

**STATE OF NEW MEXICO  
REGULATION AND LICENSING DEPARTMENT  
PRIVATE INVESTIGATIONS ADVISORY BOARD**

**IN THE MATTER OF:**

**Case No. PI-18-56-APP**

**Matthew H. Quintana**

APPLICANT

**Respondent.**

**DEFAULT ORDER**

THIS MATTER came before the Private Investigations Advisory Board (“Board”), under the directive of the Superintendent of the New Mexico Regulation and Licensing Department (“Department”), after evidence presented to the Board raised concerns regarding the qualification (for licensure/to be examined for licensure) of Matthew H. Quintana (“Respondent”); such evidence served as the basis for a Notice of Contemplated Action issued to Respondent by the Board.

**FINDINGS**

1. Respondent applied to obtain a security guard I registration pursuant to the Private Investigations Act (Article 27B of Chapter 61, NMSA 1978).
2. The Board issued a Notice of Contemplated Action (NCA) to Respondent, *attached*, stating that the Board contemplated taking an action against Respondent that would result in the denial of the Respondent’s application.
3. The NCA advised the Respondent of the right to request a hearing by certified mail, return receipt requested, in a letter directed to the Board and mailed within 20 days after the service of the NCA.

4. The NCA was served via certified mail, return receipt requested, directed to the Respondent's last known address on file with the Department of Regulation and Licensing: 3011 Jane Place NE Apt 107, Albuquerque, NM 87111.
5. The date borne by the return receipt reflects the delivery or the last attempted delivery or refusal by the addressee to accept delivery of the NCA on 2/19/2019 (*attached*).
6. Respondent's request for hearing was not received.

#### CONCLUSIONS OF LAW

1. Pursuant to the Uniform Licensing Act (NMSA 1978, Sections 61-1-1 through 61-1-34) and the Private Investigations Act (Chapter 61, Article 27B NMSA 1978), the Department has jurisdiction over Respondent and Respondent's application.
2. In accordance with Section 5 of the Uniform Licensing Act, Respondent is deemed to have been served with the Notice of Contemplated Action (NCA) on the date borne by the return receipt, showing delivery or last attempted delivery or refusal of the addressee to accept delivery of the notice on 2/19/2019.
3. Respondent failed to timely request a hearing in the manner required by the Uniform Licensing Act, therefore, the Department "may take the action contemplated in the notice and such action shall be final and not subject to judicial review". *See* Section 4E of the Uniform Licensing Act.

Based on the above Findings of Fact and Conclusions of Law, the Department takes the following default action:

**FINAL ORDER**

IT IS THEREFORE ORDERED ...

That, by default, Respondent's application for licensure is hereby denied.

**IT IS SO ORDERED.**

**NEW MEXICO REGULATION  
& LICENSING DEPARTMENT**

Date: 3/14/19

By:   
**MARGUERITE SALAZAR,  
SUPERINTENDENT  
REGULATION & LICENSING  
DEPARTMENT**

**BEFORE THE PRIVATE INVESTIGATIONS ADVISORY BOARD  
OF THE REGULATION & LICENSING DEPARTMENT**

<b>IN THE MATTER OF:</b>	)	<b>CASE NO. PI-18-56-APP</b>
<b>MATTHEW H. QUINTANA</b>	)	
	)	
<b>APPLICANT.</b>	)	
	)	

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**NOTICE OF CONTEMPLATED ACTION**

1. **Matthew H. Quintana** is an applicant for Security Guard Registration as a Level 1 as provided in the Private Investigations Act (Act), NMSA 1978, § 61-27B-1 et seq., and is therefore subject to the jurisdiction of the Regulation and Licensing Department ("Department") and of the Uniform Licensing Act (ULA), NMSA 1978, § 61-1-3.

2. **Applicant Quintana** is hereby notified that the Board has before it sufficient evidence, that Applicant has failed to satisfy the requirements for registration which, unless rebutted or satisfactorily explained at a formal hearing, will justify the Department in denying the application or taking other disciplinary action as permitted under the Act and Section 61-1-4 of the ULA.

3. **Applicant Quintana** has failed to satisfy the Board that he has not been convicted of a disqualifying offense and is of good moral character, both requirements for registration pursuant to NMSA 1978, Sections 61-27B-16B (2) and (4). In addition, Applicant Quintana's application falsely states that he has not been arrested or convicted of either a felony or a misdemeanor, which also serves as a basis for denial of registration under Section 26A of the Act. A background investigation of revealed that Applicant Quintana had a final adjudication of guilty for the following offenses:

- a felony charge on September 12, 1996, for Escape from Jail;
- a misdemeanor charge on September 11, 1984, for DUI;
- a misdemeanor charge on November 24, 1994, for DUI;
- a misdemeanor charge on April 29, 1995, for DUI;
- charges on January 2, 1997, for DUI (a misdemeanor) and Driving While License was Suspended or Revoked (a petty misdemeanor);
- a petty misdemeanor charge on January 13, 1998, for Battery;
- a misdemeanor charge on December 12, 1996, for Violation of a Restraining Order;
- a misdemeanor charge on July 21, 1995, for Resisting Arrest; and,

- a petty misdemeanor charge on February 18, 1995, for Driving on a Revoked License;

4. **Applicant Quintana** bears the burden of satisfying the Department that Applicant meets the requirements for registration requirements.

5. **Unless Applicant Quintana within 20 days after service of this Notice of Contemplated Action mails a letter Certified, Return Receipt Requested, addressed to the Private Investigations Advisory Board, at P.O. Box 25101, Santa Fe, New Mexico 87504 and containing a request for a hearing, the Department shall take the contemplated action by default.**

6. The ULA in section 61-1-8 affords an applicant entitled to a hearing the following rights:

A. A person entitled to be heard under the Uniform Licensing Act shall have the right to be represented by counsel or by a licensed member of his own profession or occupation, or both; to present all relevant evidence by means of witnesses and books, papers, documents and other evidence; to examine all opposing witnesses who appear on any matter relevant to the issues; and to have subpoenas and subpoenas duces tecum issued as of right prior to the commencement of the hearing to compel discovery and the attendance of witnesses and the production of relevant books, papers, documents and other evidence upon making written request therefore to the board or the hearing officer. The issuance of such subpoenas after the commencement of the hearing rests in the discretion of the board or hearing officer.

B. Upon written request to another party, any party is entitled to:

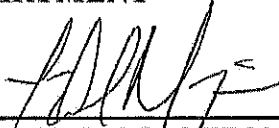
- (1) obtain the names and addresses of witnesses who will or may be called by the other party to testify at the hearing; and
- (2) inspect and copy any documents or items which the other party will or may introduce in evidence at the hearing.

The party to whom such a request is made shall comply with it within ten days after the mailing or delivery of the request. No such request shall be made less than fifteen days before the hearing.

C. Any party may take depositions after service of notice in accordance with the Rules of Civil Procedure for the District Courts. Depositions may be used as in proceedings governed by those rules.

**REGULATION & LICENSING  
DEPARTMENT**

Date: 2/11/19

By:   
**LAWRENCE MOQUINO  
PRIVATE INVESTIGATIONS  
BOARD ADMINISTRATOR**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Contemplated Action was mailed to **Matthew H. Quintana** at 3011 Jane Place, N.E., Apt. 107, Albuquerque, NM 87111 on this 11th day of February 2019, and emailed to Rebecca Branch at rbranch@nmag.gov.

  
Kathleen Roybal

Certified Mail Return Receipt Tracking Number: 7018 1130 0001 5734 3482

7018 1130 0001 5734 3482

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Certified Mail Fee	
Extra Services & Fees (check box and fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage	\$ _____
Total Postage and Fees	\$ _____
Sent To	

Postmark  
Here  
*Mailed  
2/11/19*

Matthew Quintana  
3011 Jane Place NE Apt. 107  
Albuquerque, NM 87111

**Track Another Package X**

Enter up to 35 tracking numbers separated by commas

**Track**

**Tracking Number:** 70181130000157343482

Remove X  
Feedback

Your item was picked up at a postal facility at 3:30 pm on February 19, 2019 in ALBUQUERQUE, NM 87111.

 **Delivered**

February 19, 2019 at 3:30 pm  
Delivered, Individual Picked Up at Postal Facility  
ALBUQUERQUE, NM 87111

**Get Updates** ∨

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**Text & Email Updates**



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**Tracking History**



**February 19, 2019, 3:30 pm**  
Delivered, Individual Picked Up at Postal Facility  
ALBUQUERQUE, NM 87111



Your item was picked up at a postal facility at 3:30 pm on February 19, 2019 in ALBUQUERQUE, NM 87111.

Reminder to Schedule Redelivery of your item

**February 14, 2019, 3:26 pm**

Notice Left (No Authorized Recipient Available)  
ALBUQUERQUE, NM 87111

**February 14, 2019, 4:10 am**

Departed USPS Origin Facility  
ALBUQUERQUE, NM 87101

**February 13, 2019, 9:06 pm**

Arrived at USPS Origin Facility  
ALBUQUERQUE, NM 87101

**February 13, 2019, 5:34 pm**

Departed Post Office  
SANTA FE, NM 87505

**February 13, 2019, 3:08 pm**

USPS picked up item  
SANTA FE, NM 87505

Feedback

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**Product Information**



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**See Less** ^