

Proceedings of the Arizona Game and Fish
Commission License Revocation & Civil
Assessment Hearings
Friday, May 14, 2004 – 1:30 p.m.
Pinetop Regional Office, 2878 E. White
Mountain Blvd., Pinetop, AZ

PRESENT: (Commission)

(Director's Staff)

Chairman Sue Chilton
Commissioner W. Hays Gilstrap
Commissioner Joe Melton
Commissioner Michael M. Golightly
Commissioner William H. McLean

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Asst. A.G. Jay Adkins
Asst. A.G. Jim Odenkirk

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

Presenter: Leonard Ordway, Law Enforcement Branch Chief

Roll call was taken. The following were present: Sammy Walker, Stan Walker, William Smith and Cameron Lewis.

Motion: Gilstrap moved and Melton seconded THAT THE COMMISSION TAKE JURISDICTION IN THESE CASES.

Vote: Unanimous

* * * * *

Sammy E. Walker and Stan L. Walker

Sammy was found guilty in Kingman/Cerbat Justice Court of A) exceeding bag limit (javelina) and B) possessing/transporting wildlife (javelina) unlawfully taken. He was fined a total of \$500. Stan was found guilty in Kingman/Cerbat Justice Court of A) attaching tag to an animal he did not kill; B) improper tagging and C) possession of unlawfully taken wildlife (javelina). He was fined at total of \$200.

Sammy read a statement. Both he and Stan were sorry. The charges stemmed from Sammy's actions.

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF SAMMY E. WALKER TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST

SAMMY E. WALKER TO COLLECT THE AMOUNT OF \$227.73 FOR HIS PART IN THE LOSS OF ONE JAVELINA. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF STAN L. WALKER TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF THREE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST STAN L. WALKER TO COLLECT THE AMOUNT OF \$227.73 FOR HIS PART IN THE LOSS OF ONE JAVELINA. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *

Enrique Fierro, Jose Lopez Lopez, William David Smith, Odilon Mendoza-Garcia and Cameron Bleu Lewis

All were found guilty in Yarnell Justice Court of possessing unlawfully taken wildlife (deer). All were fined \$215.

Smith was present and stated he had nothing to do with taking the deer. Lewis was also present and stated he was not a hunter, but a fisherman.

Motion: Golightly moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ENRIQUE FIERRO TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ENRIQUE FIERRO TO COLLECT THE AMOUNT OF \$227.72 FOR HIS PART IN THE LOSS OF ONE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A

FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF CAMERON BLEU LEWIS TO HUNT AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST CAMERON BLEU LEWIS TO COLLECT THE AMOUNT OF \$227.72 FOR HIS PART IN THE LOSS OF ONE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Golightly withdrew his second; the motion was seconded by Melton.

Vote: Gilstrap, Melton and McLean – Aye
Golightly – Nay
Chair voted Aye
Motion carried 4 to 1

Motion: Golightly moved and McLean seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF JOSE LOPEZ LOPEZ TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST JOSE LOPEZ LOPEZ TO COLLECT THE AMOUNT OF \$227.72 FOR HIS PART IN THE LOSS OF ONE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF WILLIAM DAVID SMITH TO HUNT AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A

PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST WILLIAM DAVID SMITH TO COLLECT THE AMOUNT OF \$227.72 FOR HIS PART IN THE LOSS OF ONE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Gilstrap, Melton and McLean – Aye
Golightly – Nay
Chair voted Aye
Motion carried 4 to 1

Motion: Melton moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF ODILON MENDOZA-GARCIA TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST ODILON MENDOZA-GARCIA TO COLLECT THE AMOUNT OF \$227.72 FOR HIS PART IN THE LOSS OF ONE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *

Randy Kenneth Lambo

Lambo was found guilty in Prescott Justice Court of A) knowingly taking big game (mule deer) during closed season; B) possessing unlawfully taken wildlife (mule deer); C) possessing drug paraphernalia; D) using game meat (cottontail rabbit) as bait while trapping; E) taking wildlife (fox) by unlawful method; F) possessing unlawfully taken wildlife (fox); G) possessing unlawfully taken wildlife (fox); H) trapping during closed season; I) trapping on public land and J)) taking wildlife without a trapping license. He was fined \$550 and 1 day community service for A; \$215 for B; suspended sentence for C; fined \$130 for D; fined \$105 for E; fined \$215 for F; fined \$215 for G fined \$130 for H; fined \$130 for I and fined \$130 for J.

Motion: Gilstrap moved and Melton seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF RANDY K. LAMBO TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST RANDY K. LAMBO TO COLLECT THE AMOUNT OF \$1,366.34 FOR HIS PART IN THE LOSS OF ONE MULE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *

Keith H. Woodruff

Woodruff was found guilty in Prescott Justice Court of A) taking big game (mule deer) during closed season and B) waste of game meat. He was fined \$500 for A and \$130 for B.

Motion: Melton moved and Gilstrap seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF KEITH H. WOODRUFF TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST KEITH H. WOODRUFF TO COLLECT THE AMOUNT OF \$1,366.34 FOR HIS PART IN THE LOSS OF ONE MULE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *

Brandon Scott Engle

Engle was charged with A) knowingly taking big game (deer) during closed season; B) taking wildlife without license/permit/tag and C) taking wildlife during license revocation period. He was fined \$550 for A); B was dismissed per plea agreement and was fined \$450 and one day of community service for C.

For additional background information, see minutes of the proceedings for December 7, 2001, page 4. Engle remains on revocation because he has not taken a Hunter Safety class.

Motion: Golightly moved and McLean seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF BRANDON SCOTT ENGLE TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF FIVE YEARS; THAT THE CURRENT LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THEY BE REVOKED AS OF THE DATE THE ORDER IN THIS CASE IS SIGNED BY THE DIRECTOR; THAT HE BE REQUIRED TO COMPLETE A HUNTER EDUCATION COURSE AND PROVIDE PROOF TO THE DEPARTMENT BEFORE APPLYING FOR ANY OTHER LICENSE TO HUNT IN THIS STATE; THAT THE DEPARTMENT BE DIRECTED TO COLLECT SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST BRANDON SCOTT ENGLE TO COLLECT THE AMOUNT OF \$1,366.34 FOR THE LOSS OF ONE MULE DEER DOE. FURTHER, THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *

Brit A. Cruce and Charles Parkett

Cruce was charged in Kane County Justice Court, Utah, with failure to comply with terms of a citation for wildlife violation (i.e., fish without a valid license) as per the terms of the Wildlife Violator Compact. Parkett was charged in Washington County Justice Court, Utah, with failure to comply with terms of a citation for wildlife violation (i.e., fish without a valid license) as per the terms of the Wildlife Violator Compact.

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF BRIT A. CRUCE TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE SUSPENDED AND HE BE DENIED ANOTHER UNTIL THE LICENSING AUTHORITY FROM THE STATE OF UTAH FURNISHES THE DEPARTMENT WITH SATISFACTORY EVIDENCE OF THE SUBJECT'S COMPLIANCE WITH THE ORIGINAL CITATION; THAT THE LICENSES BE SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

Motion: Gilstrap moved and Golightly seconded THAT THE LICENSES AND/OR LICENSE PRIVILEGES OF CHARLES PARKETT TO HUNT, FISH AND TRAP IN THE STATE OF ARIZONA BE SUSPENDED AND HE BE DENIED ANOTHER UNTIL THE LICENSING AUTHORITY FROM THE STATE OF UTAH FURNISHES THE DEPARTMENT WITH SATISFACTORY EVIDENCE OF THE SUBJECT'S COMPLIANCE WITH THE ORIGINAL CITATION; THAT THE LICENSES BE

SUSPENDED AS OF THE DATE OF THIS HEARING AND THAT THE DIRECTOR, AS SECRETARY TO THE COMMISSION, BE DIRECTED TO SIGN AND ISSUE A FINDING OF FACT, CONCLUSION OF LAW AND AN ORDER IN THIS MATTER PURSUANT TO THIS MOTION.

Vote: Unanimous

* * * * *