

BEFORE THE ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

IN THE MATTER OF THE)
COMPLAINT AGAINST:)
CHARLES RUSSELL)
KIRKPATRICK, CPA)
CERTIFICATE NO. 8601-R)
RESPONDENT.)

CASE NO. 17CPE-5

ORDER

COMES NOW the Alabama State Board of Public Accountancy ("the Board"), and, following a full and fair hearing before the Board on January 19, 2018, in Montgomery, in the matter of the complaint against Charles Russell Kirkpatrick, CPA, Certificate No. 8601-R, makes the following Findings of Facts and Conclusions of Law in support of this Order.

FINDINGS OF FACT

1. Respondent is a Certified Public Accountant in the State of Alabama, and was so registered at all time relevant to the complaint.
2. Respondent was provided notice of the hearing by certified mail, return receipt requested, and regular first class mail to the most recent address on file with the Board.
3. The certified mail receipt was signed and returned to the Board by the U.S. Postal Service.
4. Respondent did not attend the hearing. The hearing was conducted in Respondent's absence, as provided in Section 34-1-14(c) and Section 41-22-12(d), Code of Alabama 1975.

5. Documentary evidence designated as Board's Exhibits 1-4 were admitted into evidence and published to the Board.

6. Documentary evidence presented at the hearing established that Respondent has failed to satisfy the requirements of continuing education for the fiscal year ended September 30, 2016, as of the date of the hearing in this matter.

CONCLUSIONS OF LAW

The Board finds that the facts as established at the hearing and as outlined above constitute a violation of Sections 34-1-1, et seq., Code of Alabama 1975, as follows:

1. The acts of the Respondent constitute a violation of Section 34-1-1, et seq., Code of Alabama 1975, and of the rules and regulations of the Board, specifically, Board Rule 30-X-5-.01, et seq. (Continuing Professional Education), in violation of Section 34-1-12, Code of Alabama 1975.

2. The acts of the Respondent constitute the failure to satisfy the requirements of continuing education, in violation of Sections 34-1-11(c) and 34-1-12(a)(12), Code of Alabama 1975.

3. The acts of the Respondent constitute a violation of the rules of professional conduct established by the Board, specifically, Board Rules 30-X-6-.01, et seq. (Rules of Professional Conduct), in violation of Section 34-1-12(a)(4), Code of Alabama 1975.

It is therefore ORDERED, ADJUDGED and DECREED by this Board that the certificate and permit to practice of the Respondent be REVOKED, that Respondent be fined two thousand dollars (\$2,000.00) per count for a total of six thousand dollars (\$6,000.00) and that Respondent return the revoked Certified Public Accountant Certificate and permit to practice to the Board office within thirty (30) days of this Order.

DONE this 19th day of January.

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

CONCUR:

MS. SHEPPARD-HARRIS AND
MESSRS. BARRANCO, BLACKMON,
COMER, GRICE, MADISON, AND
SCHAFFERS

ATTEST:



D. Boyd Busby, CPA
Executive Director
January 24, 2018