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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF)
SHELDON K. SOMMER TO PRACTICE) **STIPULATION AND ORDER**
AS AN UNARMED SECURITY GUARD)
IN THE STATE OF UTAH) **CASE NO DOPL 2007- 184**

SHELDON K. SOMMER (“Respondent”) and the **DIVISION OF OCCUPATIONAL
AND PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah
 (“Division”) stipulate and agree as follows

- 1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action
- 2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily
- 3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent’s signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent’s right to counsel in this matter

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4 Respondent understands that Respondent is entitled to a hearing before the State of Utah's Security Services Licensing Board ("the Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent acknowledges that by executing this document Respondent hereby waives the right to a hearing and any other rights to which Respondent may be entitled in connection with said hearing

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document and may be released to other persons and entities

7 Respondent admits the following facts are true

a On or about February 22, 2007, Respondent entered into a Memorandum of Understanding and Order ("MOU") in DOPL Case No 2007-66 Respondent was granted a probationary license to practice as an unarmed private security officer subject to terms and conditions

b Following Respondent's first meeting with the Board on or about April 12, 2007, Respondent determined that he no longer intends to comply with the terms and conditions of the MOU Respondent desires to surrender his license to practice as an unarmed private security officer in the State of Utah

8 Respondent admits his conduct described above is unprofessional conduct as defined in Utah Code Ann § 58-1-502(2)(a), providing a basis for action against his license under Utah Code Ann § 58-1-401(2)(a) Respondent agrees to hereby surrender Respondent's license to practice as an unarmed private security officer in the State of Utah Respondent agrees that the issuance of the Order in this matter constitutes disciplinary action by the Division

pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2)(a) and (b) Respondent agrees not to reapply for licensure as a security officer for a period of five years from the date the Division Director signs this Stipulation and Order The Division does not guarantee that any future application by Respondent for licensure will be granted If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as an unarmed private security officer in the State of Utah Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division

9 This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this matter

10 Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudgment Respondent might have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order There are no verbal agreements that modify, interpret, construe or affect this Stipulation

12 This Stipulation and Order become effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director

13 Respondent has read each and every paragraph contained in this Stipulation and

Order Respondent understands each and every paragraph contained in this Stipulation and

Order Respondent has no questions about any paragraph or provision contained in this

Stipulation and Order

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

RESPONDENT

BY


CLYDE ORMOND
Bureau Manager

BY


SHELDON K. SOMMER
Respondent

DATE

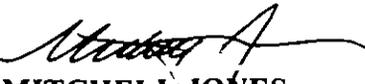
Aug 30, 2007

DATE

[Received by DOL on August 30, 2007]

MARK L SHURTLEFF
ATTORNEY GENERAL

BY


L. MITCHELL JONES
Assistant Attorney General

DATE

30 Aug 2007

ORDER

THE ABOVE STIPULATION, in the matter of **SHELDON K. SOMMER**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 30 day of *August*, 2007

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING

F. David Stanley
F DAVID STANLEY
Director

Investigator Galen Kester