

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

**ARKANSAS STATE BOARD OF  
LICENSURE FOR PROFESSIONAL  
ENGINEERS AND PROFESSIONAL  
SURVEYORS**

**COMPLAINANT**

**Case #2013-14**

**JOHN ANTON BROWN**

**RESPONDENT**

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

A hearing on the above-reference matter was held before the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (“the Board”) on August 6, 2014 at the office of the Board, 623 Woodlane Drive, Little Rock, Arkansas.

John Anton Brown (AR-PS #15866, hereinafter “Respondent”) failed to appear before the Board after service of notice and was not represented. The Board was represented by Assistant Attorney General Brandon Robinson.

On the basis of the testimony and other evidence presented during the hearing, the Board makes the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

F1. The Respondent is a Professional Engineer licensed by Board, on November 13, 2013.

F2. At no time relevant to the complaint did the Respondent’s firm, Structural Modeling and Analysis, LLC, have a valid Certificate of Authorization to offer or provide engineering services in Arkansas.

F3. On August 8, 2013, the Board received an application for Professional Engineering licensure in Arkansas by comity from the Respondent.

F4. In answer to Question # 3 of the "NOTICE TO ALL APPLICANTS FRO REINSTATEMENT OR RECIPROCAL REGISTRATION which directed the applicant to list "The current project or projects in Arkansas on which you contemplate performing engineering services if the information is not confidential" the Respondent state in part "West Memphis Fallen Officer Memorial".

F5. This statement was evaluated by the Board staff to mean the Respondent had offered to practice engineering in Arkansas, and had practiced engineering in Arkansas, before becoming a licensee of the Board.

F6. The statements of the NOTICE were followed up by telephone interview conducted by the Board Investigator on 9/13/2013 with the Respondent. The interview confirmed that the Respondent and his firm were under contract to provide engineering services in Arkansas, and that design documents were being prepared.

F7. During the meeting on November 12, 2013, the Board voted to license the Respondent, and also instructed the Complaint Committee of the Board to investigate possible unlicensed practice by the applicant, and unauthorized engineering services by the applicant's firm.

#### **CONCLUSIONS OF LAW**

C1. The conduct of the Respondent, as set forth above in the Findings of Fact, constitutes one count assisting the Respondent's firm to offer or provide engineering service in Arkansas without obtaining a Certificate of Authorization from the Board, in violation of Arkansas Code Annotated § 17-48-305.


C2. The conduct of the Respondent's firm, as set forth above in the Findings of Fact, constitutes one count of offering and/or providing engineering services in Arkansas without obtaining a Certificate of Authorization from the Board, in violation of Arkansas Code Annotated §17-30-303.

**ORDER**

O1. The Respondent is ordered to pay a civil penalty of Five Hundred Dollars (\$500.00) for the violations described above in Paragraph C1 and C2. The total civil penalty must be received by the Board within fifty (50) days of the service of this Order.

These Findings of Fact, Conclusions of Law, and Order constitute the final written decision of the Board in this matter, which may be appealed within thirty (30) days of service, as specified in the Arkansas Administrative Procedures Act, according to provisions of Arkansas Code Annotated § 25-15-201, *et al* and Arkansas Code Annotated §17-48-101 *et seq*, and the Rules of the Board

Dated this 5<sup>th</sup> of August, 2014

  
\_\_\_\_\_  
Steve Haralson, Executive Director  
Arkansas Board of Licensure for Professional  
Engineers and Professional Surveyors

**Certificate of Service**

I, James Atchley, investigator of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors, do hereby swear and affirm that a true and correct copy of the attached was sent by U.S. Mail to the following address with proper postage affixed on this 15<sup>th</sup> day of August, 2014, to:.

Mr. John A. Brown, PE  
 Structural Modeling and Analysis, LLC  
 4741 Central #515  
 Kansas City, MO 64112-1533

*James H. Atchley*  
 \_\_\_\_\_  
 James Atchley, Board Investigator  
 Arkansas Board of Licensure for Professional  
 Engineers and Professional Surveyors

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

**OFFICIAL USE**

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Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$ 6.68</b>

Sent To \_\_\_\_\_  
 Street, Apt. No., or PO Box No. *Brown*  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, January 2001 See Reverse for Instructions

7002 0510 0001 8880 1429

**SENDER COMPLETE THIS SECTION**

1. Article Addressed to:  
 Mr. John A. Brown, PE  
 Structural Modeling and Analysis, LLC  
 4741 Central #515  
 Kansas City, MO 64112-1533

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Lisa G. Bateman* \_\_\_\_\_  
 B. Received by (Printed Name)  Addressee  
 Lisa G. Bateman \_\_\_\_\_  
 C. Date of Delivery \_\_\_\_\_

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below: \_\_\_\_\_

Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
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 4. Restricted Delivery? (Extra Fee)  Yes  No

2. Article Number (Transfer from service label) 7002 0510 0001 8880 1429

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