

**BEFORE THE ARKANSAS STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS**

**Complainant:**

Arkansas State Board of Licensure for  
Professional Engineers and Professional  
Land Surveyors

Case #2009-39

**Respondent:**

Ross T. Malloy, AR-PE #5127  
Phoenix Design Group, Inc  
104 Woodmont Blvd Ste 218  
Nashville, TN 37205-2256

**DISMISSAL ORDER**

The Arkansas Board of Licensure for Professional Engineers and Professional Surveyors (hereinafter "the Board") registered a complaint on December 16, 2009, charging Ross T. Malloy (PE #5127, hereinafter "Malloy") with violation of Arkansas Code Annotated §17-30-305(a)(5) (discipline by another jurisdiction where the grounds for discipline were the same as, or substantially equivalent to, those in Arkansas).

**FINDINGS OF FACT**

1. Jerry Young notified the Board (re Case #2009-38) on December 16, 2009 that he had been disciplined by the Oklahoma Board. While reviewing Young's submittal, it was noted that Malloy had been disciplined as part of the same action.

2. At the time of the violation, Malloy held Professional Engineer licensure in Oklahoma, although his firm did not hold a valid Certificate of Authorization in Oklahoma.

3. Malloy performed mechanical engineering work for an architectural firm for a project in Oklahoma, on behalf of his firm.

4. Malloy was charged with, and admitted violation to, aiding and assisting his firm to violate the rules of the Oklahoma Board.

**CONCLUSIONS OF LAW**

Arkansas Code Annotated §17-30-305(a)(5) provides that the Board may discipline licensees for conduct in another jurisdiction which would also be a violation in Arkansas, but does not require it to do so.

Upon review of the evidence in its possession, the Board finds the conduct by Malloy described in the Findings of Fact does not warrant further investigation or other action.

**ORDER**

Based on these findings, the complaint against Malloy is dismissed.

SO ORDERED this 23<sup>rd</sup> day of April, 2010



Frank Vozel, Board President



**CERTIFICATE OF SERVICE**

I, Steve W. Haralson, Executive Director of the Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, do hereby certify that I have served a copy of the foregoing order by mailing a copy of the same by first class mail on this 4<sup>th</sup> day of May, 2010, to:

Ross T. Malloy, PE  
Phoenix Design Group, Inc  
104 Woodmont Blvd Ste 218  
Nashville, TN 37205-2256

A handwritten signature in black ink, appearing to read 'S. Haralson', written over a horizontal line.

Steve W. Haralson  
Executive Director