

BEFORE THE
BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation against:)
)
WILLIAM HOWARD CURRY) Case No. 890-A
P. O. Box 1591)
Big Bear Lake, CA 92315)
)
Civil Engineer License No. C 24166,)
)
Respondent.)
_____)

DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board for Professional Engineers, Land Surveyors, and Geologists as its Decision in the above-entitled matter.

This Decision shall become effective on September 2, 2011.

IT IS SO ORDERED July 28, 2011.

Original Signed

BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS, AND GEOLOGISTS
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MICHAEL BROWN
Deputy Attorney General
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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND**
10 **GEOLOGISTS**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 **WILLIAM HOWARD CURRY**
15 **P.O. Box 1591**
16 **Big Bear Lake, CA 92315**
17 **Civil Engineer License No. C 24166**

18 Respondent.

19 Case No. 890-A

20 OAH No. L-2010060387
21 **STIPULATED SETTLEMENT AND**
22 **DISCIPLINARY ORDER FOR PUBLIC**
23 **REPROVAL**

24 **[Bus. & Prof. Code § 495]**

25 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
26 entitled proceedings that the following matters are true:

27 PARTIES

28 1. JOANNE ARNOLD (Complainant) is the Acting Executive Officer of the Board for
Professional Engineers, Land Surveyors and Geologists. She brought this action solely in her
official capacity and is represented in this matter by Kamala D. Harris, Attorney General of the
State of California, by Michael Brown, Deputy Attorney General.

2. Respondent William Howard Curry (Respondent) is representing himself in this
proceeding and has chosen not to exercise his right to be represented by counsel.

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1 supplemented, or otherwise changed except by a writing executed by an authorized representative
2 of each of the parties.

3 14. In consideration of the foregoing admissions and stipulations, the parties agree that
4 the Board may, without further notice or formal proceeding, issue and enter the following
5 Disciplinary Order:

6 **DISCIPLINARY ORDER**

7 IT IS HEREBY ORDERED that Civil Engineer License No. C 24166 issued to Respondent
8 William Howard Curry (Respondent) shall, by way of a letter from the Board's Executive Officer
9 or designee, be publicly reprovved. Said letter shall be in substantially the same form as the letter
10 attached as Exhibit B hereto.

11 IT IS FURTHER ORDERED THAT Respondent shall comply with the Condition outlined
12 below. If Respondent fails to satisfy these conditions, the Accusation shall be reinstated and all
13 allegations in the Accusation shall be deemed admitted by Respondent. Under such
14 circumstances, the Board shall be permitted, notwithstanding any statute or law to the contrary, to
15 proceed on the Accusation and impose discipline under any or all of the causes for discipline in
16 the Accusation without having to prove any conduct other than Respondent's failure to comply
17 with this Order.

18 **CONDITION**

19 1. Within two (2) years of the effective date of the decision, Respondent shall
20 successfully complete and pass, with a grade of "C" or better, one (1) college-level civil
21 engineering course, approved in advance by the Board or its designee. Such courses shall be
22 specifically related to the areas of violation alleged in the Accusation. For purposes of this
23 subdivision, "college-level course" shall mean a course offered by a community college or a four
24 year university of three semester units or the equivalent; "college-level course" does not include
25 seminars.

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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order for Public Repeval. I understand the stipulation and the effect it will have on my Civil Engineer License. I enter into this Stipulated Settlement and Disciplinary Order for Public Repeval voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board for Professional Engineers, Land Surveyors, and Geologists.

DATED: 5/16/11

Original Signed

WILLIAM HOWARD CURRY
Respondent

ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order for Public Repeval is hereby respectfully submitted for consideration by the Board for Professional Engineers, Land Surveyors, and Geologists of the Department of Consumer Affairs.

Dated: May 16, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General

Original Signed

MICHAEL BROWN
Deputy Attorney General
Attorneys for Complainant

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EXHIBIT A

1 EDMUND G. BROWN JR.
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
3 MICHAEL BROWN
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4 State Bar No. 231237
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Attorneys for Complainant
7

8 **BEFORE THE**
BOARD FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 890-A

11 **WILLIAM HOWARD CURRY**
12 **P.O. Box 1591**
13 **Big Bear Lake, CA 92315**
Civil Engineer License No. C 24166

A C C U S A T I O N

14 Respondent.

15
16 Complainant alleges:

17 **PARTIES**

18 1. David E. Brown (Complainant) brings this Accusation solely in his official capacity
19 as the Executive Officer of the Board for Professional Engineers and Land Surveyors,
20 Department of Consumer Affairs.

21 2. On or about June 12, 1974, the Board for Professional Engineers and Land Surveyors
22 issued Civil Engineer License Number C 24166 to William Howard Curry (Respondent). The
23 Civil Engineer License was in full force and effect at all times relevant to the charges brought
24 herein and will expire on December 31, 2011, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board for Professional Engineers and Land
27 Surveyors (Board), Department of Consumer Affairs, under the authority of the following laws.
28 All section references are to the Business and Professions Code unless otherwise indicated.

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- 2) Respondent prepared a grading that showed a proposed contour lines that would result in surface water runoff flowing into the structure instead of away from the structure;
- 3) Respondent failed to achieve a structural engineering redesign of the residence within six months.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board for Professional Engineers and Land Surveyors issue a decision:

- 1. Revoking or suspending Civil Engineer License Number C 24166, issued to William Howard Curry.
- 2. Ordering William Howard Curry to pay the Board for Professional Engineers and Land Surveyors the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
- 3. Taking such other and further action as deemed necessary and proper.

DATED: 4/13/10

Original Signed

 DAVID E. BROWN
 Executive Officer
 Board for Professional Engineers and Land Surveyors
 Department of Consumer Affairs
 State of California
Complainant

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EXHIBIT B

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 263-2222 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

www.pels.ca.gov & www.geology.ca.gov



DATE

William Howard Curry
P. O. Box 1591
Big Bear Lake, CA 92315

PUBLIC REPROVAL**IN THE MATTER OF ACCUSATION NO. 890-A
AGAINST WILLIAM HOWARD CURRY**

This letter shall serve as reproof as ordered pursuant to the Decision of the California Board for Professional Engineers, Land Surveyors, and Geologists in the Matter of Accusation No. 890-A, which became effective on EFFECTIVE DATE.

On April 13, 2010, Accusation No. 890-A was filed against your Civil Engineer License, No. C 24166, alleging that your license was subject to disciplinary action pursuant to Business and Professions Code section 6775. The Accusation alleged that you committed negligence and/or incompetence in your practice of civil engineering.

On DATE, you entered into a Stipulated Settlement and Disciplinary Order for Public Reproof in this matter. The California Board for Professional Engineers, Land Surveyors, and Geologists adopted this Stipulated Settlement and Disciplinary Order for Public Reproof as its Decision in this matter, to become effective on EFFECTIVE DATE.

In the Stipulated Settlement for Public Reproof, you admit the truth of each and every charge and allegation in Accusation No. 890-A. You agreed that your Civil Engineer License is subject to discipline, and you agreed to be bound by the Board's Disciplinary Order.

Accordingly, pursuant to the Decision in the Matter of Accusation No. 890-A, you are hereby issued this Public Reproof by the California Board for Professional Engineers, Land Surveyors, and Geologists.

Executive Officer
Board for Professional Engineers,
Land Surveyors, and Geologists
State of California