

TEXAS COMMISSION ON LAW ENFORCEMENT

6330 E. Highway 290, STE. 200

Austin, Texas 78723-1035

Phone: (512) 936-7700

F5.appeals@tcole.texas.gov

PETITION TO CORRECT SEPARATION OF LICENSEE REPORT

LICENSEE INFORMATION (Occupations Code 1701.4525)

You Will Receive All Future Pleadings, Notices, and Correspondence in This Matter According to the Contact Information You Provide Below.

1. First Name		2. M.I.	3. Last Name		4. Suffix (Jr., etc.)
5. TCOLE PID	6. Date of Birth	7. Home or Permanent Mailing Address			8. City
9. State	10. Zip Code	11. Phone Number		12. Email	

AGENCY REPORTING SEPARATION

13. TCOLE Agency No.	14. Agency Name	15. Agency Address
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Petition must be filed within 30 days of receipt of your copy of the Separation of Licensee Report. You must attach a copy of the F-5 Report of Separation to this petition. Do not attach any other documents. You will have an opportunity to present additional documents or evidence at your hearing.

16. Discharge designation (from separation report) _____

17. Date of Separation (from separation report) _____ Date you received your copy: _____

18. Was a copy of the "Separation of Licensee" report sent to you within 7 business days of separation date? Yes No

19. Please indicate the type of discharge you are seeking for correction on the separation report in the space below.

I, the licensee identified above, attest that a copy of this petition, and any attached evidence was provided to agency administrator or designee within the time frame as required by Occupation Code §1701.4525(a) by the following method:

(Agency administrator or designee name)

Hand delivered on _____
Date

Certified mail on _____
Date

Licensee Name (type or print)

Signature

Date

PLEASE READ

TCOLE IS NOT A PARTY IN THIS MATTER.

PLEASE PROVIDE YOUR CURRENT MAILING ADDRESS, PHONE NUMBER(S), AND EMAIL ADDRESS WHERE INDICATED ON THE PETITION TO RECEIVE FUTURE PLEADINGS, NOTICES, AND CORRESPONDENCE IN THIS MATTER.

Under Texas Occupations Code §1701.4525(a) and TCOLE Rule 217.8(b), in order to contest the category of discharge indicated on your report of separation of licensee (F-5 form), **you must complete the attached petition and deliver the petition to your former agency and to TCOLE within 30 days of your receipt of the F-5 form.** Please indicate on the petition your method of delivery to your former agency (e.g., hand delivery or certified mail) and to whom it was delivered.

You must attach a copy of the F-5 Report of Separation under appeal to this petition. Do not attach any other documents. You will have an opportunity to present any additional documents or evidence at your hearing.

Upon receipt of your petition, TCOLE will forward the matter to the State Office of Administrative Hearings (SOAH) and request that an Administrative Law Judge (ALJ) be assigned to preside over a contested case hearing governed by chapters 2001 and 2003 of the Texas Government Code and Texas Occupations Code, §1701.4525.

SOAH is the state agency that will set a hearing date and assign an ALJ to hear your case. The ALJ may contact you and your former agency in order to schedule a hearing. Once the hearing date is agreed upon, the ALJ will issue an order setting the date and time for the hearing. At the time of the hearing, the ALJ will hear evidence presented by you and your former agency. Following the hearing, the ALJ will issue a Final Order.

All future correspondence and other communications related to your hearing must be directed to the “State Office of Administrative Hearings (SOAH), Attention: Docket Clerk,” at 300 West 15th Street, Suite #504, Austin, Texas 78701; or at P.O. Box 13025, Austin, Texas 78711-3025; telephone: (512) 475-4993, facsimile (512) 475-4994; or by accessing the SOAH website at: www.soah.state.tx.us.

Be sure to include your assigned docket number in all correspondence to SOAH. You must also provide a copy of any correspondence sent to SOAH, to your former agency. Do not file papers regarding your hearing with TCOLE as TCOLE is not a party in this matter and has no authority to act on your correspondence.

Failure to appear at your scheduled hearing may result in a default order entered against you resulting in the original F-5 form and category of discharge upheld.