. Soholt (D.O.B. 11/12/28) is duly licensed to practice as a private detective in the state of Wisconsin (license #4598). This license was first granted on November 14, 1975.

2. Personal Protective and Caretakers Agency, Inc. 211 7th Avenue, Shell Lake, WI 54871, is a duly licensed private detective agency in the state of Wisconsin (license #62). This license was first granted on November 14, 1975.

3. Respondents' most recent address known to the Wisconsin Department of Regulation and Licensing Division of Enforcement is PO Box 511, Shell Lake, WI 54871.

4. At all times relevant to this action, respondent Delbert Soholt was the owner and officer in charge of respondent Personal Protective and Caretakers Agency, Inc. Mr. Soholt is the only licensed private detective employed by Personal Protective and Caretakers Agency, Inc.

5. In April, 1995, respondents failed to produce evidence of the \$2,000.00 bond for Private Investigator Soholt required by 440.26(4), Wis. Stats. and §RL33.01, Wis. Adm. Code. Respondents have failed to respond to repeated requests from the Department for evidence of compliance with this requirement.

6. Mr. Soholt has retired, and Professional Protective and Caretakers Agency is no longer in operation. He therefore wishes to surrender his Wisconsin licenses and consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

The conduct described above constitutes a basis for discipline under Wis. Stats. §440.26(4) and (6).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Department ACCEPTS the SURRENDER of the license of Delbert L. Soholt (license #4598) and Personal Protective and Caretakers Agency, Inc. (license #62).

IT IS FURTHER ORDERED that should Mr. Soholt reapply for Wisconsin licensure, the Department may in its sole discretion determine when and under what terms and conditions, licensure may be granted.

This Order shall become effective upon the date of its signing.

DEPARTMENT OF REGULATION AND LICENSING

By:


Marlene A. Cummings
Secretary

Date

5/9/96

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

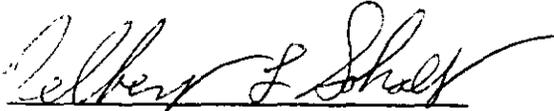
IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
DELBERT L. SOHOLT,	:	STIPULATION
dba PERSONAL PROTECTIVE	:	95 RAL 023
AND CARETAKERS AGENCY, INC.	:	
RESPONDENTS	:	

It is hereby stipulated between Delbert L. Soholt, personally on his own behalf and on behalf of Personal Protective and Caretakers Agency, Inc.; and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered in resolution of the pending proceedings against respondents' licenses. This stipulation and Order shall be presented directly to the licensing authority for ratification.
2. Mr. Soholt understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.
3. Mr. Soholt is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.
4. Mr. Soholt agrees to the adoption of the attached Final Decision and Order by the Department. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Department's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this stipulation agree that the attorney for the

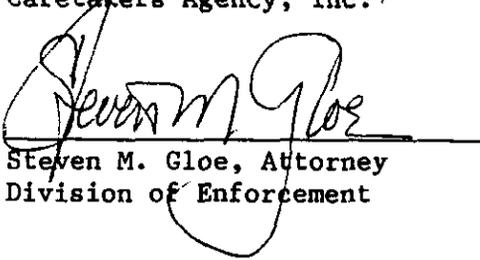
Division of Enforcement and the member of the Department assigned as an advisor in this investigation may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the members of the Department may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Mr. Soholt in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.



Delbert L. Soholt,
dba Personal Protective and
Caretakers Agency, Inc.

5-4-96
Date



Steven M. Gloe, Attorney
Division of Enforcement

5.3.96
Date

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review. The Times Allowed For Each, And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

STATE OF WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

May 14, 1996

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)