

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM**

IN THE MATTER OF:

Docket No.: 12-000157

**Jefferey S. Pindzia,
Petitioner**

Case No.: MCO-2011-74

v

Agency: State Police

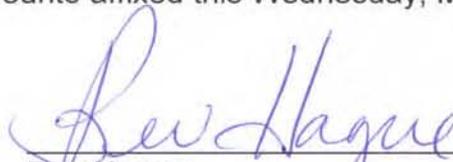
**Michigan Commission on Law
Enforcement Standards (MCOLES),
Respondent**

Case Type: MCOLES

CERTIFICATION OF RECORD

I, Bev Hague hereby certify that the attached Register of Actions constitutes the entire record of the proceedings in the above captioned matter.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the Michigan Administrative Hearing System to be hereunto affixed this Wednesday, May 30, 2012.



Bev Hague
Michigan Administrative Hearing System

MAHS Lansing Office
State Police
Register of Actions

Case Number: 12-000157 (Jefferey S. Pindzia v Michigan Commission on Law Enforcement Standards)

Parties	Representatives
Jefferey S. Pindzia Petitioner	Self Represented
Michigan Commission on Law Enforcement Standards Respondent	John Szczubelek

Active Assignments

Judge : Peter L. Plummer
Scheduler: Jackie Peoples
Secretary: Bev Hague

Action Date	Action	Amount Transaction
2/21/2012	An evidentiary hearing has been scheduled.	Schedule:110933
2/21/2012	A Request for Hearing was received.	Document:134837
2/21/2012	Notice of Hearing with Proof of Service	Document:134838
3/21/2012	Appearance from John F. Szczubelek	Document:139305
3/21/2012	Hearing was completed.	Evt Result:110933
3/21/2012	Respondent's Exhibit 1 - MCOLES Information and Tracking Network	Document:139308
3/21/2012	Respondent's Exhibit 2 - Judgment of Sentence Commitment to Jail	Document:139306
4/12/2012	A Proposed Final Decision was issued.	Document:139313
4/12/2012	Decision Issued	Disposition:124940
5/30/2012	Certification of Record	Document:139314

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM**

In the matter of

Jefferey Pindzia,
Petitioner

v

Michigan Commission on Law
Enforcement Standards (MCOLES),
Respondent

Docket No. 12-000157

Agency No. MCO-2011-74

Agency: MCOLES

Case Type: Sanction Revocation

Issued and entered
this 12th day of April, 2012
by Peter L. Plummer
Administrative Law Judge

PROPOSAL FOR DECISION

PROCEDURAL HISTORY

This proceeding commenced with the Respondent's issuance of an Order of Summary Suspension and Notice of Intent to Revoke (Notice) the Petitioner's license to act as a law enforcement officer in the State of Michigan. The Michigan Administrative Hearing System (MAHS) issued a Notice of Hearing dated February 22, 2012, scheduling a hearing on the Respondent's Notice for March 21, 2012, beginning at 9:00 a.m. The Notice of Hearing was mailed to the parties' last known address. Further, the Notice of Hearing informed the parties that if either party failed to appear at the scheduled hearing, a default may be entered pursuant to Sections 72 and 78 of the Administrative Procedures Act (APA) of 1969, 1969 PA 306, as amended, being MCL 24.201 *et seq.*

The Notice of Hearing was issued pursuant to allegations by the Respondent contained in the Notice that the Petitioner violated the Commission on Law Enforcement

Standards Act (Act), 1965 PA 203, as amended, being MCL 28.601 *et seq* when he entered pleas of no contest (or *nolo contendere*) to a felony charge, making him ineligible to be licensed as a law enforcement officer in Michigan.

The hearing commenced as scheduled on March 21, 2012. John F. Szczubelek, Assistant Attorney General, appeared on behalf of the Respondent. Neither Petitioner, Jefferey Pindzia, nor an attorney on behalf of the Petitioner, appeared at the hearing.

At the hearing, Respondent's counsel requested that the Respondent be allowed to proceed in the Petitioner's absence pursuant to Section 72 of the APA and that a default be granted on behalf of the Respondent pursuant to Section 78 of the APA.

Section 72 of the APA states in pertinent part:

- (1) If a party fails to appear in a contested case after proper service of notice, the agency, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party.

Further, Section 78 of the APA states in pertinent part:

- (2) Except as otherwise provided by law, disposition may be made of a contested case by . . . default . . .

The Respondent's motion for default was granted. As a result of the default, the factual allegations contained in the Respondent's Notice dated February 22, 2012, are deemed true and accurate on the record.

EXHIBITS

During the March 21, 2012 hearing, the following two exhibits were accepted into the record:

Respondent's Exhibit 1

MCOLES Information and Tracking Network Record – one page.

Respondent's Exhibit 2

Two pages including a Certified Copy from the 6th Judicial Circuit Court of Oakland County of a document entitled JUDGMENT OF SENTENCE COMMITMENT TO JAIL, in Case File No. 11-236474-FH, listing a "NC"¹ to

¹ "NC" indicates *nolo contendere*

two felony convictions of Jeffrey Scott Pindzia to the offenses of; Count 1 – Common Law Offenses (a felony violation of) MCL 750.505-C; Count 2 – Conspiracy to [commit] Misconduct in Office (a felony violation of) MCL 750.505-C(C).

No witnesses testified at hearing.

ISSUES AND APPLICABLE LAW

Section 9b of the Act, being MCL 28.609b, allows the Respondent to revoke the Petitioner's certificate. Subsection 1 provides:

- (1) The commission shall promulgate rules that provide for the revocation of certification of a law enforcement officer for 1 or more of the following:
 - a) Conviction by a judge or jury of a felony.
 - b) Conviction by a plea of guilt to a felony.
 - c) Conviction by a plea of no contest to a felony.
 - d) Making a materially false statement or committing fraud during the application for certification process.

Section 2(f) of the Act defines a "felony" as follows:

"Felony" means a violation of a penal law of this state or another state that is either of the following:

- (i) Punishable by a term of imprisonment greater than 1 year.
- (ii) Expressly designated a felony by statute.

The Notice in this case alleges that the Petitioner is in violation of Section 9b as a result of the Petitioner's conviction of two felony level offenses as defined by the Act.

FINDINGS OF FACT

Based upon the record, including the pleadings, as well as the exhibits entered into the record, and the fact that a default was granted, I make the following findings of fact:

1. Jeffrey Scott Pindzia, AKA Jefferey Pindzia is currently licensed as a law enforcement officer in Michigan and has been so licensed since June 6, 1996.
2. Jeffrey Scott Pindzia, AKA Jefferey Pindzia, by his pleas of nolo contendere on January 31, 2012, to two felony convictions to the offenses of; Count 1 – Common Law Offenses (a felony violation of) MCL 750.505-C; Count 2 – Conspiracy to

[commit] Misconduct in Office (a felony violation of) MCL 750.505-C(C); with a penalty up to five years in prison.

3. Jeffrey Scott Pindzia, AKA Jefferey Pindzia convictions were issued and entered on the dates and in the county stated above.

CONCLUSIONS OF LAW

The principles that govern judicial proceedings also apply to administrative hearings. 8 Callaghan's Michigan Pleading and Practice §60.248, at 230 (2d ed. 1994). The burden of proof is upon the Respondent to prove, by a preponderance of the evidence that grounds exist for the imposition of sanctions upon the Petitioner. Under Section 72 of the APA, there is no requirement to provide a full evidentiary hearing when all alleged facts are taken as true. *Smith v Lansing School District*, 428 Mich 248; 406 NW2d 825 (1987). Based upon the findings of fact and the exhibits offered by the Respondent, the Respondent has established, by a preponderance of the evidence, that the Petitioner was convicted of two felonies within the definition in Section 2(f) of the Act. It should be noted that subsection 1(c) of the act includes a "*nolo contendere*" plea as sufficient for the purposes of conviction and revocation under the Act. As a result, the Respondent has established that Petitioner violated Section 9b of the Act.

The Petitioner has been shown to have been convicted of felonies within the meaning of the Act. Until and unless the Petitioner's license is revoked, the Petitioner continues to be certified to act as a law enforcement officer in this state. This possibility threatens the health and safety of the residents in this state. The Respondent has demonstrated, therefore, that it acted properly in issuing an Order of Summary Suspension and Notice of Intent to Revoke against the Petitioner.

EXCEPTIONS

If a party chooses to file Exceptions to this Proposal for Decision, Exceptions must be filed within 15 days after the Proposal for Decision is issued and entered. If an opposing party chooses to file a Response to Exceptions, it must be filed within five days

after Exceptions are filed. All Exceptions and Responses to Exceptions must be filed with the MAHS, Department of Licensing and Regulatory Affairs, P.O. Box 30695, Lansing, Michigan, 48909-8195, and served on all parties to the proceeding.



Peter L. Plummer
Administrative Law Judge

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the foregoing document was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by first class mail at their respective addresses as disclosed by the file on the 12th day of April, 2012.



Bev Hague
Michigan Administrative Hearing System

Mr. Jefferey S. Pindzia
50305 Uptown Avenue, Apt. 103
Canton, Michigan 48188

Ms. Hermina Kramp
MCOLES
106 West Allegan, Suite 600
Lansing, Michigan 48909

Mr. John Szczubelek
Michigan Department of Attorney General
106 West Allegan, Suite 600
Lansing, Michigan 48909



JONESLJ MCOLES Information and Tracking Network 08/30/2011
COMP_SUPF Add/Update Personal License 01:35 PM

General Information

License Code **Law Enforcement Officers** Type **LED** **Law Enforcement Officer** SSN **371-84-8634**

Last Name **PINDZIA** Birth Date **09/05/1972** Driver's License # **P532390760691** Authority **MI**

First Name **JEFFEREY** Name Prefix Foreign ID

Middle Name Name Suffix Deceased Title

Also Known As (Maiden, etc.) **JEFFEREY PINDZIA** Gender **Male** E-Mail

Education	Training/Employment Application	Exams	Inspections	Comments
License Details	Personal Information	License History	Relationships	Complaints

Number **31059** Method **Basic Training** Print? **No** License Status **Inactive**

Original License Date **06/10/1996** Renewal Date Expiration Date **12/31/2050** Print Dup. Dup. Date

Specialties/Endorsements/Disciplines

Display to Public	Type	Start Date	Print C/E Due Dt	Status	Credentialed By	Stop Dt	Certific
<input checked="" type="checkbox"/>	Speed Measurement Certif	11/18/1996	<input type="checkbox"/>	A	WEST BLOOMFIELD TOW		R0002
<input type="checkbox"/>							

Specialty History

Specialty Practice Areas

SC

Continuing Education

CE Required CE Required By Date **CPA CE**

CE Requirement Met Grace Period

STATE OF MICHIGAN
6th JUDICIAL CIRCUIT
COUNTY OF OAKLAND

JUDGMENT OF SENTENCE
COMMITMENT TO JAIL

OAKLAND COUNTY 11-236474-FH



JUDGE LEO BOWMAN

ORI: MI-630015J Court Address: 1200 N. Telegraph Rd., Pontiac, MI 48341
Police Report No.

PEOPLE v PINDZIA,JEFFR

248-452-2005

THE PEOPLE OF THE STATE OF MICHIGAN

V

Defendant's name, address, and telephone no.

PINDZIA,JEFFREY,SCOTT,
50305 UPTOWN AVE APT. 103
CANTON MI 48188

CTN/TCN	SID	DOB
63-11-080203-01		09/05/1972

Prosecuting Attorney Name Bar No.
JESSICA R. COOPER P23242

Defendant Attorney Name
MITCHELL RIBITWER



THE COURT FINDS:

1. Defendant plead / found guilty on 11/18/2011 of the crime(s) stated below:

Count	CONVICTED BY			Crime	CHARGE CODE(S)	
	Plea	Court	Jury		MCL citation/PACC Code	
1	NC			COMMON LAW OFFENSES	750.505-C	
2	NC			CONSP MISCOND IN OFFICE	750.505-C(C)	

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: MITCHELL RIBITWER P26054
 advised of right to counsel and appointed counsel and knowingly, intelligently, and voluntarily waived that right.
3. Conviction is reportable to the Secretary of State**. Defendant's driver license number is : _____
4. Licensing sanction reportable to State Police**. Revoked Suspended Restricted
5. HIV testing and sex offender registration is completed.
6. Defendant has been fingerprinted according to MCL 28.243.

RECEIVED: MAILING
 DEPT. CLERK
 JAN AND COUNTY CLERK
 11 PH 4: 27
 DEPUTY CLERK

IT IS ORDERED:

7. Probation is revoked.
8. Defendant is sentenced to jail as follows:

Count	SENTENCE DATE	SENTENCE BEGINS	Probation Time	JAIL Days	CREDIT Days	Other Information
1	01/10/2012	01/10/2012	2Y	60	1	
2	01/10/2012	01/10/2012		0	0	

9. Defendant shall pay as follows:

PAY \$130.00 ASSESSMENT FOR THE CRIME VICTIM RIGHTS FUND. SUPERVISION FEES: \$240.00 AT \$10.00 A MONTH. COSTS: \$600.00. FINE: \$1,000.00. \$68.00 FOR STATE MINIMUM COSTS.

Fines, Costs, and Fees not paid within 56 days of the date of this judgment are subject to a 20% late penalty on the amount owed.

10. Defendant shall be placed on probation for (see above) and abide by the terms of probation.
11. Defendant shall complete the following rehabilitative services.
 Alcohol Highway Safety Education Treatment (outpatient, inpatient, residential, mental health.)
 Specify: _____
12. The vehicle used in the offense shall be immobilized or forfeited. (See separate order.)
13. The concealed weapon board shall suspend for _____ days permanently revoke the concealed weapon license, permit number _____, issued by _____ County.

14. Other:

MAINTAIN AND/OR SEEK EMPLOYMENT AS DIRECTED BY P.O. COMPLY WITH DNA

MC 219 (6/05) JUDGMENT OF SENTENCE/ COMMITMENT TO JAIL

STATE OF MICHIGAN 6th JUDICIAL CIRCUIT COUNTY OF OAKLAND	JUDGMENT OF SENTENCE COMMITMENT TO JAIL	CASE NO. 2011-236474-FH
--	--	----------------------------

ORI:MI-630015J Court Address: 1200 N. Telegraph Rd., Pontiac, MI 48341 Court telephone no: 248-452-2005
Police Report No.

THE PEOPLE OF THE STATE OF MICHIGAN

V

Defendant's name, address, and telephone no.
PINDZIA,JEFFREY,SCOTT,
50305 UPTOWN AVE APT. 103
CANTON MI 48188
CTN/TCN SID DOB
63-11-080203-01 09/05/1972

Prosecuting Attorney Name Bar No.
JESSICA R. COOPER P23242

Defendant Attorney Name Bar No.
MITCHELL RIBITWER P26054

TESTING. SHALL NOT USE, PURCHASE OR POSSESS ANY ALCOHOLIC BEVERAGE OR ENTER ESTABLISHMENTS THAT DISPENSE THEM. SHALL SUBMIT TO ALCOHOL TESTING AS DIRECTED BY P.O. SHALL SUBMIT TO DRUG TESTING AS DIRECTED BY P.O. SHALL NOT USE ANY CONTROLLED SUBSTANCE W/O PRESCRIPTION. NO ASSAULTIVE OR THREATENING BEHAVIOR. NOT USE OR POSSESS ANY FIREARM OR OTHER DEADLY WEAPON. NO CONTACT WITH CO-DEFENDANT(S).THE COURT OBJECTS TO THIS DEFENDANT BEING PLACED ON TETHER OR ANY OTHER PROGRAM THAT ALLOWS FOR EARLY RELEASE WITHOUT THE COURT'S APPROVAL DEFENDANT MAY NOT USE, PURCHASE OR POSSESS MARIJUANA WITH OR WITHOUT A PRESCRIPTION

STATE OF MICHIGAN } ss.
COUNTY OF OAKLAND }

I BILL BULLARD JR., County Clerk for the County of Oakland, Clerk of the Circuit Court thereof, the same being a Court of Record and having a Seal, hereby certify that the attached is a true copy.

In Testimony whereof, I have hereunto set my hand and placed the Seal of said Court this 31st January 2012

Bill Bullard Jr. - Clerk/ Register of Deeds Deputy Clerk

[Signature]
HON. LEO BOWMAN P34867

DATED: 01/10/2012

Under MCL 769.16A the court clerk shall send a copy of this order to the Michigan State Police Criminal History Record.

MCL 765.15(2), MCL 769.16a, MCL 775.22, MCL 780.766
MCL 780.826, MCR 6.427(A)



STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

(PLEASE PRINT)

DOCKET NUMBER: 12-000157-MSP

IN THE MATTER OF: Jefferey S. Pindzia

APPEARANCE

My appearance as attorney is filed on behalf of: Petitioner Other
 Respondent

My appearance as authorized representative is filed on behalf of:
 Petitioner Other
 Respondent

NAME: John F. Szczubelek

FIRM/COMPANY NAME: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE NUMBER: _____ FAX NUMBER: _____

DATE: 3-21-12

SIGNATURE: 

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM**

DATE NOTICE MAILED: 2/22/2012

IN THE MATTER OF:

Docket No.: 12-000157

**Jefferey S. Pindzia,
Petitioner**

Case No.: MCO-2011-74

v

**Michigan Commission on Law
Enforcement Standards,
Respondent**

Agency: MCOLES

Case Type: Sanction

NOTICE OF HEARING

Petitioner entered a no contest plea to a felony charge, making him ineligible to be licensed as a law enforcement officer in Michigan.

Date: Wednesday, March 21, 2012

Time: 9:00 AM

ALJ: Peter L. Plummer

Location: Lansing Hearing Room H
611 W. Ottawa
Lansing, MI 48933

Issue: Petitioner entered a no contest plea to a felony charge, making him ineligible to be licensed as a law enforcement officer in Michigan.

The case will be conducted in accordance with procedures applicable to the trial of contested cases under the Administrative Procedures Act, 1969 PA 306, as amended, MCL 24.201 et seq. At the discretion of the Administrative Law Judge, a pre-hearing conference may be held among the parties at the beginning of the hearing.

All pleadings and motions shall be filed with the **Michigan Administrative Hearing System at P.O. Box 30695, Lansing, Michigan 48909**; or by facsimile at **(517) 241-8541**. You must send a copy of everything you file to the opposing party as listed on the proof of service accompanying this Notice.

If the opposing party files a motion, you must respond within seven days after you receive it, unless the Administrative Law Judge sets a different time for response. You are further notified that you may be represented by an attorney or representative; law permitting, at the hearing. You may present evidence or call witnesses. If you wish

12-000157-MSP

Page 2

to offer any document(s) into evidence at the hearing, you must bring the document to introduce into the record, your own copy, and a copy for the opposing party. The Michigan Administrative Hearing System is not responsible for photocopying your documents.

In the event that you fail to appear at the hearing as scheduled, a default judgment or decision may be entered against you pursuant to the Administrative Procedures Act.

All hearings are conducted in a barrier free location and are in compliance with the 1990 Americans with Disabilities Act. A disabled individual requiring accommodation for effective participation in a hearing should call the Michigan Administrative Hearing System at: (517) 335-2484 to make arrangements. To ensure the availability of accommodations, a request should be made at least one week in advance.

All hearing attendees must present picture identification to gain access to State Office Buildings. Failure to present picture identification will result in denial of access.

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the foregoing document was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by UPS/Next Day Air, facsimile, and/or by mailing same to them via first class mail and/or certified mail, return receipt requested, at their respective addresses as disclosed below this 22nd day of February, 2012.

Jacquelyn R. Peoples

Jacquelyn R. Peoples
Michigan Administrative Hearing System

John Szczubelek
MI Department of Attorney General
106 West Allegan, Suite 600
Lansing, MI 48909

Hermina Kramp
MI Commission on Law Enforcement Standards
106 West Allegan, Suite 600
Lansing, MI 48909

Jefferey S. Pindzia
50305 Uptown Avenue, Apt. 103
Canton, MI 48188

REQUEST FOR HEARING

1. IN THE MATTER OF

Jefferey S. Pindzia

v.

Michigan Commission on Law Enforcement Standards

RECEIVED

FEB 17 2011

**MICHIGAN ADMINISTRATIVE
HEARING SYSTEM**

2. ISSUE

Petitioner entered no contest pleas to felony charges making him ineligible to be licensed as a law enforcement officer in Michigan.

3. INITIATING AGENCY'S FILE NUMBER

MCO-2011-74

4a. STATUTORY START DATE

4b. DAYS ALLOWED

5. AGENCY

Michigan Commission on Law Enforcement Standards

6. DIVISION

7. ACT/ CODE OF LAW

Act 203, P.A. 1965, as amended

8. PROVISION OF LAW

MCL 28.609b

9. CHAPTER/ SECTION OF LAW

Section 9(1)(b)

10. CASE TYPE

Sanctions

11. CASE SUB-TYPE

License Revocation

12. GEOGRAPHICAL AREA

13. PREPARED BY

Hermine Kramp

PHONE NUMBER

(517) 322-5621

FAX NUMBER

(517) 322-6439

DATE PREPARED

February 13, 2012

14. Refer to Request for Hearing Instructions.

15. COMMENTS

For Michigan Administrative Hearing System Use Only

DATE RECEIVED

2-17-12

DATE COMPLETED

COMPLETED BY

JRP

DOCKET NUMBER

12-000157

ALJ ASSIGNED

Phimmer

COMMENTS

Wed. 3-21-12 9:00 AM H-D Szczubelek

PERSONS INVOLVED WITH THE REQUEST FOR HEARING

1. IN THE MATTER OF Jefferey S. Pindzia v. Michigan Commission on Law Enforcement Standards				2. AGENCY FILE NUMBER MCO-2011-74		3. MAHS DOCKET NUMBER	
4. CHECK ONE (X) <input type="checkbox"/> Petitioner <input checked="" type="checkbox"/> Respondent <input type="checkbox"/> Intervenor <input type="checkbox"/> Department <input type="checkbox"/> Petitioner Attorney <input type="checkbox"/> Respondent Attorney <input type="checkbox"/> Intervenor Attorney <input type="checkbox"/> Petitioner Non-Attorney <input type="checkbox"/> Respondent Non-Attorney <input type="checkbox"/> Intervenor Non-Attorney							
5. NAME Hermina Kramp							
6. FIRM Michigan Commission on Law Enforcement Standards (MCOLES)							
7. ON BEHALF OF MCOLES							
8. STREET ADDRESS / P.O. BOX 106 West Allegan, Suite 600							
9. CITY Lansing		10. STATE MI	11. ZIP CODE 48909		12. PHONE (517) 322-5621		13. FAX (517) 322-6439
4. CHECK ONE (X) <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Intervenor <input type="checkbox"/> Department <input type="checkbox"/> Petitioner Attorney <input checked="" type="checkbox"/> Respondent Attorney <input type="checkbox"/> Intervenor Attorney <input type="checkbox"/> Petitioner Non-Attorney <input type="checkbox"/> Respondent Non-Attorney <input type="checkbox"/> Intervenor Non-Attorney							
5. NAME John Szczubelek							
6. FIRM Michigan Department of Attorney General							
7. ON BEHALF OF MCOLES							
8. STREET ADDRESS / P.O. BOX 106 W. Allegan, Suite 600							
9. CITY Lansing		10. STATE MI	11. ZIP CODE 48909		12. PHONE (517) 322-5435		13. FAX (517) 322-6439
4. CHECK ONE (X) <input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Intervenor <input type="checkbox"/> Department <input type="checkbox"/> Petitioner Attorney <input type="checkbox"/> Respondent Attorney <input type="checkbox"/> Intervenor Attorney <input type="checkbox"/> Petitioner Non-Attorney <input type="checkbox"/> Respondent Non-Attorney <input type="checkbox"/> Intervenor Non-Attorney							
5. NAME Jefferey S. Pindzia							
6. FIRM							
7. ON BEHALF OF							
8. STREET ADDRESS / P.O. BOX 50305 Uptown Ave., Apt. 103							
9. CITY Canton		10. STATE MI	11. ZIP CODE 48188		12. PHONE		13. FAX
4. CHECK ONE (X) <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Intervenor <input type="checkbox"/> Department <input type="checkbox"/> Petitioner Attorney <input type="checkbox"/> Respondent Attorney <input type="checkbox"/> Intervenor Attorney <input type="checkbox"/> Petitioner Non-Attorney <input type="checkbox"/> Respondent Non-Attorney <input type="checkbox"/> Intervenor Non-Attorney							
5. NAME							
6. FIRM							
7. ON BEHALF OF							
8. STREET ADDRESS / P.O. BOX							
9. CITY		10. STATE	11. ZIP CODE		12. PHONE		13. FAX

STATE OF MICHIGAN
MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

In the Matter of

Jefferey S. Pindzia
License No. 31059

Agency File Number: MCO-2011-74

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LAW ENFORCEMENT OFFICER LICENSE

The Michigan Commission on Law Enforcement Standards, by David L. Harvey, Executive Director, orders the Summary Suspension and provides Notice of Intent to Revoke the law enforcement officer license of Jefferey S. Pindzia, based on the following:

1. The Michigan Commission on Law Enforcement Standards, hereafter "MCOLES," is an administrative agency established by the Commission on Law Enforcement Standards Act, 1965 PA 203, MCL 28.601 *et seq.*, hereafter "the Act."
2. Section 9b(1) of the Act, MCL 28.609b(1), provides that MCOLES shall promulgate rules for the revocation of a license of a law enforcement officer for conviction by a plea of no contest to a felony.
3. Section 2(f) of the Act defines a felony to include a violation of the penal law of this State that is punishable by imprisonment greater than 1 year, or expressly designated a felony by statute.
4. 1999 AC, R 28.14604 provides that MCOLES shall issue an order of summary suspension and notice of intent to revoke if an investigation discloses that a licensed law enforcement officer has been convicted of an offense defined in MCL 28.602(f).
5. Jefferey S. Pindzia is currently licensed as a law enforcement officer in the State of Michigan, and has been so licensed since June 10, 1996. (Attachment A)
6. On November 18, 2011, in the Oakland County Circuit Court, Jefferey S. Pindzia, upon a plea of nolo contendere, was convicted of the following offenses: Common Law Offenses (Misconduct in Office), MCL 750.505, and Conspiracy to Commit Common Law Offenses (Misconduct in Office), MCL 750.505-C, (Attachment B)
7. On January 10, 2012, in the Oakland County Circuit Court, Jefferey S. Pindzia was sentenced to 60 days of imprisonment for those offenses. (Attachment B)
8. MCL 750.505 provides that a defendant convicted of the offense of Common Law Offenses (Misconduct in Office), the punishment of which no provision is expressly made by any statute, shall be guilty of a felony, punishable by imprisonment of not more than 5 years.

9. MCL 750.157a provides that a defendant convicted of the offense of Conspiracy to Commit Common Law Offenses (Misconduct in Office)(MCL 750.505C), shall be guilty of a felony punishable by an equal number of years.

COUNT I

The offenses of Common Law Offenses (Misconduct in Office), MCL 750.505, and Conspiracy to Commit Common Law Offenses (Misconduct in Office), MCL 750.505C, to which Jefferey S. Pindzia pleaded nolo contendere, constitute felonies for which license revocation under MCL 28.609b is warranted.

This Order and Notice is based on files and records maintained by MCOLES through an investigation conducted by MCOLES staff and a certified copy of the judgment of sentence.

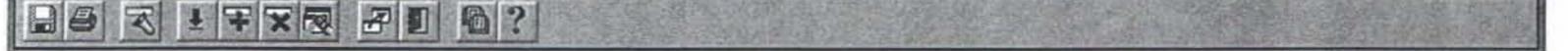
Due to the serious nature of the felony convictions and the potential threat to public health, safety, and welfare, MCOLES invokes section 92(2) of the Administrative Procedures Act of 1969, MCL 24.292(2) and summarily suspends the law enforcement officer license of Jefferey S. Pindzia and gives notice of an administrative hearing to adjudicate revocation of his license.

A hearing will be scheduled under the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*

Dated: 2.13.12



David L. Harvey
Executive Director



JONESLJ MCOLES Information and Tracking Network 08/30/2011
COMP_SUPP Add/Update Personal License 01:35 PM

General Information

License Code **Law Enforcement Officers** Type **LEO** Law Enforcement Officer SSN **371-84-8634**

Last Name **PINDZIA** Birth Date **09/05/1972** Driver's License # **P532390760691** Authority **MI**

First Name **JEFFEREY** Name Prefix Foreign ID

Middle Name Name Suffix Deceased Title

Also Known As **JEFFEREY PINDZIA** Gender **Male** E-Mail

Education	Training/Employment Application	Exams	Inspections	Comments
License Details	Personal Information	License History	Relationships	Complaints

Number **31059** Method **Basic Training** Print? **No** License Status **Inactive**

Original License Date **06/10/1996** Renewal Date Expiration Date **12/31/2050** Print Dup. Dup. Date

Specialties/Endorsements/Disciplines

Display to Public	Type	Start Date	Print C/E Due Dt	Status	Credentialed By	Stop Dt	Certific.
<input checked="" type="checkbox"/>	Speed Measurement Certi	11/18/1996		A	WEST BLOOMFIELD TOW		R0002
<input type="checkbox"/>							

Specialty History

Specialty Practice Areas

SC

Continuing Education

CE Required CE Required By Date **CPA CE**

CE Requirement Met Grace Period

STATE OF MICHIGAN
6th JUDICIAL CIRCUIT
COUNTY OF OAKLAND

JUDGMENT OF SENTENCE
COMMITMENT TO JAIL

OAKLAND COUNTY 11-236474-FH



JUDGE LEO BOWMAN
PEOPLE v PINDZIA,JEFFR

ORI: MI-630015J Court Address: 1200 N. Telegraph Rd., Pontiac, MI 48341
Police Report No.

248-452-2005

THE PEOPLE OF THE STATE OF MICHIGAN

V

Defendant's name, address, and telephone no.
PINDZIA,JEFFREY,SCOTT,
50305 UPTOWN AVE APT. 103
CANTON MI 48188
CTN/TCN SID DOB
63-11-080203-01 09/05/1972

Prosecuting Attorney Name Bar No.
JESSICA R. COOPER P23242

Defendant Attorney Name Bar No.
MITCHELL RIBITWER P26054

THE COURT FINDS:

1. Defendant plead / found guilty on 11/18/2011 of the crime(s) stated below:

Count	CONVICTED BY			Crime	CHARGE CODE(S) MCL citation/PACC Code	
	Plea	Court	Jury			
1	NC			COMMON LAW OFFENSES	750.505-C	
2	NC			CONSP MISCOND IN OFFICE	750.505-C(C)	

*For plea: insert "G" for guilty plea, "NC" for nolo contendere, or "MI" for guilty but mentally ill. For dismissal: insert "D" for dismissed by court or "NP" for dismissed by prosecutor/plaintiff.

2. Defendant represented by an attorney: MITCHELL RIBITWER P26054
 advised of right to counsel and appointed counsel and knowingly, intelligently, and voluntarily waived that right.
3. Conviction is reportable to the Secretary of State**. Defendant's driver license number is:
4. Licensing sanction reportable to State Police**. Revoked Suspended Restricted
5. HIV testing and sex offender registration is completed.
6. Defendant has been fingerprinted according to MCL 28.243.

IT IS ORDERED:

7. Probation is revoked.
8. Defendant is sentenced to jail as follows:

Count	SENTENCE DATE	SENTENCE BEGINS	Probation Time	JAIL Days	CREDIT Days	Other Information
1	01/10/2012	01/10/2012	2Y	60	1	
2	01/10/2012	01/10/2012		0	0	

9. Defendant shall pay as follows:

PAY \$130.00 ASSESSMENT FOR THE CRIME VICTIM RIGHTS FUND. SUPERVISION FEES: \$240.00 AT \$10.00 A MONTH. COSTS: \$600.00. FINE: \$1,000.00. \$68.00 FOR STATE MINIMUM COSTS.

Fines, Costs, and Fees not paid within 56 days of the date of this judgment are subject to a 20% late penalty on the amount owed.

10. Defendant shall be placed on probation for (see above) and abide by the terms of probation.
11. Defendant shall complete the following rehabilitative services.
 Alcohol Highway Safety Education Treatment (outpatient, inpatient, residential, mental health.)
 Specify:
12. The vehicle used in the offense shall be immobilized or forfeited. (See separate order.)
13. The concealed weapon board shall suspend for _____ days permanently revoke the concealed weapon license, permit number _____, issued by _____ County.
14. Other:

MAINTAIN AND/OR SEEK EMPLOYMENT AS DIRECTED BY P.O. COMPLY WITH DNA

MC 219 (6/05) JUDGMENT OF SENTENCE/ COMMITMENT TO JAIL

RECEIVED
 DEPUTY CLERK
 JAN 21 11 PM 4:27
 OAKLAND COUNTY CLERK

STATE OF MICHIGAN 6th JUDICIAL CIRCUIT COUNTY OF OAKLAND	JUDGMENT OF SENTENCE COMMITMENT TO JAIL	CASE NO. 2011-236474-FH
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Prosecuting Attorney Name Bar No.
 JESSICA R. COOPER P23242

Defendant Attorney Name Bar No.
 MITCHELL RIBITWER P26054

TESTING. SHALL NOT USE, PURCHASE OR POSSESS ANY ALCOHOLIC BEVERAGE OR ENTER ESTABLISHMENTS THAT DISPENSE THEM. SHALL SUBMIT TO ALCOHOL TESTING AS DIRECTED BY P.O. SHALL SUBMIT TO DRUG TESTING AS DIRECTED BY P.O. SHALL NOT USE ANY CONTROLLED SUBSTANCE W/O PRESCRIPTION. NO ASSAULTIVE OR THREATENING BEHAVIOR. NOT USE OR POSSESS ANY FIREARM OR OTHER DEADLY WEAPON. NO CONTACT WITH CO-DEFENDANT(S). THE COURT OBJECTS TO THIS DEFENDANT BEING PLACED ON TETHER OR ANY OTHER PROGRAM THAT ALLOWS FOR EARLY RELEASE WITHOUT THE COURT'S APPROVAL DEFENDANT MAY NOT USE, PURCHASE OR POSSESS MARIJUANA WITH OR WITHOUT A PRESCRIPTION

STATE OF MICHIGAN } ss.
 COUNTY OF OAKLAND }

I BILL BULLARD JR., County Clerk for the County of Oakland, Clerk of the Circuit Court thereof, the same being a Court of Record and having a Seal, hereby certify that the attached is a true copy.

In Testimony whereof, I have hereunto set my hand and placed the Seal of said Court this 31st January 2012

BILL BULLARD JR. - Clerk/ Register of Deeds
Bill Bullard Jr. Deputy Clerk

[Signature]
 HON. LEO BOWMAN P34867
 MCL 765.15(2), MCL 769.16a, MCL 775.22, MCL 780.766
 MCL 780.826, MCR 6.427(A)

DATED: 01/10/2012

Under MCL 769.16A the court clerk shall send a copy of this order to the Michigan State Police Criminal History Record.

