

**STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
NEW MEXICO ATHLETIC COMMISSION**

IN THE MATTER OF:

FELIPE J. CHAVEZ,

License No. ACT10252

Case No. AC-18-3-PRA

Respondent.

DEFAULT ORDER

THIS MATTER came before the New Mexico Athletic Commission (“Commission”), after evidence presented by the Child Support Enforcement Division (“CSED”) of the Human Services Department indicated that Felipe J. Chavez (“Respondent”) was not in compliance with a judgment and order for support or subpoenas or warrants relating to paternity or child support; such evidence served as the basis for a Notice of Contemplated Action issued to Respondent by the Board. Pursuant to the Parental Responsibility Act (“PRA”), NMSA 1978, Sections 40-5A-1 to -13, and Rule 16.1.1 NMAC, the Board shall deny an application for a license, deny the application for renewal of a license, or suspend or revoke a license if an applicant or licensee is found to not be in compliance with a Judgment and Order for Support, or subpoenas or warrants related to paternity or child support proceedings.

FINDINGS

1. Respondent was issued a license (or registration) pursuant to the Professional Athletic Competition Act (Chapter 60, Article 2A NMSA 1978).

2. The Board issued a Notice of Contemplated Action (NCA) to Respondent, *attached*, stating that the Board contemplated taking an action against Respondent that may result in the revocation of the Respondent's license.
3. The NCA advised the Respondent of the right to request a hearing by certified mail, return receipt requested, in a letter directed to the Board and mailed within 20 days after the service of the NCA.
4. The NCA was served via certified mail, return receipt requested, directed to the Respondent's last known address on file with the Board and the New Mexico Regulation and Licensing Department ("Department"): March 15, 2019.
5. The date borne by the return receipt reflects the delivery or the last attempted delivery or refusal by the addressee to accept delivery of the NCA on April 10, 2019 (*attached*).
6. Respondent's request for hearing was not received.

CONCLUSIONS OF LAW

1. Pursuant to the Uniform Licensing Act (NMSA 1978, Sections 61-1-1 through 61-1-34) and the Professional Athletic Competition Act (Chapter 60, Article 2A NMSA 1978) has jurisdiction over Respondent and Respondent's license.
2. In accordance with Section 5 of the Uniform Licensing Act, Respondent is deemed to have been served with the Notice of Contemplated Action (NCA) on the date borne by the return receipt, showing delivery or last attempted delivery or refusal of the addressee to accept delivery of the notice on April 10, 2019.

3. Respondent failed to timely request a hearing in the manner required by the Uniform Licensing Act, therefore, the “the action contemplated in the notice ... shall be final and not subject to judicial review”. *See* Section 4E of the Uniform Licensing Act.

Based on the above Findings of Fact and Conclusions of Law, the following default action is ordered:

FINAL ORDER

IT IS THEREFORE ORDERED THAT

Respondent’s License is hereby revoked, License No. ACT10252.

IT IS SO ORDERED.

**NEW MEXICO REGULATION
& LICENSING DEPARTMENT**

NEW MEXICO ATHLETIC COMMISSION

Date: June 20, 2019

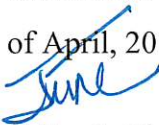
By:



BOARD CHAIRPERSON

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Default Order* was mailed to the Respondent at his/her last known address (below) on this the 24 day of April, 2019, via certified mail, return receipt requested.


Felipe J. Chavez
3813 Lonesome Ridge Street, N.E.
Rio Rancho, NM 87144



Compliance Liaison
New Mexico Boards and Commissions
P.O Box 25101
Santa Fe, New Mexico 87504
Phone: (505) 476-4622

Certified Mail Return Receipt Tracking No.:

7011 0470 0001 1515 8641

**STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
NEW MEXICO ATHLETIC COMMISSION**

IN THE MATTER OF:

CASE NO.: AC-18-3-PRA

FELIPE J. CHAVEZ,

License No. ACT10252

Respondent.

**NOTICE OF CONTEMPLATED ACTION
REGARDING PARENTAL RESPONSIBILITY**

YOU ARE HEREBY NOTIFIED that the New Mexico Athletic Commission (“Board”) has sufficient evidence which, if not rebutted or satisfactorily explained, will justify the Board in taking action to deny, suspend or revoke your license. Pursuant to the Parental Responsibility Act (“PRA”), NMSA 1978, Sections 40-5A-1 to -13, and Rule 16.1.1 NMAC, the Board shall deny an application for a license, deny the application for renewal of a license, or suspend or revoke a license if an applicant or licensee is not in compliance with a Judgment and Order for Support, or subpoenas or warrants related to paternity or child support proceedings.

The general nature of the evidence against you is as follows:

Your name appeared on the parental responsibility non-compliance certified list issued by the Human Services Department’s Child Support Enforcement Division (“CSED”), and the Board notified you of this by letter on December 10, 2018.

The Board, pursuant to its authority granted in NMSA 1978, Section 40-5A-6, will take the contemplated action to deny, suspend or revoke your license UNLESS you request a hearing within 20 days of receiving this Notice of Contemplated Action (“NCA”) or provide a “Statement of Compliance” from CSED. See Rule 16.1.1.8(D)(1) NMAC. Your request for a hearing or Statement of Compliance must be sent by Certified mail, Return Receipt

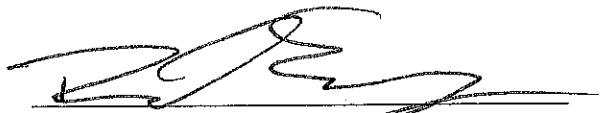
Requested, and must be addressed to the Regulation and Licensing Department, Choose an item.,
P.O. Box 25101, Santa Fe, New Mexico 87504.

If you request a hearing, the only facts to be considered at the hearing are whether you have complied with the Judgment and Order for Support that was issued to you. The hearing will be conducted pursuant to the Uniform Licensing Act, NMSA 1978, Section 61-1-8.

If you disagree with the determination of your non-compliance, or if you wish to come into compliance, you should immediately contact the Child Support Enforcement Division at (800) 288-7207.

Failure to respond to this NCA, as specified above, will result in the denial, suspension or revocation of your license.

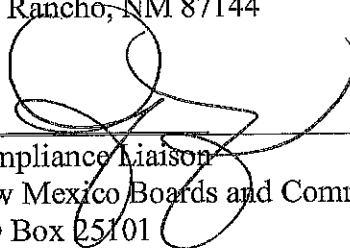
Dated: 3/15/19


BOARD ADMINISTRATOR
Regulation and Licensing Department
P. O. Box 25101
Santa Fe, New Mexico 87504-5101
(505) 476-4655

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Notice of Contemplated Action Regarding Parental Responsibility* was mailed via Certified Mail, Return Receipt Requested to the Respondent at his/her last known address (below) on this the 15 day of March, 2019, via certified mail, return receipt requested.

Felipe J. Chavez
3813 Lonesome Ridge Street, N.E.
Rio Rancho, NM 87144


Compliance Liaison
New Mexico Boards and Commissions
P.O. Box 25101
Santa Fe, New Mexico 87504
Phone: (505) 476-4622

Certified Mail Return Receipt Tracking No.:
9171 9690 0935 0155 1782 79

CERTIFIED MAIL

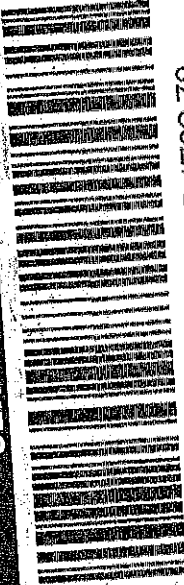
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ZIP 87505
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NM Athletic Commission
NM Regulation & Licensing Department
P.O. Box 25101
Santa Fe, NM 87504



POSTNET

429

Felipe J. Chavez
3813 Lonesome Ridge Street
Rio Rancho, NM 87144

DELIVERED
APR 12 2019

DATE: 03/18/2019
TIME: 07:11:00
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

EC: 87504510101

*9922-00276-12-43

UNC

87504510101