ORIGINAL

BEFORE THE STATE BOARD OF BARBER EXAMINERS

STATE OF IDAHO

In the Matter of the License of: PAMALA J. LEE, License No. BR-2825, Respondent.	Case No. BAR-2008-1 **FINAL ORDER**

THIS MATTER is before the Board pursuant to the Findings of Fact, Conclusions of Law and Recommended Order issued by Jean Uranga , the designated Hearing Officer. The State appeared in person and by its attorney of record, Emily A. MacMaster, Idaho Deputy Attorney General. Respondent, Pamala J. Lee has failed to appear in this matter in person or through an attorney.

This matter then came before the Idaho State Board of Barber Examiners at a regularly scheduled meeting of the Board on July 24, 2008. The Board, having conducted an independent review of the record and having considered the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefor, the Board adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. That the Hearing Officer's Findings of Fact and Conclusions of Law are hereby adopted and incorporated herein by reference.

2. Respondent's failure to plead or otherwise defend in this action authorizes the Board, pursuant to Idaho Code§ 67-5242(4) and IDAPA 04.11.01.700, to enter an Order of Default which is as lawful as if all the allegations in the Complaint were proved or admitted at a

hearing.

3. Respondent's conduct has violated Idaho Code Section 54-515, 54-516(6), 54-516(7), and 54-516(8), as set forth in the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order. Therefore, the Board imposes the following discipline:

a. Respondent shall pay a fine in the amount of Five-Hundred Dollars ($500.00).

b. That Respondent shall pay the costs and attorney fees incurred by the State. The State shall submit an Affidavit of Costs and Attorney Fees incurred in this matter within thirty (30) days from the date of this Order. Respondent shall submit any objection to the costs and fees submitted by the State and request a hearing within fifteen (15) days from the receipt of the State's Affidavit. Thereafter, the Board shall determine the amount of costs and fees awarded against Respondent, and in the event Respondent fails to object to the costs and fees claimed by the State, Respondent shall pay the costs and fees set forth in its Affidavit. The Respondent shall pay the costs and fees as determined by the Board, or as set forth in this section, within ninety (90) days from the date of this Order.

c. Respondent's license shall be placed on probation for the period of six (6) months, commencing fourteen days from the date of this Order.

4. This is the Final Order of the Board.

a. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code § 67-5247(4).)

b. Pursuant to Idaho Code §§ 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

c. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (*See*, Idaho Code § 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

5. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 28 day of April, 2009.

STATE BOARD OF BARBER EXAMINERS

By Kevin J. Moriarty
Kevin Moriarty, Chairman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of April, 2009, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Pamala J. Lee 2800 36th Street Boise, ID 83702	✓ U.S. Mail ___ Hand Delivered ✓ Certified Mail ___ Fax Transmission
Pamala J. Lee 2525 N. 15th #207 Boise, ID 83702	✓ U.S. Mail ___ Hand Delivered ✓ Certified Mail ___ Fax Transmission
Emily Mac Master Deputy Attorney General Office of the Attorney General P.O. Box 83720 Boise, Idaho 83720-0010	___ U.S. Mail ___ Hand Delivered ✓ Statehouse Mail ___ Fax Transmission

Tana Cory

Tana Cory, Chief
Idaho Bureau of Occupational Licenses

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