

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

Complainant:)	
)	
Arkansas State Board of Licensure for)	
Professional Engineers and Professional)	
Land Surveyors)	
)	Case #2009-21
)	
Respondent:)	
)	
Mr. Jose Juan Rivera)	
Henneman Engineering Inc)	
14643 Dallas Pkwy Ste 750)	
Dallas, TX 75254-8884)	
)	
)	

DISMISSAL ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") registered a complaint on June 9, 2009, charging Jose Juan Rivera (unlicensed, hereinafter "Rivera") with violation of Arkansas Code Annotated §17-30-305 (attempting to obtain licensure in Arkansas by fraud or deceit).

FINDINGS OF FACT

1. On December 15, 2008, Rivera submitted an application for Professional Engineer licensure in Arkansas by comity. The Board considered Rivera's application during a meeting on June 9, 2009.
2. In his response to Question 3 of the application (If you have ever used another name, list here), Rivera made no response, leaving Line 3 blank.
3. In his response to Question 26 of the application (Explanations to affirmative answers to Questions 20 thru 25 on pages one and two), Rivera responded "I paid a fine to the Oklahoma Board for issuing preliminary documents while application was in process. The matter is closed and I was not formally disciplined."

4. During that same meeting on June 9, 2009, the Board also considered the application of David Mauck for Professional Engineer registration by comity.

5. The Board took notice of a disciplinary action Mauck had suffered in Oklahoma, and during the resulting discussion, also noting that Rivera was a party to the consent order, under a different name than the one he used for his application in Arkansas.

6. Rivera signed the Oklahoma Consent Order in the form of "Jose Juan Rivera Nieves" on October 15, 2008, before he submitted the application for Professional Engineering licensure in Arkansas on December 15, 2008.

7. Upon investigation the Board determined Rivera's use of different names was a cultural issue, and that Rivera was confused about the use of the term "formally disciplined," but there was no intention to deceive the Board.

CONCLUSIONS OF LAW


Upon review of the evidence in its possession, the Board finds the conduct by Rivera described in the Findings of Fact does not warrant further investigation or disciplinary action.

The Board, however, found concern about Rivera's use of different names, and therefore asked that the letter notifying him of dismissal of the action explain compliance with Article 12.B.4.b of the Rules of the Board.

ORDER

Based on these findings, the complaint against Rivera is dismissed without further action by the Board, and a letter of explanation will be issued by the Executive Director.

SO ORDERED this 19th day of February 2010



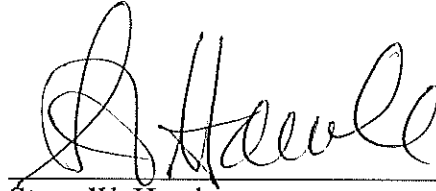
Frank Vozel, Board President

EVUNA 2-4-10

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Licensure for Professional Engineers and Professional 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 17th day of March, 2010, to:

Mr. Jose Juan Rivera
Henneman Engineering Inc
14643 Dallas Pkwy Ste 750
Dallas, TX 75254-8884

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

Steve W. Haralson
Executive Director