

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 THE :

DISCIPLINARY PROCEEDINGS

AGAINST

:

:

:

:

:

FINAL DECISION AND ORDER

LS0610129RSG

MOSE MACKLIN, JR.,

RESPONDENT.

Division of Enforcement Files: 05 RSG 034

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

Mose Macklin, Jr.
3314 North 46th Street
Milwaukee, Wisconsin 53216

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 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 Department. The Department has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Mose Macklin, Jr., (Date of Birth: May 16, 1962) is duly licensed as a Private Security Person in the state of Wisconsin (Permit #108-1282) by the Wisconsin Department of Regulation and Licensing. The permit was first issued on July 1, 1997. The permit expired on September 1, 2006. Mr. Macklin has the right to renew this permit upon payment of a late fee and the renewal credential fee pursuant to Wis. Stat. sec. 440.08(3). Mr. Macklin has not at this date submitted any renewal fees or late fees for renewal of his Private Security Person permit. Mr. Macklin's last address reported to the Department is 3314 North 46th Street, Milwaukee, Wisconsin 53216

2. On October 5, 2005, Mr. Macklin was convicted in Milwaukee Circuit Court of one count of felony 2nd Degree Recklessly Endangering Safety. A true and correct copy of the Criminal Complaint and Judgment of Conviction are attached as Exhibit A.

3. Mr. Macklin did not personally inform the Department of Regulation and Licensing of the October 5, 2005, felony conviction within 48 hours of conviction.

4. In resolution of this matter, Mose Macklin, Jr., consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing is authorized to enter in the attached Stipulation pursuant to Wis. Stat. sec. 227.44(5).

2. Wis. Stat. sec. 440.26(4m)(b), and Wis. Admin. Code § RL 35.01(2), indicate that a license or permit holder who is

convicted of a felony or misdemeanor, or who is found to have committed a violation, in this state or elsewhere, shall notify the Department in writing of the date, place and nature of the conviction within 48 hours after the judgment of conviction.

3. Wis. Stat. sec. 440.26(6)(b) requires revocation of a Private Security Person Permit following a felony conviction.
4. Wis. Admin. Code § RL 35.01(2), indicates that the Department may limit, suspend, revoke or reprimand a credential holder who has violated any law, the circumstances of which substantially relate to the practice of a private security person.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that the Private Security Person Permit of Mose Macklin, Jr., (Permit #108-1282) is **HEREBY REVOKED**.

IT IS FURTHER ORDERED that Mose Macklin, Jr., shall pay the amount of **SIX HUNDRED dollars (\$600.00)** for a **full assessment of costs** of this proceeding, all to be paid within **one hundred eighty (180) days** of the effective date of the Board’s Order adopting the Stipulated Agreement.

The assessed full assessment of costs shall be payable by cashier’s check or money order made payable to the Department Monitor (Place case number on the check or money order and the words “Forfeiture” and/or “Costs”).

Department Monitor
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 53708-8935

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

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson
Secretary

10-12-06

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS

AGAINST

:

:

:

:

:

STIPULATION

LS# _____ RSG

MOSE MACKLIN, JR.,

RESPONDENT.

Division of Enforcement Files: 05 RSG 034

It is hereby stipulated between Mose Macklin, Jr., and Claudia Berry Miran, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation of Mr. Macklin's licensure by the Division of Enforcement (05 RSG 034). Mr. Macklin consents to the resolution of this investigation by Stipulation and without the issuance of a formal complaint.

2. Mr. Macklin understands that by signing 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, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Mr. Macklin has been provided the opportunity to obtain legal counsel prior to signing this Stipulation.

4. Mr. Macklin agrees to the adoption of the attached Final Decision and Order by the Department of Regulation and Licensing (Department). 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. Mr. Macklin waives all rights to any appeal of the Department's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that the 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 or other agent for the Division of Enforcement may appear before the Department in open or closed session, without the presence of Mr. Macklin or Mr. Macklin's attorney, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with the Department's deliberations on the Stipulation.

7. Mr. Macklin is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Enforcement joins Mose Macklin, Jr., in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.

Mose Macklin, Jr.

Respondent

License Number 108-1282

3314 North 46th Street

Milwaukee, Wisconsin 53216

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date