

STATE OF NORTH CAROLINA  
COUNTY OF CLEVELAND

IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 02400

LYNN BURNS SLYCORD, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 NORTH CAROLINA SHERIFFS' )  
 EDUCATION AND TRAINING )  
 STANDARDS COMMISSION, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

EXCEPTIONS

The following **Exceptions** to the **Proposal for Decision** prepared by the Honorable David F. Sutton, Administrative Law Judge, and filed in the Office of Administrative Hearings on January 21, 2025, are hereby submitted to the North Carolina Sheriffs' Standards Commission for consideration in its Final Agency Decision.

1. Counsel has made minor typographical and grammatical changes as necessary to make the proposal appropriate for Final Agency Decision.
2. Conclusion of Law No. 6 should be amended as follows:

6. Neither the North Carolina Constitution nor the General Assembly has addressed the burden of proof in Article 3A cases. Applying the statutory law along with "considerations of policy, fairness and common sense," the ~~Undersigned determines~~ Administrative Judge held that Respondent should bear the burden of proof in an action where Respondent proposes to deny an individual's justice officer certification based upon its investigation into that individual. However, the Commission has consistently held that Petitioner has the burden of proof in the case at bar as does a petitioner in an Article 3 case. Overcash v. N.C. Dep't. of Env't & Natural Resources, 179 N.C. App 697, 635 S.E.2d 442 (2006) (stating that "the burden of proof rests on the petitioner challenging an agency decision").

**PROPOSAL FOR DECISION ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ~~proposed~~ **ORDERED** that Petitioner's justice officer certification ~~should be~~ is GRANTED due to the circumstances surrounding the convictions, Petitioner's admission of responsibility, Petitioner's lengthy work history, support of the Kings Mountain Police Department and their recognition of her expertise in the telecommunication field.

**IT IS SO ORDERED.**

This the 17<sup>th</sup> day of February 2025.

JEFF JACKSON  
Attorney General

*/s/ J. Joy Strickland*  
\_\_\_\_\_  
J. Joy Strickland  
Assistant Attorney General  
N.C. Department of Justice  
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State Bar No.: 25695  
COUNSEL TO THE COMMISSION

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing **EXCEPTIONS** have been duly served upon **Petitioner** by mailing a copy to the address below:

**Lynn Burns Slycord  
143 Ole Farm Place  
Kings Mountain, NC 28086**

This the 17<sup>th</sup> day of February 2025.

**JEFF JACKSON  
Attorney General**

Attorney General

/s/ J. Joy Strickland  
J. Joy Strickland  
Assistant Attorney General  
ATTORNEY FOR THE COMMISSION