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STATE OF WISCONSIN
BEFORE THE PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST
ANTHONY D. MULLOZZI, Ph.D. LS9807211PSY

Respondent

ORDER DENYING PETITION

On January 27, 2000, the Psychology Examining Board issued its Final Decision and Order in the above-captioned matter, by which the board revoked Dr. Mullozzi's license to practice psychology in the State of Wisconsin, and by which the board ordered that the costs of the proceeding be assessed against him. On February 15, 2000, the Affidavits of Costs for the Division of Enforcement and the Office of Board Legal Services were provided to Dr. Mullozzi, along with notice that objections to the costs were due in the board office on or before February 28, 2000. Absent any objections, the board issued its Order Fixing Costs on March 13, 2000.

By letter dated March 24, 2000, Dr. Mullozzi, by Attorney Scott W. Clark, filed his Motion for Order Reopening the Order Fixing Costs, on the basis that Dr. Mullozzi's failure to earlier object to the costs was the result of excusable neglect. The board considered the request at its meeting of April 14, 2000. Based upon all information of record herein, the board orders as follows:

ORDER

NOW, THEREFORE, IT IS ORDERED that respondent's Motion for Order Reopening the Order Fixing Costs be, and hereby is, denied.

DISCUSSION

Accompanying Mr. Scott's letter was a copy of a letter to him from Dr. Mullozzi dated March 23, 2000, citing the events occurring subsequent to receiving the board's Final decision and Order in the matter, and indicating that the succession of events made it impossible to communicate with Mr. Scott. Had it been necessary for Dr. Mullozzi to have done anything more that notify his attorney in a timely manner that he wished to object to the costs, a more plausible argument for excusable neglect could be made. But while it seems apparent that Dr. Mullozzi has had a great deal on his mind over the past three months, that is not in the board's

view an adequate excuse for failing to request that objections be filed until almost a month after objections were due, and 10 days after the board had issued its Order Fixing Costs.

Dated this 25th day of April, 2000.

STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD

by _____

Barbara A. Van Horne, Ph.D.

Chair