

**IN THE OFFICE OF  
ADMINISTRATIVE HEARINGS  
24 DOJ 04580**

**Respondent.**

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1. Counsel has made minor typographical and grammatical changes as necessary to make the proposal appropriate for Final Agency Decision.
2. Findings of Fact Paragraphs 18-19 should be amended to reflect the facts and evidence in the record.
3. New Findings of Fact Paragraphs 21-22 should be added to include necessary facts to render a decision in this matter.
4. Original Finding of Fact Paragraphs 21-23, 43-44 should be deleted as contrary to all of the evidence in the record.
5. Original Conclusions of Law Paragraphs 1-14 should be deleted as they are superfluous.
6. New Conclusion of Law Paragraph 2 should be added to reflect the Commission's position on the burden of proof.
7. Original Conclusions of Law Paragraphs 18-20, 22-25, 28-30, 33-35, 37 and 3 should be deleted as superfluous.
8. New Conclusions of Law Paragraphs 7, 11-14 should be added to reflect

conclusions to be reached based on the substantial evidence in the record.

9. Proposal for Decision should be revised to reflect the final decision of the Commission as follows:

### **PROPOSAL FOR DECISION**

~~Pursuant to N.C.G.S. § 150B-40(e), the Tribunal is to place itself in the role of the Commission, and after a just and lawful hearing; considerations of appropriate findings; applicable law; and extenuating circumstances, propose a just and final decision for due deliberation by the Commission. Mindful of these principles, this Tribunal submits the following proposal.~~

~~The Undersigned finds and holds that there is sufficient evidence in the record to properly and lawfully support the Conclusions of Law cited above.~~

~~Based upon the foregoing findings of fact and conclusions of law, it is hereby proposed that the North Carolina Sheriffs Education and Training Standards Commission find that Respondent has failed to prove that Petitioner committed either of the two charges by a preponderance of the admissible evidence. Therefore, there is no basis for any occupational licensing discipline, and Petitioner's justice officer certification should not be subject to disciplinary action.~~

### **ORDER**

It is hereby ordered that Petitioner's justice officer certification is hereby revoked for a period of five years for the commission of the misdemeanor offenses of common law obstruction of justice and willfully failing to discharge duties.

This the 18<sup>th</sup> day of August, 2025.

JEFF JACKSON  
Attorney General

/s/ J. Joy Strickland  
J. Joy Strickland  
Senior Deputy 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:

**J. Michael McGuinness  
The McGuinness Law Firm  
P.O. Box 952, Elizabethtown, N.C. 28337  
jmichael@mcguinnesslaw.co**

This the 18<sup>th</sup> day of August, 2025.

JEFF JACKSON  
Attorney General

Attorney General

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