

BEFORE THE ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

IN THE MATTER OF THE )  
COMPLAINT AGAINST: )  
JAMES M. HIVNER, CPA )  
CERTIFICATE NO. 4822 )  
RESPONDENT. )

CASE NO. 14C-82

ORDER

COMES NOW the Alabama State Board of Public Accountancy ("the Board"), and, following a full and fair hearing before the Board on January 31, 2014, in Montgomery, in the matter of the complaint against James M. Hivner, CPA, Certificate No. 4822, makes the following Findings of Facts and Conclusions of Law in support of this Order.

FINDINGS OF FACT

1. Respondent is a duly Certified Public Accountant in the State of Alabama, and was so certified 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 failed to 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 1-6 was admitted into evidence and published to the Board.

6. Documentary evidence presented at the hearing established that Respondent failed to respond in writing to the Board's certified letter of September 16, 2013.

CONCLUSIONS OF LAW

The Board finds that the facts as established at the hearing and as outlined above constitute a violation of Section 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-7-.11(Communications), in violation of Section 34-1-12(a)(14), Code

of Alabama 1975.

It is therefore ORDERED, ADJUDGED and DECREED by this Board that the

license, registration, certificate and/or permit to practice of the Respondent be

REVOKED, 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.

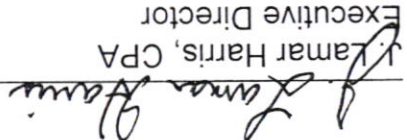
DONE this 31st day of January 2014.

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

CONCUR:

MS. FAUGHT AND MESSRS.  
BARRANCO, COMER, RICHARDS,  
SINGLETTARY, AND WRIGHT

ATTEST:

  
Lamar Harris, CPA  
Executive Director  
February 14, 2014