

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

BENJAMIN WILSON,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
:
: ORDER 0002081

Division of Legal Services and Compliance Case No. 12 MMA 004

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

Benjamin Wilson
32020 60th St.
Salem, WI 53168

Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

On September 6, 2012, the Division of Enforcement (now Division of Legal Services and Compliance) filed a formal complaint against Respondent Benjamin Wilson in this matter. On September 17, 2012, Respondent contacted the Division's attorney and indicated his willingness to resolve this matter by stipulation.

Prior to a hearing or issuance of a final judgment in this case, 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 of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is licensed in the State of Wisconsin as a Mixed Martial Arts Amateur Contestant, having license number 276-66, first issued on 12/22/2010 and current

through 05/16/2013. Respondent's most recent address on file with the Department is 32020 60th St., Salem, WI 53168.

2. Respondent entered into a contract to appear in a fight for North American Fighting Championships scheduled on 05/04/2012.

3. The registration and weigh-in was scheduled for 05/03/12. Contract specified Respondent was to arrive at RoufuSport Academy, located at 321 N. 76th St., Milwaukee, WI, no later than 6:00 pm.

4. Respondent arrived approximately 25 minutes late.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 444.11, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § SPS 195.02(14) by failing to arrive at their report time for weigh-in.

3. As a result of the violations noted in the Conclusions of Law, Respondent is subject to discipline pursuant to Wis. Stat. § 444.11 and Wis. Admin. Code § SPS 195.02(14).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is accepted.

2. The VOLUNTARY SURRENDER of the mixed martial arts amateur contestant license of Respondent Benjamin Wilson (no. 276-66) is hereby ACCEPTED.

3. Respondent shall not seek to reinstate or apply for any mixed martial arts license with the State of Wisconsin for at least 5 years from the date of this Order.

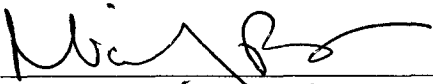
4. If Respondent ever seeks to renew or reinstate his license or applies for a mixed martial arts professional contestant license, he shall pay a forfeiture in the amount of \$50.00 and the costs of investigating and prosecuting this matter, in the amount of \$246.00, before any such application may be considered. Payment of the forfeiture and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

5. Should Respondent seek to renew or reinstate his mixed martial arts amateur contestant license or apply for any other mixed martial arts license, the Wisconsin Department of Safety and Professional Services may in its sole discretion determine whether, and under what circumstances, a license may be issued.

6. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: 
Michael J. Berndt, Chief Legal Counsel
On Behalf of the Department

10/8/12
Date