

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION OF THE EXAMINING BOARD OF ARCHITECTS,
LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION
	:	AND ORDER
JAMES W. WHITESIDE,	:	LS0406242ENG
RESPONDENT	:	

Division of Enforcement Case No. 03 ENG 008

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

James W. Whiteside
5900 Valley High Dr.
Madison, WI 53718

Examining Board of Architects, Landscape Architects,
Professional Engineers, Designers, and Land Surveyors;
Professional Engineer Section
P.O. Box 8935
Madison, WI 53708

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 disposition of this matter, subject to the approval of the Wisconsin Professional Engineer Section (Section) has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. James W. Whiteside ("Respondent"), date of birth 01/26/45, is licensed in the State of Wisconsin as a Professional Engineer having license #6-16878. This license was first granted to him on 07/08/77. Respondent's last reported address on file with the Department of Regulation and Licensing is 5900 Valley High Rd., Madison, WI 53718.
2. On August 1, 1994, Respondent's professional engineer registration expired. Respondent did not renew his professional engineer registration until September 18, 2003. Respondent admits that he prepared and stamped one plan during the time his registration was expired.

CONCLUSIONS OF LAW

1. The State of Wisconsin Professional Engineer Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter and is authorized to enter into the attached Stipulation pursuant to Wis. Stats. sec. 443.12.
2. Respondent has violated:
 - a. Sec. 443.02(2), Wis. Stats., and §A-E 8.07(1), Wis. Admin. Code by practicing as a professional engineer

with an expired registration.

ORDER

NOW THEREFORE, IT IS HEREBY ORDERED

1. That Respondent James W. Whiteside, license #6-16878, be and hereby is REPRIMANDED.
2. That Respondent pay COSTS in this matter in the amount of \$600.00 within 60 days of the date of this Order.
3. That any and all petitions, requests, reports and payments required by this Order shall be mailed, faxed or delivered to:

Department Monitor

Department of Regulation and Licensing

Division of Enforcement

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Fax (608- 266-2264

Telephone (608) 267-3817

4. That violation of any term and condition of this Order may constitute grounds for revocation of Respondent's registration to practice as a Professional Engineer in Wisconsin. Should the Section determine that there is probable cause to believe that Respondent has violated the terms of this Order, the Section may order that Respondent's registration be summarily suspended pending investigation of and hearing on the alleged violation.
5. That file 03 ENG 008 be, and hereby is, closed.

Dated: 6-24-04

PROFESSIONAL ENGINEER SECTION

Lynda Farrar

A Member of the Section