

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :
DISCIPLINARY PROCEEDINGS :
AGAINST : **FINAL DECISION AND ORDER**
: **LS#0802122RSG**
MICHAEL J. VANCE, **:**
RESPONDENT. **:**

Division of Enforcement Files: 07 RSG 039

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

Michael J. Vance
4050 North 46th Street
Milwaukee, Wisconsin 53216

Department of Regulation and Licensing
Post Office Box 8935
Madison, Wisconsin 53708-8935

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

PROCEDURAL HISTORY

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.

A formal complaint was filed in this matter on February 12, 2008.

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

FINDINGS OF FACT

1. Michael J. Vance (Date of Birth: January 26, 1960) is duly licensed as a Private Security Person in the state of Wisconsin (Permit #108-33043) by the Wisconsin Department of Regulation and Licensing (Department). The permit was first issued on March 21, 2007, and is current through August 31, 2008. Mr. Vance's last address reported to the Department is 1408 South 59th Street, West Allis, Wisconsin 53214. The Department has learned that Mr. Vance presently resides at 4050 North 46th Street, Milwaukee, Wisconsin 53216.

2. On July 19, 1995, Mr. Vance was convicted in Milwaukee County Circuit Court of one count of Felony Second Degree Sexual Assault. True and correct copies of the Criminal Complaint and Judgment of Conviction are attached as Exhibit A. Exhibit A is incorporated by reference into this Order.

3. Wis. Stat. sec. 440.26(2)(c)2., states that an individual who has been convicted in this state or elsewhere of a felony and who has not been pardoned for that felony is not eligible for a license under this section.

4. The Department granted Mr. Vance a private security person permit by mistake.
5. In resolution of this matter, Michael J. Vance 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. By the activity referred to in above Findings of Fact, there has been a violation of:
3. Wis. Stat. sec. 440.26(2)(c)2. An individual who has been convicted in this state or elsewhere of a felony and who has not been pardoned for that felony is not eligible for a license under this section.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that the Private Security Person Permit of Michael J. Vance (Permit #108-33043) is hereby **REVOKED**.

Mr. Vance shall also submit all indicia of licensure to the Department Monitor within 15 days from the date of this Order. The Department Monitor can be contacted at:

Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

This Order shall be effective on the date on which it is signed.

THE DEPARTMENT OF REGULATION AND LICENSING

By Celia M. Jackson
Secretary

6/19/08

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE :

DISCIPLINARY PROCEEDINGS :

AGAINST :

STIPULATION

LS#0802122RSG

MICHAEL J. VANCE, :

RESPONDENT. :

Division of Enforcement Files: 07 RSG 039

It is hereby stipulated between Michael J. Vance, 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 complaint hearing of Mr. Vance's licensure by the Division of Enforcement (07 RSG 039). Mr. Vance consents to resolution of this matter by Stipulation.
2. Mr. Vance 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. Vance has been provided the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Mr. Vance 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. Vance 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. Vance or Mr. Vance'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. Vance 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 Michael J. Vance in recommending the Department adopt this Stipulation and issue the attached Final Decision and Order.

Michael J. Vance

Respondent

License Number 108-33043

4050 North 46th Street

Milwaukee, Wisconsin 53216

Date

Claudia Berry Miran

Attorney

Division of Enforcement

Post Office Box 8935

Madison, Wisconsin 53708-8935

Date