

Proceedings of the Arizona Game and Fish
 Commission License Revocation and Civil
 Assessment Hearings
 Time Certain – 2:00 p.m.
 Friday, March 11, 2011
 Arizona Game and Fish Department
 5000 West Carefree Highway
 Phoenix, Arizona 85086

PRESENT: (Commission)

(Director's Staff)

Chairman Robert R. Woodhouse
 Vice Chair Norman W. Freeman
 Commissioner Jack F. Husted
 Commissioner John W. Harris
 Commissioner Robert E. Mansell

Director Larry D. Voyles
 Deputy Director Bob Broscheid
 Deputy Director Gary R. Hovatter
 Assistant Attorney General Jim Odenkirk
 Assistant Attorney General Linda Pollock

Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments
 for the Illegal Taking and/or Possession of Wildlife

Presenter: Gene Elms, Law Enforcement Branch Chief

Mr. Elms presented the cases below to the Commission. Each of these cases were reviewed and it was determined that all cases met the criteria established in A.R.S. §17-238, §17-245 §17-314, §17-340, §17-362, §17-363 and/or §17-502 for Commission action. The Commission and the respondents were provided with copies of the original court docket and case reports prepared by the officers along with copies of all other pertinent materials in each of these cases. Each of the following individuals was legally noticed for this hearing.

Name	Docket #	Count	Conviction
German Costanza	2011-0014	Count A:	Take Wildlife Without License
		Count B:	Take Wildlife Unlawful Method
		Count C:	Possess Unlawfully Taken Wildlife
Carlos Sorto	2011-0015	Count A:	Take Wildlife Without License
		Count B:	Take Wildlife Unlawful Method
		Count C:	Possess Unlawfully Taken Wildlife
Victoria McGuire	2011-0017	Count A:	Take Wrong Species
Steven R. Guynn	2011-0020		Civil Assessment Only
Elias S. Gallegos	2011-0021	Count A:	Take Wildlife Without Valid Tag/Permit
		Count B:	Possession Unlawfully Taken Wildlife
Thomas Triebes	2011-0022		Civil Assessment Only
Robert LaRose	2011-0023	Count A:	Take Wildlife Closed Season
Richard R. Walters	2011-0024	Count A:	Take Wildlife Without Valid Tag/Permit
Edward W. Collins	2011-0025	Count A:	Take Wildlife Closed Season
Albert L. Alcorn	2011-0026	Count A:	Obtain Resident License by Misrepresentation

Roll call was taken and the following were present: Carlos Sorto, Thomas Triebes, Robert LaRose, Edward Collins and Albert Alcorn.

Mr. Elms stated that the civil assessment process is not intended to be punitive, but is a process allowing the Commission to recover financial damages to compensate the State for the loss of any wildlife. Hunter Education requirements are imposed as a remedial measure to increase knowledge and prevent future violations and not as punishment. The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed above.

Motion: Husted moved and Harris seconded THAT THE COMMISSION VOTE TO TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

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Carlos R. Sorto
Docket # 2011-0015

Sorto was found guilty by the Moccasin Justice Court for: Count A: Take wildlife without a license; Count B: Take wildlife unlawful method; and Count C: Possess Unlawfully Taken Wildlife; and sentenced Counts A, B and C: Fined \$420.00 and unsupervised probation until conditions met.

Sorto was present and addressed the Commission. He did not speak English, so Department employee Rebecca Galindo assisted with translation. Mr. Sorto stated that he purchased the license in Las Vegas and he was told that the license was good for both states, Nevada and Arizona.

The Commission questioned Mr. Sorto about his understanding of the limits for fishing and if he understood the rules.

Mr. Sorto stated that he was not aware that he was not allowed to take those types of fish and he did not know about the rules.

The Case Officer Thompson was present and answered questions for the Commission.

The Commission discussed that it is the responsibility of any license holder to know the rules and regulations.

Motion: Harris moved and Husted seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF CARLOS R. SORTO TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST CARLOS R. SORTO TO COLLECT

THE **\$950.00 FOR THE LOSS OF NINETEEN (19) FISH;** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Motion: Mansell moved and Woodhouse seconded THAT THE COMMISSION VOTE TO AMEND THE MOTION TO ADD “THE **SHARED** AMOUNT OF **\$8,000.00** FOR THE LOSS OF **ONE (1) VIRGIN CHUB, AN ENDANGERED SPECIES.**”

Vote: Unanimous

Amended Motion: Harris moved and Husted seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **CARLOS R. SORTO TO HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS;** THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT’S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **CARLOS R. SORTO** TO COLLECT THE **SHARED** AMOUNT OF **\$8,000.00** FOR THE LOSS OF **ONE (1) VIRGIN CHUB, AN ENDANGERED SPECIES** AND **\$950.00 FOR THE LOSS OF NINETEEN (19) FISH;** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye – Harris, Mansell
Nay - Woodhouse, Freeman, Husted
Failed 3 to 2

Motion: Freeman moved and Woodhouse seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **CARLOS R. SORTO TO HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS;** THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT’S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **CARLOS R. SORTO** TO COLLECT THE **SHARED** AMOUNT OF **\$16,000.00** FOR THE LOSS OF **TWO (2) VIRGIN CHUB, AN ENDANGERED SPECIES, AND \$950.00 FOR THE LOSS OF NINETEEN (19) FISH;** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Woodhouse, Freeman, Mansell
Nay - Husted, Harris
Passed 3 to 2

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Victoria R. McGuire
Docket # 2011-0017

McGuire was found guilty by the Moccasin Justice Court for: Count A: Take wrong species (bighorn sheep); and sentenced Count A: Must complete a hunter education course and volunteer for 6 hours with the Arizona Desert Bighorn Sheep Society, 6 months probation, and fined \$500.00 to be suspended upon completion of the terms and probation.

McGuire was present and addressed the Commission. She thought she was shooting at a mule deer. It was an accident. Regarding the 6 hours of volunteer work, it is not 6 hours but rather 6 outings with the Arizona Desert Bighorn Sheep Society and she has already been out to 3 outings so far. Her husband, son and son's friend have been going and helping as well and have done a lot of work.

Commissioner Mansell commented on the true value of a Desert Bighorn Sheep. He personally waited for 45 years to be drawn for a bighorn tag and also mentioned that these tags are sold at auction for over \$100,000.

Motion: Husted moved and Freeman seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST VICTORIA R. MCGUIRE TO COLLECT THE AMOUNT OF \$8,000.00 FOR THE LOSS OF ONE (1) DESERT BIGHORN SHEEP AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Harris stated that he will vote against the motion because it is a revocable offense and he feels it should have at least a short revocation.

Mr. Elms explained that the reason Ms. McGuire wasn't noticed for a possible revocation was because she and her family did everything right. They self reported and they preserved the hide and value of the animal.

Vote: Aye - Freeman, Husted, Mansell
Nay - Woodhouse, Harris
Passed 3 to 2

Commissioner Husted commented that he appreciates and seeks recommendations from the officers in the field, but he also appreciates the family taking care of the animal and he doesn't want to discourage that. He thanked the McGuire family for doing the right thing and he is sorry it turned out this way.

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Thomas G. Triebes
Docket # 2011-0022

Triebes was found guilty by the Flagstaff Justice Court for: Count A: Waste edible portion of game meat (elk); and sentenced Count A: Fined \$233.00.

Triebes was present and addressed the Commission. He stated that he didn't run from the scene as stated in the report. He realizes now that he should have called it in right away. He went home and looked through the regulations and then called it in the next morning. It was an accident and he was sleep deprived at the time.

Commissioner Husted asked when Mr. Triebes last took a hunter education course and if he was planning to take one.

Mr. Triebes stated that he had not taken a hunter education course but was planning to.

Motion: Harris moved and Freeman seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST THOMAS G. TRIEBES TO COLLECT THE AMOUNT OF \$2,500.00 FOR THE LOSS OF ONE (1) BULL ELK AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Robert J. LaRose
Docket # 2011-0023

LaRose was found guilty by the Verde Valley Justice Court for: Count A: Take wildlife closed season; and Count B: Waste edible portion game meat; and sentenced Counts A and B: Fined \$770.00.

LaRose was present and addressed the Commission. He stated that he was on a white-tail hunt and mis-identified the animal and shot it. He has never been in trouble before. He had difficulty telling the truth at first and admitting what he did. He has given a presentation on this incident to the Yuma Youth Hunting Club. Mr. LaRose provided the Commission with his presentation.

Commissioner Husted confirmed with Mr. LaRose that he has not taken a hunter safety course.

Motion: Mansell moved and Harris seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF ROBERT J. LAROSE TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF TWO (2)

YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **ROBERT J. LAROSE** TO COLLECT THE AMOUNT OF **\$8,000.00** FOR THE LOSS OF **ONE (1) 4X4 MULE DEER** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Edward W. Collins
Docket # 2011-0025

Collins was found guilty by the Williams Justice Court for: Count A: Take big game closed season; and sentenced Count A: Fined \$130.00.

Collins was present and addressed the Commission. He thought the mule deer was a young cow elk and apologized for his mistake. He asked to keep his fishing license so he could go fishing with his granddaughter.

Motion: Husted moved and Harris seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **EDWARD W. COLLINS** TO **HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **TWO (2) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **EDWARD W. COLLINS** TO COLLECT THE AMOUNT OF **\$1,500.00** FOR THE LOSS OF **ONE (1) MULE DEER DOE** AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Freeman asked if the Commissioners would consider and amendment to revoke for hunt and trap and not for fish.

Commissioners Husted and Harris accepted the amendment.

Amended Motion: Husted moved and Harris seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF EDWARD W. COLLINS TO HUNT AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF TWO (2) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST EDWARD W. COLLINS TO COLLECT THE AMOUNT OF \$1,500.00 FOR THE LOSS OF ONE (1) MULE DEER DOE AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Albert L. Alcorn
Docket # 2011-0026

Gierlich was found guilty by the Salome Justice Court for: Count A: Obtain 2010 Resident License by misrepresentation; and sentenced Count A: \$60.00.

Alcorn was present and addressed the Commission. He bought his drivers license at Walmart. He gave them his license and they filled out the form and put his license in a waterproof cover and gave it to him. He never looked at it and didn't know it was the wrong one.

Ms. Mercy Alcorn addressed the Commission on behalf of her husband. She went to the same Walmart to test them by asking for a fishing license and they did not ask any of the questions needed to sell the right fishing license.

Case Officer Konke clarified that there is a box in the top corner of the license that asked if you are an Arizona resident and it was marked yes, and next to it there is a question that asked how long have you been a resident. Mr. Alcorn's license states he has been a resident for five years, so there must have been some dialogue between the store clerk and Mr. Alcorn.

Commissioner Husted commented that he is confused about a California address being on an Arizona resident license and he doesn't have a lot of confidence in the store clerks at Walmart. However, it's hard to believe that you buy an Arizona license when you are living in California.

Motion: Husted moved and Harris seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF ALBERT L. ALCORN TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF TWO (2) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN

THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Husted, Harris, Mansell
Nay - Woodhouse, Freeman
Passed 3 to 2

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German A. Costanza
Docket # 2011-0014

Gierlich was found guilty by the Moccasin Justice Court for: Count A: Take wildlife without license; Count B: Take wildlife unlawful method; and Count C: Possess unlawfully taken wildlife; and sentenced Counts A, B and C: Fined: \$420.00, and unsupervised probation until conditions met.

Costanza was not present.

Motion: Freeman moved and Mansell seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF GERMAN A. COSTANZA TO HUNT, FISH, AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE (5) YEARS; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST GERMAN A. COSTANZA TO COLLECT THE SHARED AMOUNT OF \$16,000.00 FOR THE LOSS OF TWO (2) VIRGIN CHUB, AN ENDANGERED SPECIES, AND \$950.00 FOR THE LOSS OF NINETEEN (19) FISH; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Aye - Woodhouse, Freeman, Mansell, Harris
Nay - Husted
Passed 4 to 1

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Steven R. Guynn

Docket # 2011-0020

All charges dismissed by Williams Justice Court.

Guyann was not present.

Officer Poppenberger answered questions for the Commission. This case has had complications which has drawn it out for three years and due to another complication it will be drawn out even more, so the Judge decided to dismiss the case with prejudice.

Motion: Harris moved and Freeman seconded THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST STEVEN R. GUYNN TO COLLECT THE SHARED AMOUNT OF \$10,500.00 FOR THE LOSS OF TWO (2) BULL ELK, ONE OF WHICH WAS A TROPHY; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Commissioner Mansell asked about the burden of proof being less in a civil case as compared to a criminal case.

Mr. Odenkirk stated that the Commission is not restricted in pursuing a civil assessment without a conviction. It just has to be proved by a preponderance of the evidence that the individual did participate in the unlawful take or possession of wildlife.

Commissioner Mansell asked if the Department has collected for civil assessments without convictions in the past.

Mr. Odenkirk deferred to the Department for how much funds have actually been collected, but stated that civil assessments without a conviction is not unprecedented.

Vote: Aye - Woodhouse, Freeman, Husted, Harris
Nay - Mansell
Passed 4 to 1

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Elias S. Gallegos
Docket # 2011-0021

Gallegos was found guilty by the Prescott Justice Court for: Count A: Take wildlife without tag (mule deer); and Count B: Possess unlawfully taken wildlife; and sentenced Counts A and B: Fined: \$680.00.

Gallegos was not present.

Motion: Mansell moved and Freeman seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF ELIAS S. GALLEGOS TO HUNT, FISH, AND TRAP IN

THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **ELIAS S. GALLEGOS** TO COLLECT THE AMOUNT OF **\$1,500.00** FOR THE LOSS OF **ONE (1) MULE DEER**; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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Richard R. Walters

Docket # 2011-0024

Walters was found guilty by the Flagstaff Justice Court for: Count A: Take big game without tag; and sentenced Count A: Fined: \$657.00.

Walters was not present.

Motion: Harris moved and Freeman seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **RICHARD R. WALTERS TO HUNT, FISH, AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FIVE (5) YEARS**; THAT THE CURRENT LICENSE(S) BE SUSPENDED AS OF THE DATE OF THIS HEARING, AND THAT IT/THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; AND FURTHER MOVE THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSIONS OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

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These hearings concluded at 3:45 p.m.

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