



1. On or about September 29, 2025, Respondent requested the designation of an Administrative Law Judge pursuant to N.C. Gen. Stat. § 150B-40(e) for an Article 3A contested case regarding Respondent’s decision to summarily deny Petitioner’s certification.

2. Petitioner received by certified mail, the Denial of Certification letter, mailed by Respondent on August 27, 2025.

3. On October 1, 2025, the Tribunal served both parties with a Notice of Contested Case and Assignment and an Order for Prehearing Statements. The Order required each party to file a Prehearing Statement within 30 days.

4. Respondent timely filed a Prehearing Statement on October 7, 2025.

5. Petitioner did not file a Prehearing Statement by the deadline.

6. On November 5, 2025, the Tribunal issued a Second Order for Petitioner’s Prehearing Statement to be filed and served by November 18, 2025. The Second Order expressly warned, in plain language, that failure to comply “may include dismissal of the contested case.”

7. Petitioner failed to file any pleading or document in accordance with the Tribunal’s orders in this matter. ~~As of the date of this Proposal for Decision, Petitioner has failed to comply with either Order and has not requested additional time. Petitioner has filed no document whatsoever with the Tribunal since Respondent’s request for an Administrative Law Judge to preside over the matter.~~

8. This case was scheduled to be heard the week of January 19, 2026, in Ayden, North Carolina. Petitioner’s failures impeded orderly preparation and case management.

**BASED ON the foregoing Findings of Fact, the Commission makes the following:**

**CONCLUSIONS OF LAW:**

1. 12 NCAC 09A .0207 governs contested case procedures for hearings conducted by an Administrative Law Judge pursuant to N.C. Gen. Stat. § 150B-40(e).

2. The procedures in Article 3A of N.C. Gen. Stat. § 150B and the Rules of Civil Procedure as contained in N.C. Gen. Stat. § 1A-1 apply to matters under 12 NCAC 09A .0207. The rules contained in 26 NCAC 03 are incorporated by reference. See 12 NCAC 09A .0207(b).

3. Under N.C. Gen. Stat. § 1A-1, Rule 41(b) of the North Carolina Rules of Civil Procedure, this contested case is subject to dismissal because Petitioner fails to comply with two Orders for Prehearing Statements.

4. A petitioner's failure to comply with an Order for Prehearing Statement issued by an Administrative Law Judge pursuant to 26 NCAC 03 .0104 is a proper basis for dismissing a contested case. *See, e.g., Lisa Lincoln & Honeybees Creative Center v. North Carolina Dept. of Health and Human Services, Nutrition Branch*, 172 N.C. App. 567, 572, 616 S.E.2d 622, 626 (2005) (holding, *inter alia*, that "[d]ismissal of a contested case is admittedly a drastic sanction, but one within the plain language of the ALJ's statutory and regulatory power to sanction a party for failure to comply with an order").

5. Petitioner's failure to file a Prehearing Statement, and thus Petitioner's failure to comply with the Tribunal's orders, justifies dismissal of this case by Respondent pursuant to N.C. Gen. Stat. § 1A-1, Rule 41(b) of the North Carolina Rules of Civil Procedure.

**ORDER**

THEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, in accordance with the Tribunal's recommendation, the Commission orders that Petitioner's certification application is DENIED and his case is DISMISSED. ~~Based on the foregoing Findings of Fact and Conclusions of Law, the Tribunal proposes that Respondent DISMISS this case WITHOUT PREJUDICE.~~

**SO ORDERED.**

This the 12<sup>th</sup> day of March, 2026.

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**Alan Norman, Chair**  
North Carolina Sheriffs' Education and  
Training Standards Commission

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a copy of the foregoing **PROPOSED FINAL AGENCY DECISION** has been duly served upon the **Petitioner** by mailing a copy to the address below:

**Leonard Alexander  
1604 Lexington Drive,  
Elizabeth City, NC 27909**

This the \_\_\_\_\_<sup>th</sup> day March, 2026.

JEFF JACKSON  
Attorney General

/s/ Ian L. Courts  
Ian L. Courts  
Assistant Attorney General  
ATTORNEY FOR THE COMMISSION