

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

Complainant:

Arkansas State Board of Licensure for
Professional Engineers and Professional
Land Surveyors

Case #2009-25

Respondent:

James E. Ross, PS #750
Ross Surveying Company
1955 East Oak Street
Conway, AR 72032

DISMISSAL ORDER

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") recorded a complaint on August 6, 2009, alleging that James E. Ross (PS #750, hereinafter "Ross") violated Arkansas Code Annotated §17-48-303 (entering property without properly announcing or identifying himself).

FINDINGS OF FACT

1. Ross was retained to survey a parcel adjacent to that of Debra Walsh ("Walsh"). In order to complete the survey, his crew needed access to and entered upon land owned by Walsh to locate corner monuments.

2. Walsh was not at home when Ross started the field work. She returned home while the Ross crew was in the field, however, and she confronted Ross. The local police had to be called to maintain order.

CONCLUSIONS OF LAW

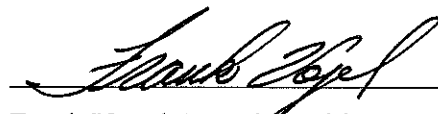
Upon review of the evidence in its possession, the Board finds the conduct by Ross described in the Findings of Fact does not warrant further investigation or disciplinary action.

The Board, however, is concerned that some surveyors may not be fully aware of their obligations when entering private properties, and therefore asked that the letter notifying Ross of dismissal of the action explain compliance with Arkansas Code Annotated §17-48-303.

ORDER

Based on these findings, the complaint against Ross is dismissed without further action by the Board, and a letter of explanation will be issued by the Executive Director.

SO ORDERED this 18th day of February 2010

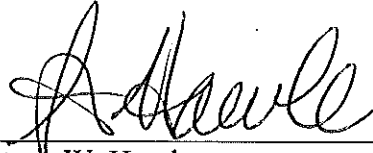


Frank Vozel, Board President
FV 2-4-10

CERTIFICATE OF SERVICE

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 23rd day of March, 2010, to:

Mr. James E. Ross, PS
Ross Surveying Company
1955 East Oak Street
Conway, AR 72032-4515

A handwritten signature in black ink, appearing to read "S. Haralson", written over a horizontal line.

Steve W. Haralson
Executive Director