

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

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION FOR
AN ADMINISTRATIVE INJUNCTION
INVOLVING

| | |
|-------------|--------------------------|
| TIM THI DO, | FINAL DECISION AND ORDER |
| APPLICANT. | LS9905191RAL |

The State of Wisconsin, Department of Regulation and Licensing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Department of Regulation and Licensing.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 15th day of July, 1999.
Marlene A. Cummings, Secretary

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

-

:

IN THE MATTER OF A PETITION :
FOR AN ADMINISTRATIVE INJUNCTION :
INVOLVING

| | |
|--------------------|------------------------------------|
| TIM THI DO, | PROPOSED DECISION AND ORDER |
| RESPONDENT | Case No. LS-9905191-RAL |

-

PARTIES

The parties to this action under section 227.44 of the Wisconsin Statutes and chapter RL 3 of the Wisconsin Administrative Code, and for purposes of review under §227.53, Wis. Stats., are:

Complainant:

Division of Enforcement

Department of Regulation and Licensing
1400 East Washington Avenue
Madison, WI 53703

Respondent:

Tim Thi Do
2468 S. Burrell Street
Milwaukee, WI 53207

PROCEDURAL HISTORY

On May 19, 1999, the Division of Enforcement (DOE), by its attorney Steven M. Gloe, filed a petition for an administrative injunction. A hearing on the petition was scheduled for June 28, 1999. A copy of the petition and a notice of hearing were personally served on Ms. Do on May 18, 1999.

Ms. Do failed to file an answer to the petition. The hearing on the petition was held as scheduled. Ms. Do did not appear. Mr. Gloe appeared on behalf of the Department of Regulation and Licensing. A Motion to Dismiss was filed by the DOE on June 28, 1999.

Based on the entire record of this case, this is the proposed decision and order of the undersigned administrative law judge.

FINDINGS OF FACT

1. Tim Thi Do does not hold a license to practice as a manicurist in the State of Wisconsin.
2. On May 18, 1999, the Department of Regulation and Licensing (Department) personally served Ms. Do with a Petition For Injunction. The Petition contains errors as to the business name and address of the establishment where Ms. Do was allegedly practicing manicuring.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction in this matter pursuant to §440.21, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that this matter is **DISMISSED**.

OPINION

The Department personally served a Petition For Injunction on Ms. Do on May 18, 1999. However, the Petition contained errors as to the business name and address of the establishment where Ms. Do was allegedly practicing manicuring. Consequently, the Division of Enforcement (Division) moved for an order dismissing this action without prejudice. Given the uncertainty of the information contained in the Petition, an Order of Dismissal is advisable. If deemed appropriate, another petition may be filed by the Division at a later date.

Dated at Madison, Wisconsin, this 29th day of June, 1999.

STATE OF WISCONSIN
DEPARTMENT OF REGULATION & LICENSING
1400 East Washington Avenue
Madison, Wisconsin 53703

Jacquelynn B. Rothstein

Administrative Law Judge