STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
PRIVATE INVESTIGATIONS ADVISORY BOARD

IN THE MATTER OF:

Case No. PI-19-35-APP

Larry K. Goode

Applicant.

Respondent.

DEFAULT ORDER

THIS MATTER came before the Private Investigations Advisory Board (Board), under the directive of the Superintendent of the New Mexico Regulation and Licensing Department (Department), after evidence presented to the Board raised concerns regarding the qualification (for licensure/to be examined for licensure) of Larry K. Goode (Respondent); such evidence served as the basis for a Notice of Contemplated Action issued to Respondent by the Board.

FINDINGS

1. Respondent applied to obtain a security guard II registration pursuant to the Private Investigations Act (Article 27B of Chapter 61, 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 would result in the denial of the Respondent's application.
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 Department of Regulation and Licensing: 10200 2nd Street NW #158, Albuquerque, NM 87114.
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 10/26/2019, (*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 Private Investigations Act (Chapter 61, Article 27B NMSA 1978), the Department has jurisdiction over Respondent and Respondent's application.
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 10/26/2019.
3. Respondent failed to timely request a hearing in the manner required by the Uniform Licensing Act, therefore, the Department "may take the action contemplated in the notice and such action shall be final and not subject to judicial review". *See* NMSA 1978, Section 61-1-4(E) of the Uniform Licensing Act.

Based on the above Findings of Fact and Conclusions of Law, the Department takes the following default action:

FINAL ORDER

IT IS THEREFORE ORDERED …

That, by default, Respondent's application for licensure is hereby denied.

IT IS SO ORDERED.

NEW MEXICO REGULATION
& LICENSING DEPARTMENT

Date: 2/24/20

By: _____

MARGUERITE SALAZAR,
SUPERINTENDENT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed by certified mail, return receipt requested, on the 26th day of February, 2020.

Larry K Goode
10200 2nd Street NW #158
Albuquerque, NM 87114
Certified Mail # 7018 1130 0001 5733 9751

Kathleen Roybal

Date this 26th day of February, 2020

Kathleen Roybal, Compliance Liaison
P.O. Box 25101
Santa Fe, NM 87504

BEFORE THE PRIVATE INVESTIGATIONS ADVISORY BOARD
OF THE REGULATION & LICENSING DEPARTMENT

IN THE MATTER OF:	)	**CASE NO. PI-19-35-APP**
LARRY K. GOODE,	)	
	)	
APPLICANT.	)	
	)	

NOTICE OF CONTEMPLATED ACTION

1. **Larry K. Goode** is an applicant for Security Guard Registration as a Level 2 as provided in the Private Investigations Act (Act), NMSA 1978, Sections 61-27B-1 *et seq.*, and is therefore subject to the jurisdiction of the Regulation and Licensing Department (Department) and of the Uniform Licensing Act (ULA), NMSA 1978, Section 61-1-3.

2. **Applicant Goode** is hereby notified that the Board has before it sufficient evidence, that Applicant has failed to satisfy the requirements for registration which, unless rebutted or satisfactorily explained at a formal hearing, will justify the Department in denying the application or taking other disciplinary action as permitted under the Act and Section 61-1-4 of the ULA.

3. **Applicant Goode** has failed to satisfy the Board that he is of good moral character, a requirement for registration pursuant to NMSA 1978, Section 61-27B-16(B)(2). A background investigation of **Applicant Goode** revealed that:

> On September 28, 1989, Applicant Goode was convicted of two counts of Felony Kidnapping in violation of NMSA 1978, Section 61-27B-26(H).

4. **Applicant Goode** bears the burden of satisfying the Department that Applicant meets the requirements for registration requirements.

5. **Unless Applicant Goode within 20 days after service of this Notice of Contemplated Action mails a letter Certified, Return Receipt Requested, addressed to the Private Investigations Advisory Board, at P.O. Box 25101, Santa Fe, New Mexico 87504 and containing a request for a hearing, the Department shall take the contemplated action by default.**

6. The ULA in Section 61-1-8 affords an applicant entitled to a hearing the following rights:

A. A person entitled to be heard under the Uniform Licensing Act shall have the right to be represented by counsel or by a licensed member of his own profession or occupation, or both; to present all relevant evidence by means of witnesses and books, papers, documents and other evidence; to examine all opposing witnesses who appear on any matter relevant to the issues; and to have subpoenas and subpoenas duces tecum issued as of right prior to the commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents and other evidence upon making written request therefore to the board or the hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the board or hearing officer.

B. Upon written request to another party, any party is entitled to:
(1) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and
(2) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.
The party to whom such a request is made shall comply with it within ten days after the mailing or delivery of the request. No such request shall be made less than fifteen days before the hearing.

C. Any party may take depositions after service of notice in accordance with the Rules of Civil Procedure for the District Courts. Depositions may be used as in proceedings governed by those rules.

REGULATION & LICENSING DEPARTMENT

Date: 9/26/19

By: _____

LAWRENCE MOQUINO
BOARD ADMINSTRATOR
PRIVATE INVESTIGATIONS ADVISORY BOARD

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Contemplated Action was mailed to **Larry K. Goode** at 10200 2nd Street, N.W., #158, Albuquerque, NM 87114 on this 26 day of September 2019, and emailed to Joseph Dworak at jdworak@nmag.gov.

Vanessa Montoya

Vanessa Montoya, Compliance Liaison

Certified Mail Return Receipt Tracking Number: 9171 9690 0935 0552 5657

NM Private Investigations Advisory Board
P.O. Box 25101
Santa Fe, NM 87504

Hasler
10/04/2019
US POSTAGE $005.60⁰
FIRST-CLASS MAIL
ZIP 87505
011E12650291

OCT 28 2019

Larry Goode
10200 2nd Street NW, #158
Albuquerque, NM 87114

LN
10/5/19

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™

9171 9690 0935 0155 2565 57

NIXIE 871 DE 1 0010/26/19
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
UNC SC: 87504510101 *1755-04255-26-42
87504>5101

BEFORE THE PRIVATE INVESTIGATIONS ADVISORY BOARD
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REGULATION & LICENSING DEPARTMENT

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Vanessa Montoya

Vanessa Montoya, Compliance Liaison

Certified Mail Return Receipt Tracking Number: 9171 9690 0935 0552 5657 57

Larry Goode
10200 2nd Street NW, #158
Albuquerque, NM 87114

9171 9690 0935 0155 2565 57

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Larry Goode
10200 2nd Street NW, #158
Albuquerque, NM 87114

9171 9690 0935 0155 2565 57

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by *(Printed Name)*

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over $500)
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

NM Private Investigations Advisory Board
P.O. Box 25101
Santa Fe, NM 87504

Hasler
10/04/2019
US POSTAGE $005.60
FIRST-CLASS MAIL
ZIP 87505
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OCT 28 2019

Larry Goode
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10/5/19

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BC: 87504510101 *1755-04255-26-42