STATE OF NORTH CAROLINA

IN THE OFFICE OF ADMINISTRATIVE HEARINGS 15 DOJ 08234

COUNTY OF WAKE

IN RE:)))	
ARMED REGISTRATION CERTIFICATION FOR TOMMY LEE HUDSON))))	PROPOSAL FOR DECISION

On December 29, 2015, pursuant to North Carolina General Statute § 150B-3(c) and North Carolina General Statute § 74C-6, the undersigned Administrative Law Judge called this case for hearing on the summary suspension of the Armed Guard Registration Permit issued to Tommy Lee Hudson, 2316 S. Scales St, Reidsville, NC 27320. Based on the testimony and documentary evidence at the hearing, the Court finds as follows:

STATEMENT OF LAW AND FINDINGS OF FACT

- 1. The North Carolina Private Protective Services Act, N.C.G.S. § 74C-1 *et seq.*, created North Carolina Private Protective Services Board ("the Board"), and sets forth the licensing and permit registration of companies and individuals engaged in the armed and unarmed security guard and patrol business.
- 2. Pursuant to N.C.G.S. § 74C-12, the Board may, after compliance with Chapter 150B of the General Statutes, deny, suspend or revoke a registration or permit issued under this Chapter if it is determined that the registrant committed an unlawful act constituting a lack of good moral character or that threatens the public health, safety and welfare.
- 3. Pursuant to N.C.G.S. § 74C-6, the Director shall administer the directives contained in the Private Protective Services Act and the rules promulgated by the Board in order to actively police the industry. Pursuant to N.C.G.S. § 74C-6, the Board authorizes its Director to summarily suspend any license or registration permit pursuant to N.C.G.S. § 150B-3(c).
- 4. Petitioner Tommy Lee Hudson is currently registered as an armed security guard with Lankford Protective Services, Inc. Mr. Hudson's application has an expiration date of January 31, 2016.
- 5. An investigation by the Board's staff revealed that Petitioner was arrested for Assault with A Deadly Weapon Inflicting Serious Injury in Rockingham County, North Carolina on October 12, 2015. This offense possesses a serious threat to the public health, safety and welfare.

- 6. On October 26, 2015 Director Barry Echols issued an Order of Summary Suspension directing that Petitioner's armed registration be summarily suspended pursuant to N.C.G.S. § 150B-3 because the Findings of Fact showed that the public health, safety and welfare would be jeopardized if Petitioner were allowed to continue in his role as an armed security guard for Lankford Protective Services, Inc. That Order notified Petitioner that the Office of Administrative Hearings would conduct a contested case hearing on Tuesday, December 29, 2015 at 2:00 p.m. on the issue of Petitioner's summary suspension.
- 7. On Tuesday, December 29, 2016, at 2:00 p.m., the undersigned called this case for hearing. The Board's counsel and witness appeared for the administrative hearing and Petitioner appeared *pro se*.
- 8. Director Echols testified that Petitioner was a registered armed security guard with the Board and the Order of Summary Suspension signed by Director Echols and the Incident/Investigation Report for Petitioner's criminal charge were admitted into evidence. Director Echols personally confirmed the criminal charge with the investigating agency.
- 9. Petitioner testified to the events leading up to the charge which can be best described as "domestic" resulting from long-standing issues with visitation and the three children he fathered with his estranged girlfriend.

CONCLUSION OF LAW

Based upon the foregoing Findings of Fact, the undersigned hereby proposes that the Board suspend Petitioner's armed guard registration permit pursuant to N.C.G.S. § 150B-3(c), as the public health, safety and welfare will be jeopardized if Tommy Lee Hudson is allowed to continue as an armed security guard for Lankford Protective Services, Inc.

NOTICE AND ORDER

The NC Private Protective Services Board will make the Final Decision in this contested case. As the Final Decision Maker, that agency is required to give each party an opportunity to file exceptions to this proposal for decision, to submit proposed findings of fact, and to present oral and written arguments to the agency pursuant to N.C.G.S. § 150B-40(e).

The undersigned hereby orders that Agency serve a copy of its Final Decision in this case on the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6700.

This the 4th day of February, 2016.

Donald W. Overby
Administrative Law Judge

STATE OF NORTH CAROLINA

COUNTY OF WAKE

IN THE OFFICE OF ADMINISTRATIVE HEARINGS 15 DOJ 08234

Tommy Lee Hudson Petitioner,	
v. N.C. Private Protective Services Board Respondent.	ORDER AMENDING DECISION
ORDERED that the above-captioned Decision	rpose of correcting a clerical error, IT IS HEREBY, issued from this Office on February 4, 2016 is caption of the Proposal for Deicsion shall read as
Tommy Lee Hudson, Petitioner,	
v.	PROPOSAL FOR DECISION
N.C. Private Protective Services Board Respondent.	
This the 5 th day of February, 2016.	
	onald W Overby Iministrative Law Judge
710	minimum to Latt baase