

Proceedings of the Arizona Game and Fish  
Commission License Revocation and Civil  
Assessment Hearings  
Friday, December 9, 2005 – 8:00 a.m.  
Francisco Grande Resort  
26000 W. Gila Bend Highway  
Casa Grande, AZ 85222

PRESENT: (Commission)

(Director's Staff)

Chairman W. Hays Gilstrap  
Commissioner Joe Melton  
Commissioner Michael M. Golightly  
Commissioner William H. McLean  
Commissioner Robert Hernbrode

Director Duane L. Shroufe  
Deputy Director Steve K. Ferrell  
Assistant Attorney General Jim Odenkirk  
Assistant Attorney General Shelley Cutts

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

**Presenter:** Ron Day, Law Enforcement Branch Chief

The Department would like the record to show that each of these cases have been reviewed and it has been determined that all cases meet the criteria established in A.R.S. §15-714, §17-238, §17-314, §17-340, §17-362 and/or §17-363 for Commission action. The record should reflect that the Commission and the respondents have been 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. All of these exhibits may be considered by the Commission in order to make a final determination. Each individual has been legally noticed for today's hearing.

The Commission was asked to consider and take action on the license revocations and/or civil assessments for the individuals listed below:

<u>Name</u>	<u>Conviction</u>
McDaniel, Ran	Count A: Possess unlawfully taken big game (bull elk). Postponed from the September 23, 2005, Commission Hearing.
Sutton, Joseph C.	Count A: Take over limit of game fish (16 trout). Count B: Possess over limit of game fish (16 trout).
Robinson, Heidi A.	Count A: Take over limit of game fish (16 trout). Count B: Possess over limit of game fish (16 trout).
Dominguez, Mark J.	Count A: Possess/transport unlawfully taken wildlife (White-tailed deer). Count B: Take wildlife in excess of bag limit (White-tailed deer).
Alvarado, Raymond C.	Count A: Possess/transport unlawfully taken wildlife (White-tailed deer).
Demarbiex, James	Count A: Possess/transport unlawfully taken wildlife (White-tailed deer).

Hernandez, Joseph J.	Count A: Possess/transport unlawfully taken wildlife (White-tailed deer).
Ackerman, John R.	Count A: Discharge firearm within ¼ mile of an occupied structure. Count C: Possess unlawfully taken wildlife (elk).
Tissaw, John T.	Count A: Vandalism While Hunting.
Reeder, Tod W.	Count A: Take wildlife during closed season (Gila monster).

Attached for Commission review are the case summaries and other pertinent information relating to these cases.

Roll call was taken and the following were present: Joseph Sutton, Heidi Robinson, Mark Dominguez, Raymond Alvarado, James Demarbiex, Joseph Hernandez, and Tod Reeder.

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

**Vote:** Unanimous

\* \* \* \* \*

The following two cases are related.

Joseph C. Sutton

Sutton was found guilty by the Flagstaff Justice Court for: Count A: Take Over Limit of Game Fish (16) Trout; and Count B: Possess Over Limit of Game Fish (16) Trout; and sentenced Count A: Fined \$204.00; and Count B: Fined \$144.00.

Sutton was present and addressed the Commission stating that the case summary was incorrect in that He and Ms. Robinson were charged with 8 over the limit each and not 16 and 16. Additionally, Sutton stated that Officer Fabian misconstrued statements that he overheard as they were fishing and that he was unprofessional in his handling of the case.

**Motion:** McLean moved and Golightly seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **JOSEPH C. SUTTON 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 **JOSEPH C. SUTTON** TO COLLECT THE AMOUNT OF **\$249.36** FOR HIS PART IN THE LOSS OF **SIXTEEN (16) TROUT**; 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

\* \* \* \* \*

Heidi A. Robinson

Robinson was found guilty by the Flagstaff Justice Court for: Count A: Take Over Limit of Game Fish (16) Trout; and Count B: Possess Over Limit of Game Fish (16) Trout; and sentenced Count A: Fined \$204.00; and Count B: Fined \$144.00.

Robinson was present and addressed the Commission stating that she and Mr. Sutton were law abiding citizens and the Commission's position was too hard.

**Motion:** McLean moved and Melton seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **HEIDI A. ROBINSON 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 **HEIDI A. ROBINSON** TO COLLECT THE AMOUNT OF **\$249.36** FOR HER PART IN THE LOSS OF **SIXTEEN (16) TROUT**; 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

\* \* \* \* \*

Jesse A. McDaniel

McDaniel was found guilty by the Williams Justice Court for: Count A: Possess Unlawfully Taken Wildlife (bull elk); Count B Use Firearm During Archery-Only; Count C: Fail To Immediately Tag; and sentenced Count A, B and C: Fined \$1260.00.

Miller was present and addressed the Commission, apologizing for his actions.

**Motion:** McLean moved and Golightly seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **JESSE A. MCDANIEL TO HUNT, FISH AND TRAP** IN THE STATE OF ARIZONA BE REVOKED AND HE BE DENIED ANOTHER FOR A PERIOD OF **FOUR (4)** 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 **SHARED** CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **JESSE A. MCDANIEL** TO COLLECT THE AMOUNT OF **\$1,168.94 FOR HIS PART** IN THE LOSS OF **ONE (1) 6X6 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

\* \* \* \* \*

This case is related to the following three cases, Alvarado, Demarbiex and Hernandez.

Mark J. Dominguez

Dominguez was found guilty by the Graham County Justice Court for: Count A: Possess/Transport Unlawfully Taken Wildlife (White-tailed deer); Count B: Take Wildlife in Excess of Bag Limit (white-tailed deer); and sentenced Counts A: Fined \$250.00; Count B: Fined \$250.00; Plus assessed Court cost of \$20.00.

Dominguez was present and addressed the Commission apologizing for his actions and stating his regrets for getting his friends in trouble for his actions.

**Motion:** Hernbrode moved and Melton seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **MARK J. DOMINGUEZ** 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 **MARK J. DOMINGUEZ** TO COLLECT THE AMOUNT OF **\$1402.72** FOR THE LOSS OF **ONE (1) WHITE-TAILED 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.

Commissioner Golightly commented that when a person is present for these proceedings and is cooperative and truthful, the Commission has in the past generally showed a one year leniency.

Commissioner Hernbrode stated that his intent was to be lenient on the other three cases involved.

**Vote:** Aye Gilstrap, Melton, Hernbrode  
Nay Golightly, McLean  
Passes 3 to 2

\* \* \* \* \*

The following three cases were addressed simultaneously. Each of the three were present and addressed the Commission. Demarbiex stated that he was involved because friends help each other out. Alvarado apologized and stated that he didn't think about what was wrong or right, he just needed to help his friend. Hernandez apologized to the Commission and stated that as friends they just helped each other out.

Raymond C. Alvarado, James Demarbiex and Joseph J. Hernandez

Alvarado was found guilty by the Graham County Justice Court for: Count A: Possess/Transport Unlawfully Taken Wildlife (White-tailed deer); and sentenced Counts A: Fined \$250.00, and assessed Court cost of \$40.00.

Demarbiex was found guilty by the Graham County Justice Court for: Count A: Possess/Transport Unlawfully Taken Wildlife (White-tailed deer); and sentenced Counts A: Fined \$250.00, and assessed Court cost of \$20.00.

Hernandez was found guilty by the Graham County Justice Court for: Count A: Possess/Transport Unlawfully Taken Wildlife (White-tailed deer); and sentenced Counts A: Fined \$250.00, and assessed Court cost of \$40.00.

**Motion:** McLean moved and Gilstrap seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **RAYMOND C. ALVARADO, JAMES DEMARBIEX AND JOSEPH J. HERNANDEZ** TO HUNT IN THE STATE OF ARIZONA BE REVOKED AND THEY BE DENIED ANOTHER FOR A PERIOD UNTIL DECEMBER 31, 2006; THAT THEIR CURRENT LICENSE(S) 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 THEY BE REQUIRED TO COMPLETE THE HUNTER EDUCATION COURSE, AND PROVIDE PROOF TO THE DEPARTMENT'S LAW ENFORCEMENT BRANCH, BEFORE APPLYING FOR ANY OTHER LICENSES 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.

Commissioner McLean clarified that the date of December 31, 2006 will deny them the opportunity to apply for fall hunts next June and for the spring hunts in 2007.

Commissioner Hernbrode stated that he would vote no because the assessed \$250.00 fine was adequate.

Commissioner Golightly stated that the revocations should be for at least three years and that the Court assessment was not enough to stop these types of violations.

**Vote:** Aye Gilstrap, Melton, McLean  
Nay Golightly, Hernbrode  
Passes 3 to 2

\* \* \* \* \*

Todd W. Reeder

Reeder was found guilty by the Yuma Justice Court for: Count A: Take Wildlife During Closed Season (Gila monster); and sentenced Counts A: Fined \$311.00, suspended.

Reeder was present and addressed the Commission stating that he thought his permit included the Gila monster.

**Motion:** Golightly moved and McLean seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **TODD W. REEDER 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.

Commissioner Golightly asked Mr. Day if the Gila monster could be rehabilitated and returned to the wild, to which Mr. Day replied that Gila monsters are not re-released into the wild once they’ve been placed in captivity.

**Vote:** Aye Melton, Golightly, McLean, Hernbrode  
Gilstrap abstained (was distracted during the motion)

\* \* \* \* \*

That concluded the license revocations and civil assessments for those present. Those that were not present were addressed after agenda item #8.

\* \* \* \* \*

Meeting recessed for a break at 3:28 p.m.

\* \* \* \* \*

John T. Tissaw

Tissaw was found guilty by the Cochise County Justice Court for: Count A: Vandalism While Hunting; and sentenced Counts A: Fined \$860.00 and \$100.00 restitution.

Tissaw arrived at the Commission meeting after roll call and was present to address the Commission stating that there were discrepancies in the report. Additionally, his attorney advised him that he wouldn't lose his hunting license if he pled guilty.

**Motion:** Hernbrode moved and McLean seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **JOHN T. TISSAW 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

\* \* \* \* \*

Ran A. McDaniel

McDaniel was found guilty by the Williams Justice Court for: Count A: Possess Unlawfully Taken Big Game (Bull Elk); and sentenced Counts A: Fined \$200.00.

McDaniel was not present, but provided a letter, which Mr. Day read into the record as follows: To the Arizona Game and Fish Commission, My son called me a couple days before September 29, 2004 and said he was having a hard time locating a bull elk. He asked if I could help him. I said yes, but I had to work until the 28<sup>th</sup>. I told him I would meet him after work on the 28<sup>th</sup>. I got up late the 28<sup>th</sup>, went to Jesse's camp. We made plans to get up at 4:00 a.m. and drive to Pine Flats. I did not sleep with the anticipation of hunting with my son. The next morning, I pulled my mattress and bedding out of my Toyota and Jesse put his bow and casing equipment in my Toyota. We left at about 4:30 a.m. We hunted all morning and got really close to three bulls. Someone fired a shot above us and scared off the elk. We waited for a while and herd the elk way up the canyon, so we went after them. We got close again and spooked them. We went back to my Toyota. We decided to go to Williams for lunch. After lunch, we drove to the same area, it was still early. I told Jesse I was tired and that I hadn't slept since he called me. I went in the trees to use the bathroom and when I got back to the Toyota, Jesse had his bow out and said he was going to hunt while I took a nap. He said he would wake me up in a couple hours. When he came back and woke me up he said he had shot a big bull and the bull into a canyon. So we drove to where he shot it and we looked for blood and didn't find any. We walked the canyon and saw the bull. It was dead. We went back to the Toyota and I had Jesse guide me

through rocks. Later, when we were dressing out this bull, the Game and Fish officer showed up. They said they had a report of someone shooting a rifle in the area. Jesse and I both said we didn't hear any shots. I also told them I was asleep when Jesse shot this bull. He came and got me and drove to his bull. They asked if they could search the Toyota. I said yes, I had no guns in my vehicle. I cooperated and helped them load up portions they wanted to test. I asked Jesse all the way home if he had shot the bull with a rifle. He kept telling me no. When we got back to his camp, we unloaded his elk and equipment and I drove home. The next day, Officer Phoenix called me and I told him to come by my house. He told me they found a bullet in the elk. I couldn't believe it. He asked me if I would take a lie detector test. I said yes, I had nothing to hide. He called a couple days later and said they could not set one up, so I paid for and passed the polygraph test. Both Flagstaff prosecutors said I was there when the Game and Fish officer showed up with the elk. I don't believe this is very fair. I pled no contest because of what they said. I was there after Jesse shot it and I was helping him recover his bull. I never took any meat. I illegally killed a cow elk with a bow. Jesse told me had confessed and he told me he took all responsibility, but he lied to me. He told the officer that I shot the elk. He changed the story when I said I was going to take a lie detector test, which I took and passed. You should copies in my file. If not, contact me and I will send copies. He told me he hid the rifle in the bow case and when I went to the bathroom in the trees, he took it out. After he shot the bull, he hid it in the trees and then he came and woke me up. The worst thing is that my son is scared about his reporting me shooting the bull and won't talk to me. I don't care, I still love him. I only helped him recover what I thought was his legal bull elk. I love hunting and would never take a rifle on an archery hunt. I ask you please do not take my hunting license or fine me. Ninety-five percent of my hunting is archery. Ps. My previous case, I took all responsibility because I shot that bull by mistake. Thank you, Ran McDaniel.

The Commission asked about McDaniel's son. Mr. Day stated that the case of McDaniel's son, Jesse McDaniel, was before the Commission in September at which time he took half the responsibility for the elk.

(Copied from the September 2006 License Revocations and Civil Assessment minutes - Jesse A. McDaniel was found guilty by the Williams Justice Court for: Count A: Possess Unlawfully Taken Wildlife (bull elk); Count B Use Firearm During Archery-Only; Count C: Fail To Immediately Tag; and sentenced Count A, B and C: Fined \$1260.00. McDaniel was present and addressed the Commission, apologizing for his actions. McLean moved and Golightly seconded that the license(s) and/or licenses privileges of Jesse A. McDaniel to hunt, fish and trap in the State of Arizona be revoked and he be denied another for a period of four (4) 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 Sate; that the Department be directed to collect shared civil damages or to bring civil action against Jesse A. McDaniel to collect the amount of \$1,168.94 for his part in the loss of one (1) 6x6 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. The vote was unanimous).

**Motion:** Hernbrode moved and McLean seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **RAN A. MCDANIEL 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 SHARED CIVIL DAMAGES OR TO BRING CIVIL ACTION AGAINST **RAN A. MCDANIEL** TO COLLECT THE AMOUNT OF **\$1168.94** FOR HIS PART IN THE LOSS OF **ONE (1) 6X6 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:** Aye Melton, Golightly, McLean, Hernbrode  
Nay Gilstrap  
Passes 4 to 1

\* \* \* \* \*

John R. Ackerman

Ackerman was found guilty by the Flagstaff Justice Court for: Count A: Discharge Firearm Within 1 / 4 Mile of Occupied Structure; Count C: Possess Unlawfully Taken Wildlife (elk); and sentenced Counts A: Fined \$200.00; Count C: Fined \$400.00.

Ackerman was not present.

**Motion:** Hernbrode moved and McLean seconded THAT THE LICENSE(S) AND/OR LICENSES PRIVILEGES OF **JOHN R. ACKERMAN** 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 **JOHN R. ACKERMAN** TO COLLECT THE AMOUNT OF **\$2337.87** 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

\* \* \* \* \*

These hearings concluded at 5:30 p.m.

\* \* \* \* \*