

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

Case #2007-09, in the matter of James Cook:

COMPLAINT

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") registered a complaint on June 12, 2007, charging James W. Cook (AR-PS #43, hereinafter "Cook") with gross negligence and/or incompetence in the practice of surveying, in violation of Arkansas Code Annotated §17-48-102, and failure to file a survey plat with the circuit court clerk, in violation of Arkansas Code Annotated §17-48-106(a), and failure to affix a seal or signature to a completed survey plat, in violation of Arkansas Code Annotated §17-48-102(a)(2).

FINDINGS OF FACT

1. Cook was retained to survey the Complainant's property. The resulting survey revealed less acreage than anticipated by the Complainant.
2. When questioned by the Complainant about the difference, Cook made reference to an earlier survey.
3. When the Complaint began looking into the earlier survey, neither the earlier survey nor the Complainant's survey had been filed with the circuit clerk.
4. The survey plat provided to the Complainant did not have the seal or signature of the licensee.

CONCLUSIONS OF LAW


Upon review of the evidence in its possession, the Board finds Cook's actions as described in the Findings of Fact do not warrant further action by the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors.

SEP 28 2009

ORDER

Based on these findings, the complaint against Cook is dismissed without further action by the Board.

SO ORDERED this 15th day of September, 2009

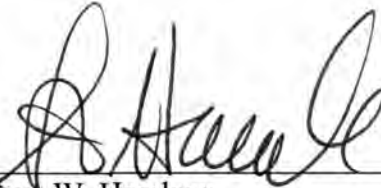


Frank Vozel, President

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Registration for Professional Engineers and Land Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 30th day of September, 2009, to:

Mr. James W. Cook, PS
C & C Land Services
P.O. Box 588
Calico Rock, AR 72519-0588

A handwritten signature in black ink, appearing to read "S. Haralson", written over a horizontal line.

Steve W. Haralson
Executive Director