

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

**IN THE MATTER OF:  
SINAI GONZALEZ-RODRIGUEZ  
(Applicant)**

**CASE NUMBER:  
PI-19-20-APP**

**FINAL ORDER DENYING  
PRIVATE INVESTIGATOR REGISTRATION**

**THIS MATTER** received a hearing on the merits on October 1, 2019, before Hearing Officer Jeff Burke, and upon motion of the Applicant, a supplementary hearing on the merits on November 15, 2019. The Superintendent, having familiarized herself with the record of the proceedings, including the Hearing Officer’s Report dated October 7, 2019 (“Report”) and Supplemental Report dated November 15, 2019 (“Supplemental Report”), hereby adjudicates and orders as follows:

1. The attached Report and Supplemental Report are accepted and the Proposed Findings of Fact and factual “Conclusions” therein are both hereby adopted and incorporated by reference in this Order. All exhibits referenced therein are accepted for the purposes stated in the Findings of Fact.

2. An applicant seeking licensure as a private investigator shall meet all requirements set forth in the Private Investigations Act (“Act”), at Section 61-27B-7(A), and bears the burden of providing a preponderance of evidence to support such requirements pursuant to Section 61-1-4(C) of the Uniform Licensing Act. Applicant failed to meet this burden for the reasons stated in the Report and Supplemental Reports, including but not limited to the following:

a. a preponderance of the evidence supports a finding that Applicant falsified his total hours of experience on his application, and

b. Applicant's hours of experience described in his application were obtained in contravention of the Act, specifically, the hours described as performing "surveillance" were performed without first being duly registered as a private investigations employee pursuant to Section 61-27B-14 of the Act, and as such, are not considered as valid for purposes of fulfilling the requirements of Section 61-27B-7(A) and are further evidence that Applicant is not of good moral character.

**FINAL ORDER**

**BASED ON THE FORGOING, IT IS HEREBY ORDERED** that Respondent Sinai Gonzalez-Rodriguez's Private Investigator application is DENIED.

Date: 11/21/19



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Marguerite Salazar, Superintendent  
N.M. Regulation & Licensing Department

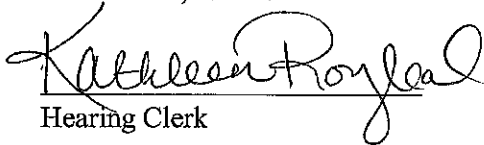
**NOTICE OF RIGHTS**

Following a hearing, a person aggrieved by the adverse final order of the Superintendent may appeal to the District Court by filing a notice of appeal within thirty (30) days of the date of filing of this Order pursuant to Section 39-3-1.1 NMSA 1978.

CERTIFICATE OF SERVICE

I hereby certify that on the 5<sup>th</sup> day of December, 2019, I mailed a true and correct copy of the foregoing, *Final Order Denying Private Investigator Registration* to the following party at the address listed below.

1901 Cortina Loop SE  
Rio Rancho, NM 87124

  
Hearing Clerk

7018 1130 0001 5734 5004  
Certified Mail Number

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

**IN THE MATTER OF:** )  
**SINAI GONZALEZ RODRIGUEZ** )  
 )  
**APPLICANT.** )  
 )

**CASE NO. PI-19-20-APP**

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**NOTICE OF CONTEMPLATED ACTION**

1. **Sinai Gonzalez Rodriguez** is an applicant for Security Guard Registration as a Level One as provided in the Private Investigations Act (Act), NMSA 1978, Sections 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, Section 61-1-3.
2. **Applicant Gonzalez Rodriguez** 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 Gonzalez Rodriguez** has failed to satisfy the Board that he is of good moral character, a requirement for registration pursuant to NMSA 1978 Section 61-27B-16(B)(2). A background investigation of **Applicant Gonzalez Rodriguez** revealed that:  

Based on the Private Investigations Board Administrator's review of Applicant Gonzalez Rodriguez's work experience, Applicant Gonzalez Rodriguez's former employer advised the Applicant Gonzalez Rodriguez's primary job function was process server, not surveillance work.
4. **Applicant Gonzalez Rodriguez** bears the burden of satisfying the Department that Applicant meets the requirements for registration requirements.
5. **Unless Applicant Gonzalez Rodriguez 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: 7/8/19

By:   
**LAWRENCE MOQUINO  
BOARD ADMINSTRATOR  
PRIVATE INVESTIGATIONS  
ADVISORY BOARD**

**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Notice of Contemplated Action was mailed to **Sinai Gonzalez Rodriguez** at 1901 Cortina Loop, S.E., Rio Rancho, NM 87124 on this 8<sup>th</sup> day of July 2019, and emailed to Rebecca Branch at [rbranch@nmag.gov](mailto:rbranch@nmag.gov).

  
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Kathleen Roybal

Certified Mail Return Receipt Tracking Number: 7011 3500 0002 1599 8131