

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

AARON CARTER,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: ORDER 0002147

Division of Legal Services and Compliance Case No. 12 MMA 006

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

Aaron Carter
1826 N. 14th St.
Springfield, IL 62702-2812

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

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 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 Aaron Carter, (dob September 4, 1990), is licensed in the State of Wisconsin as a mixed martial arts professional contestant, having license number 277-190, first issued May 1, 2012, and current through May 1, 2013. Respondent's last address reported to the Department of Safety and Professional Services is 1826 N. 14th St., Springfield, IL 62702-2812.

2. On April 25, 2012, Respondent signed and attested to the truthfulness of a "Boxing or Mixed Martial Arts Contestant License" application (Application) which was submitted to the Department via facsimile on April 30, 2012.

3. The instructions on the Application, item number 6, state that the applicant must, "Complete and attach the medical examination report at the end of this application."

4. Respondent submitted a physician's examination report. The report was a copy of a form done for the Commonwealth of Pennsylvania for licensing there and was dated April 5, 2012, and signed by James Stevens, M.D.

5. On August 10, 2012, the Indiana Gaming Commission (IGC), the board that regulates mixed martial arts in the State of Indiana, contacted the Department asking for a copy of the physical and labs the Department had on file for the Respondent.

6. On August 16, 2012, IGC informed the Department that Respondent changed the date on his form from August 5, 2011, to April 5, 2012. The IGC obtained a faxed copy of the form from the doctor's office and confirmed with the office that Respondent had not been seen by the doctor since October 5, 2012, which appears to be the date the doctor actually signed the Pennsylvania form. (Exhibit 2).

7. On October 11, 2012, by fax, Dr. James Stevens attested to the fact that the results of the physical examination were dated August 5, 2011, and not April 5, 2012.

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 Aaron Carter violated Wis. Admin. Code § SPS 193.04(2)(d) by not providing the results of a physical examination by a physician and laboratory results conducted no more than 90 days before the date of the application because his physical actually occurred on August 5, 2011, which was more than eight months prior to his application for license.

ORDER

1. The attached Stipulation is accepted.

2. Respondent Aaron Carter's professional mixed martial arts contestant license (number 277-190) is SUSPENDED for a period of 30 days beginning 15 days after the date of this order.

3. Within six months of the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$365.00. Respondent shall submit a down payment of \$182.50 within 90 days of the date this Order. An additional payment of \$182.50 will be due 90 days from the date of the previous payment to achieve full payment of costs.

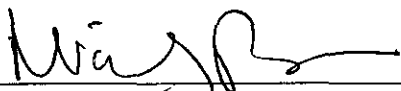
4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Department in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of the costs as ordered and as set forth above, Respondent's license (no. 277-190) may, in the discretion of the Department, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

11/16/12
Date