

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

FILE COPY

STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

DONALD J. BLAZEK,  
RESPONDENT.

94 FDR 008

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

Donald J. Blazek  
222 Prentice Avenue  
Ashland, WI 54806

Wisconsin Department of Regulation and Licensing  
Funeral Directors Examining Board  
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 State of Wisconsin, Funeral Directors Examining Board, having considered the Stipulation agreement annexed hereto of the parties, in resolution of the captioned-matter, makes the following:

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to jurisdiction and authority granted to the Board, that the Stipulation agreement annexed hereto, filed by Complainant's attorney, shall be and hereby is incorporated, made and ordered the Final Decision and Order of the State of Wisconsin Funeral Directors Examining Board.

Let a copy of this Order be served on Respondent by certified mail.

Dated this 9<sup>th</sup> day of MAY, 1995.

  
~~Henry E. Sanders~~

STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

---

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	STIPULATION
	:	
DONALD J. BLAZEK,	:	94 FDR 008
RESPONDENT.	:	

---

Respondent Donald J. Blazek (Blazek), and Complainant's attorney, Henry E. Sanders, Division of Enforcement, having reached agreement for disposition of the captioned-matter, hereby stipulate and agree as follows:

a. This agreement is dispositive of Investigative Complaint #94 FDR 008.

1. Respondent Blazek of 222 Prentice Avenue, Ashland, WI 54806, was at all times material to the complaint licensed as a funeral director, and had been so licensed under the provisions of Ch. 445, Wis. Stats., since October 16, 1972.

2. This Stipulation shall be submitted to the Funeral Directors Examining Board (Board) for approval and disposition of the matter. If the terms of the Stipulation are not acceptable to the Board, then the parties shall not be bound by any of the provisions of the Stipulation.

3. Respondent has been advised of his right to a public hearing on each and every allegation of the complaint, but hereby freely and voluntarily waive his right to a hearing in this matter on the condition that all provisions of the Stipulation be acceptable to and approved by the Board.

a. Respondent further agrees to waive any appeal of the Board's Final Decision and Order adopting the Stipulation agreement.

4. On February 7, 1994, in Circuit Court, Ashland County, Wisconsin, Case #94 CF 000002, the Honorable Judge Robert E. Eaton presiding, Respondent was found guilty pursuant to his plea of no contest to two (2) count violations of sec. 943.20(1)(b), Wis. Stats., Theft - Business Setting (>\$2,500), and on April 13, 1994, sentence was withheld, and two (2) consecutive sentences of five years Intensive Sanctions and restitution was ordered, Exhibit "A" attached hereto.

5. That attached hereto as Exhibits "B-B1," are the Criminal Information, Criminal Complaint and Summons, with a three (3) page attachment, pursuant to which Respondent pled "No Contest," and was found guilty.

6. Based upon the above enumerated conviction(s), Respondent has violated sec. FDR 3.02(1), Wis. Adm. Code, violated . . . any state or federal law substantially related to the practice of funeral directing.

7. Based upon the above and in settlement of this matter, Respondent hereby consents, accepts and agrees to be suspended for a period of thirty (30) days (from June 1-30, 1995); and to pay the amount of \$200 as part assessment of costs in resolving this matter.

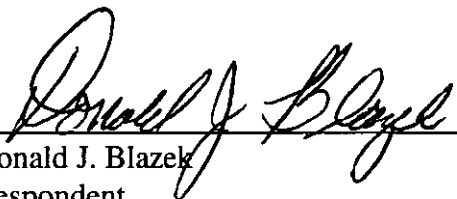
a. The \$200 shall be paid by cashier's check or money order made payable to the Department of Regulation and Licensing and submitted back to the department at the time of execution of this Stipulation.

8. On or before the effective date of the suspension, Respondent shall submit all licenses/certificates previously issued to him, to the attention of Complainant's Attorney Sanders, with the understanding that at the expiration of the suspension, the licenses/certificates will be returned to him and he may commence funeral directing without further notice.

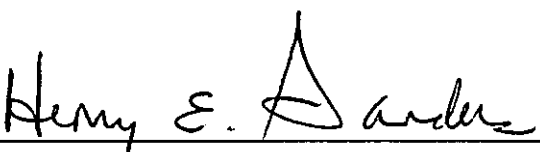
9. As basis in mitigation and for acceptance of this Stipulation, the Board is advised that the theft occurred in 1991, and was not theft from consumers, but was theft from his employer-establishment owner, and there are other mitigating factors that Complainant's attorney can relate to the Board, if it so desired.

10. Respondent agrees that this Stipulation agreement may be incorporated into the Board's Final Decision and Order adopting the Stipulation agreement.

11. Respondent further agrees that Complainant Attorney Sanders, may appear at any closed deliberative meeting of the Board with respect to this Stipulation, but that appearance is limited solely to clarification, justification and to statements in support of the Stipulation and for no other purpose.

  
\_\_\_\_\_  
Donald J. Blazek  
Respondent

APRIL 25, 1995  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Henry E. Sanders  
Complainant's Attorney

5/1/95  
\_\_\_\_\_  
Date

HES:lmf  
ATY-BLG1381

---

---

## 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 FUNERAL DIRECTORS EXAMINING BOARD.

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

**The Date of Mailing this Decision is:**

MAY 11, 1995.

### **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.)