

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
MATTHEW A. ELMORE, :  
RESPONDENT. :

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0004480

Division of Legal Services and Compliance Case No. 15 RSG 003

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

Matthew A. Elmore  
637 Wood Violet Lane  
Sun Prairie, WI 53590

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

Division of Legal Services and Compliance  
Wisconsin Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Matthew A. Elmore (DOB April 11, 1985) is permitted in the State of Wisconsin as a private security person, having permit number 23749-108, first issued on June 9, 2003 and current through August 31, 2016. Matthew A. Elmore's most recent address on file with the Department is 637 Wood Violet Lane, Sun Prairie, Wisconsin 53590.
2. On December 19, 2013, Respondent was charged with Battery, Misdemeanor A, with a Domestic Abuse modifier, and Disorderly Conduct, Misdemeanor B, with a Domestic Abuse modifier, in Dane County Circuit Court Case Number 2013CM002871.

3. The charges were based upon an argument and altercation between Respondent and his former and current partners which began at a holiday party and continued at Respondent's home.

4. On January 22, 2014, Respondent pled guilty to Battery, Misdemeanor A, and entered into a deferred prosecution/first offender program, the terms of which included AODA assessment.

5. On April 16, 2014, Respondent was found to have fulfilled the deferred prosecution agreement.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.26(6), 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 Matthew A. Elmore engaged in conduct reflecting adversely on his professional qualification pursuant to Wis. Admin. Code § SPS 35.01(2) by violating a law the circumstances of which substantially relate to the practice of a private security person.

3. As a result of the above conduct, Respondent Matthew A. Elmore is subject to discipline pursuant to Wis. Stat. § 440.26(6)(a)1. and 2.

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Matthew A. Elmore's private security person permit (no. 23749-108) is SUSPENDED for a period of thirty (30) days, beginning ten (10) days after the date of this Order.

3. Within ninety (90) days from the date of this Order, Respondent Matthew A. Elmore shall pay the COSTS of this matter in the amount of \$450.00.

4. Payment of the costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent 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 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

5. In the event Respondent fails to timely submit payment of the costs as ordered and as set forth above, Respondent's permit (no. 23749-108) or his right to renew his permit 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:   
A Member of the Department

1/15/16  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MATTHEW A. ELMORE,  
RESPONDENT.

STIPULATION

0004480

Division of Legal Services and Compliance Case No. 15 RSG 003

Respondent Matthew A. Elmore and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (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. Respondent 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 Legal Services and Compliance 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 Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.

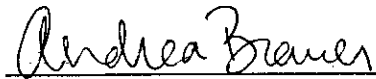
7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.



Matthew A. Elmore, Respondent  
637 Wood Violet Lane  
Sun Prairie, WI 53590  
Permit no. 23749-108

01/13/2016  
Date



Andrea E. Brauer, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

1/13/16  
Date