

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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- 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/wscqa>.
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FILE COPY

STATE OF WISCONSIN
BEFORE THE BARBERING AND
COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

AGUSTIN A. GARNICA,
D/B/A TASOS HAIRSTUDIO
RESPONDENT

: FINAL DECISION AND ORDER
: 96 BAC 079

:
: LS9709161BAC

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Agustin A. Garnica
d/b/a Tasos Hairstudio
1031 W. Mitchell St.
Milwaukee, WI 53204

Barbering and Cosmetology 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 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 Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Agustin A. Garnica (DOB 08/28/54), 1031 W. Mitchell St., Milwaukee, WI 53204, is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license #18905). This license was first granted on December 5, 1988.

2. Tasos Hairstudio, 1031 W. Mitchell St., Milwaukee, WI 53204, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #15894). This license was first granted on August 15, 1985.

3. Mr. Garnica is listed with the Department as the owner and manager of Tasos Hairstudio. As owner and manager, Mr. Garnica was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and chs. 2, 3 and 4 of the Wisconsin Administrative code.

4. On September 12, 1994, the Board imposed discipline upon the manager's and establishment licenses of Mr. Garnica and Tasos Hairstudio for the employment of unlicensed personnel. A true and correct copy of the September 12, 1994, Order is attached to this document as Exhibit A. Exhibit A is incorporated into this document by reference.

5. On December 4, 1995, the Board imposed discipline upon the manager's and establishment licenses of Mr. Garnica and Tasos Hairstudio for the employment of unlicensed personnel. A true and correct copy of the December 4, 1995, Order is attached to this document as Exhibit B. Exhibit B is incorporated into this document by reference.

6. On exact dates unknown, but beginning at least in January 1997 and continuing through at least March 1997, Mr. Garnica employed Linda Gnacinski to provide barbering and cosmetology services to patrons of the Tasos Hairstudio establishment.

7. At all times relevant to ¶ 6, above, Ms. Gnacinski was not licensed to practice barbering and cosmetology in the state of Wisconsin.

8. In resolution of this matter, Mr. Garnica consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct described in ¶¶ 6 and 7, above, Agustin A. Garnica d/b/a Tasos Hairstudio has violated sec. 454.08(2), Stats. and Wis. Admin. Code §§ BC 2.04, 2.06(1), 2.07(2)(b) and (d).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Agustin A. Garnica shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND dollars (\$1000.00). Payment shall be submitted within ninety (90) days from the date of this order. Payment shall be made by *certified check or money order*, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
P.O. Box 8935
Madison, WI 53708.

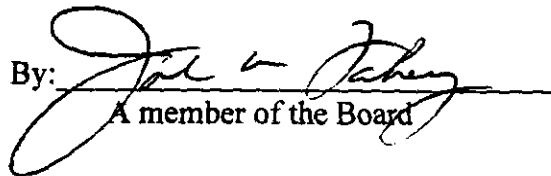
2. Agustin A. Garnica shall provide the Department Monitor on a quarterly basis with a copy of all reports filed in conjunction for withholding and unemployment compensation taxes as long as Linda Gnacinski works at Tasos Hairstudio or until Linda Gnacinski obtains a valid Wisconsin barbering and cosmetology license. In addition, Mr. Garnica shall include on the quarterly report the Wisconsin license numbers for all licensed employees.

3. In the event respondent fails to timely submit payment of the forfeiture as set forth in ¶ 1, above, the establishment license of respondent (#15894) SHALL BE SUSPENDED, without further notice or hearing, until respondent has complied with the terms of this Order.

4. In the event respondent fails to timely submit payment of the forfeiture as set forth in ¶ 1, above, the manager license of respondent (#18905) SHALL BE SUSPENDED, without further notice or hearing, until respondent has complied with the terms of this Order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: 
A member of the Board

12/1/97
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
AGUSTINE GARNICA	:	91 BAC 103
dba TASO'S HAIR STUDIO,	:	
RESPONDENTS	:	

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

Agustine Garnica
1031 West Mitchell Street
Milwaukee, WI 53204

Taso's Hair Studio
1031 West Mitchell Street
Milwaukee, WI 53204

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 Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Agustine Garnica (dob 8/28/54), 1031 West Mitchell Street, Milwaukee, WI 53204, is duly licensed in the state of Wisconsin to practice as a barbering and cosmetology manager (license #18905).
2. Taso's Hair Studio, 1031 West Mitchell Street, Milwaukee, WI 53204, is and was at all times relevant to this action duly licensed as a barbering and cosmetology establishment (license #15894).
3. At all times relevant to this action, Mr. Garnica was acting as owner and manager of record of Taso's Hair Studio. As owner and manager of record, Mr. Garnica was and is responsible for compliance with Wis. Stats. ch. 454 in the operation of his establishment.
4. On exact dates unknown, but during the time period beginning at least

Exhibit A

in February, 1992 and continuing on through July, 1992, Taso's Hair Studio employed Margarita Lopez Gazga and Georgina Fuentes to provide cosmetology services to patrons of the establishment.

5. During the period of time referred to in ¶4; above, neither Margarita Lopez Gazga nor Georgina Fuentes possessed a valid Wisconsin barbering and cosmetology license or a temporary permit to practice barbering and cosmetology in the state of Wisconsin.

6. In resolution of this matter, Mr. Garnica consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

Agustine Garnica and Taso's Hair Studio, by the conduct referred to in ¶¶4 and 5, above, have violated Wis. Admin. Code BC 2.04, BC 2.06(1), BC 2.07(2)(b) and BC 2.07(2)(d).

ORDER

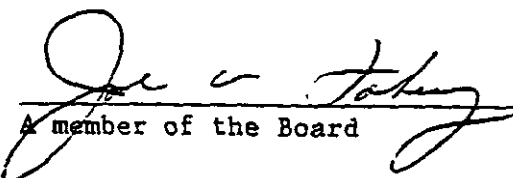
NOW, THEREFORE, IT IS HEREBY ORDERED that Agustine Garnica shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00). Payment shall be submitted within thirty (30) days from the date of this order. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Wisconsin Department of Regulation and Licensing
Attn: Michelle Neverman, Department Monitor
P.O. Box 8935
Madison, WI 53708.

IT IS FURTHER ORDERED that in the event that Respondent Agustine Garnica fails to timely submit payment of the forfeiture as set forth above, the establishment license of Taso's Hair Studio shall be suspended, without further notice or hearing, until he has complied with the terms of this Order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: 
A member of the Board

9/12/99
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
AGUSTINE GARNICA	:	91 BAC 103
dba TASO'S HAIR STUDIO,	:	
RESPONDENTS	:	

It is hereby stipulated between Agustine Garnica, personally on his own behalf and on behalf of Carezza Hair Designs; and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (91 BAC 103). Mr. Garnica consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Garnica 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 him, 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. Garnica 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. Garnica agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing. 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 attached order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, 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.

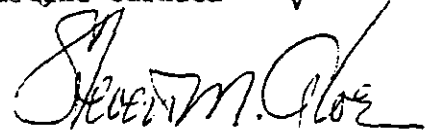
6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Barbering and Cosmetology Examining Board assigned as an advisor in this investigation may appear before the Board of the Department of Regulation and Licensing for the purposes of speaking in support of this agreement and answering questions that the Board may have in connection with their deliberations on the stipulation.

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



Augustine Garnica

9-14-94
Date



Steven M. Gloe, Attorney
Division of Enforcement

9.9.94
Date

1995
35

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

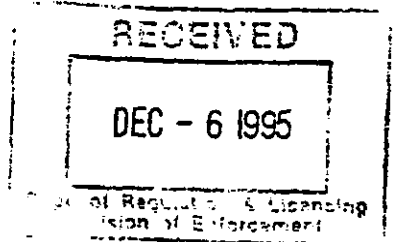
IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
AGUSTINE GARNICA	:	94 BAC 091
d/b/a TASOS HAIRSTUDIO,	:	
RESPONDENT	:	

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

Agustine Garnica
1031 West Mitchell
Milwaukee, WI 53204

Tasos HairStudio
1031 West Mitchell
Milwaukee, WI 53204

Department of Regulation and Licensing
Division of Enforcement
Post Office 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 Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Tasos HairStudio, 1031 Mitchell, Milwaukee, WI 53204 is and was at all times relevant to this action duly licensed in the state of Wisconsin as a barbering and cosmetology establishment, license #15894.

2 At all times relevant to this action Mr. Garnica was acting as owner and manager of record of Tasos HairStuido. As owner and manager of record, Mr. Garnica was and is responsible for compliance with Wis. Stats. ch. 454 in the operation of this establishment.

3. On exact dates unknown, but during the time period beginning at least April 14, 1995 and continuing through at least August 17, 1995, Tasos HairStudio employed Linda Gnacinski to provide cosmetology services to patrons of the establishment.

Exhibit B

4. During the period of time referred to in ¶3, above, Ms. Guacinski did not possess a valid Wisconsin barbering and cosmetology license or a temporary permit to practice barbering and cosmetology in the state of Wisconsin.

5. In resolution of this matter, Mr. Garnica consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

Agustine Garnica and Tasos HairStudio, by the conduct referred to in ¶¶ 3 and 4, above, have violated Wis. Admin. Code § BC 2.04, § BC 2.06(1), § BC 2.07(2)(b) and § BC 2.07(2)(d)

ORDER

NOW, THEREFORE, IT IS **HEREBY ORDERED** that Agustine Garnica shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED and FIFTY dollars (\$250.00). Payment shall be submitted at least on the following dates:

1. One hundred and twenty-five dollars (\$125.00) within sixty (60) days from the date of this order; and
2. One hundred and twenty-five dollars (\$125.00) within ninety (90) days from the date of this order.

Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Wisconsin Department of Regulation and Licensing
Attn: Michelle Neverman, Department Monitor
P.O. Box 8935
Madison, WI 53708.

IT IS **FURTHER ORDERED** that in the event Respondent Agustine Garnica fails to timely submit payment of the forfeiture as set forth above, the establishment license of Tasos HairStudio, 1031 West Mitchell, Milwaukee, WI 53204 SHALL BE **SUSPENDED**, without further notice or hearing, until Mr. Garnica has complied with the terms of this Order.

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

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: 

A member of the Board


Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
AGUSTINE GARNICA,	:	94 BAC 091
d/b/a TASOS HAIRSTUIDO,	:	
RESPONDENT	:	

It is hereby stipulated between Augustine Garnica, personally on his own behalf and on behalf of Tasos HairStudio; and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (94 BAC 091). Mr. Garnica consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Mr. Garnica 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 him, 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. Garnica 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. Garnica agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board. 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 attached order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board 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 Barbering and Cosmetology Examining Board assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the Board may have in connection with their deliberations on the stipulation.

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

Agustine Garnica
Agustine Garnica

10-23-75
Date

Steven M. Goe
Steven M. Goe, Attorney
Division of Enforcement

11.9.75
Date



STATE OF WISCONSIN
BEFORE THE BARBERING AND
COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :

AGUSTIN A. GARNICA,
D/B/A TASOS HAIRSTUDIO
RESPONDENTS. :

STIPULATION
96 BAC 079

It is hereby stipulated between Agustin A. Garnica, and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement. (96 BAC 079). Mr. Garnica consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Mr. Garnica 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 him, 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. Garnica is aware of his right to seek legal representation and has obtained legal advice prior to signing this stipulation.

4. Mr. Garnica agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board. 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 attached order, if adopted in the form as attached.

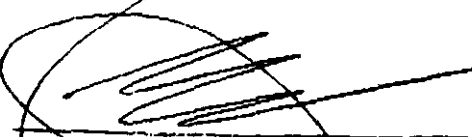
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board 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 Barbering and Cosmetology Examining Board assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the Board may have in connection with their deliberations on the stipulation.

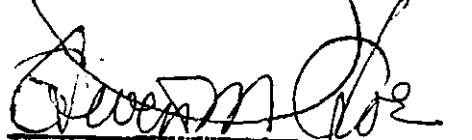
7. The Division of Enforcement joins Mr. Garnica in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


 Agustin A. Garnica
 d/b/a Tazos Hairstudio

10/19/97
 Date


 Attorney Jeffrey VanGroll

10/18/97
 Date


 Steven M. Grog, Attorney
 Division of Enforcement

10-20-97
 Date

Department of Regulation & Licensing

State of Wisconsin

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

(608)

TTY# (608) 267-2416, hearing or speech
TRS# 1-800-947-3529, impaired only

GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On December 1, 1997, the Barbering and Cosmetology Examining Board
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a
forfeiture.

The amount of the costs assessed is: _____ Case #: _____

The amount of the forfeiture is: \$1,000.00 Case # 96BAC079

Please submit a check or a money order in the amount of \$ 1,000.00

The costs and/or forfeitures are due: March 1, 1998

NAME: Agustin A. Garnica d/b/a Tasos Hairstudio LICENSE NUMBER: 18905

STREET ADDRESS: 1031 West Mitchell Street

CITY: Milwaukee STATE: WI ZIP CODE: 53204

Check whether the payment is for costs or for a forfeiture or both:

 COSTS X FORFEITURE

Check whether the payment is for an individual license or an establishment license:

 X INDIVIDUAL ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

Make checks payable to:

DEPARTMENT OF REGULATION AND LICENSING
1400 E. WASHINGTON AVE., ROOM 141
P.O. BOX 8935
MADISON, WI 53708-8935

#2145 (Rev. 9/96)
Ch. 440.22, Stats.
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For Receipting Use Only

STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

In the Matter of the Disciplinary Proceedings Against

Agustin A. Garnica,
d/b/a Tasos Hairstudio,

AFFIDAVIT OF MAILING

Respondent.

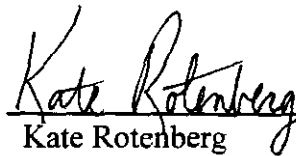
STATE OF WISCONSIN)
)
COUNTY OF DANE)

I, Kate Rotenberg, having been duly sworn on oath, state the following to be true and correct based on my personal knowledge:

1. I am employed by the Wisconsin Department of Regulation and Licensing.

2. On December 4, 1997, I served the Final Decision and Order dated December 1, 1997, and Guidelines for Payment of Costs and/or Forfeitures, upon the Respondent Agustin A. Garnica's, d/b/a Tasos Hairstudio, attorney by enclosing true and accurate copies of the above-described documents in an envelope properly stamped and addressed to the above-named Respondent's attorney and placing the envelope in the State of Wisconsin mail system to be mailed by the United States Post Office by certified mail. The certified mail receipt number on the envelope is P 221 157 527.


Jeffrey VanGroll, Attorney
P.O. Box 1267
Milwaukee WI 53201



Kate Rotenberg
Department of Regulation and Licensing
Office of Legal Counsel

Subscribed and sworn to before me

this 4th day of December 1997.



Notary Public, State of Wisconsin
My commission is permanent.

NOTICE OF RIGHTS OF APPEAL

TO: JEFFRY VANGROLL ATTY

You have been issued a Final Decision and Order. For purposes of service the date of mailing of this Final Decision and Order is 12/4/97. Your rights to request a rehearing and/or judicial review are summarized below and set forth fully in the statutes reprinted on the reverse side.

A. 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 section 227.49 of the Wisconsin Statutes. The 20 day period commences on the day of personal service or the date of mailing of this decision. The date of mailing of this Final Decision is shown above.

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

A petition for rehearing shall specify in detail the grounds for relief sought and supporting authorities. Rehearing will be granted only on the basis of some material error of law, material error of fact, or new evidence sufficiently strong to reverse or modify the Order which could not have been previously discovered by due diligence. The agency may order a rehearing or enter an order disposing of the petition without a hearing. If the agency does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied at the end of the 30 day period.

A petition for rehearing is not a prerequisite for judicial review.

B. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in section 227.53, Wisconsin Statutes (copy on reverse side). The petition for judicial review must be filed in circuit court where the petitioner resides, except if the petitioner is a non-resident of the state, the proceedings shall be in the circuit court for Dane County. The petition should name as the respondent the Department, Board, Examining Board, or Affiliated Credentialing Board which issued the Final Decision and Order. A copy of the petition for judicial review must also be served upon the respondent at the address listed below.

A petition for judicial review must be served personally or by certified mail on the respondent and filed with the court within 30 days after service of the Final Decision and Order 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. Courts have held that the right to judicial review of administrative agency decisions is dependent upon strict compliance with the requirements of sec. 227.53 (1) (a), Stats. This statute requires, among other things, that a petition for review be served upon the agency and be filed with the clerk of the circuit court within the applicable thirty day period.

The 30 day period for serving and filing a petition for judicial review commences on the day after personal service or mailing of the Final Decision and Order by the agency, or, if a petition for rehearing has been timely filed, the day after personal service or mailing of a final decision or disposition by the agency of the petition for rehearing, or the day after the final disposition by operation of the law of a petition for rehearing. The date of mailing of this Final Decision and Order is shown above.

The petition shall state the nature of the petitioner's interest, the facts showing that the petitioner is a person aggrieved by the decision, and the grounds specified in section 227.57, Wisconsin Statutes, upon which the petitioner contends that the decision should be reversed or modified. The petition shall be entitled in the name of the person serving it as Petitioner and the Respondent as described below.

SERVE PETITION FOR REHEARING OR JUDICIAL REVIEW ON:

STATE OF WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD
1400 East Washington Avenue
P.O. Box 8935
Madison WI 53708-8935