

**BEFORE THE GEORGIA ATHLETIC & ENTERTAINMENT COMMISSION  
STATE OF GEORGIA**

IN THE MATTER OF:	)	
	)	
JOE ELMORE,	)	BOARD DOCKET NO. _____
Licensee,	)	
	)	
Respondent.	)	

**FINAL DECISION**

**I. Introduction**

On October 17, 2013, a hearing was conducted in the above-referenced matter before the Georgia Athletic and Entertainment Commission (the "Commission"). The purpose of the hearing was to determine whether the Commission should sanction the Respondent's license as a mixed martial arts fighter. The Respondent, Joe Elmore, was notified by certified mail of the hearing and his right to be represented by his legal counsel. Respondent elected to attend the hearing without representation. The Commission was represented by Reagan Dean, Assistant Attorney General.

**II. Findings of Fact**

Respondent is licensed as a mixed martial arts fighter in the State of Georgia and was licensed at all times relevant to the matters set forth herein.

The record of the hearing reveals that respondent fought a mixed martial arts match on August 24, 2013, against an opponent. On August 23, 2013, respondent engaged in verbal abuse of the official(s) working the match. Respondent directed his verbal abuse at Erin Barnett and/or Matt Woodruff. Respondent's verbal abuse included yelling, cursing, and other verbal abuse of the official(s).

Respondent also failed to arrive on time for the fighters meeting held at 5:30 p.m. on August 24, 2013. Respondent did not arrive at the venue until around 7:00 p.m., when the fights were originally scheduled to start.

## II. Conclusions of Law

O.C.G.A. § 43-4B-50(a) provides that:

The commission shall have the sole authority to license organizations that govern and authorize matches, contests, and exhibitions of martial arts and wrestling and to exempt organizations from licensure in accordance with this article. The commission shall have the sole authority to permit and regulate matches, contests, and exhibitions of martial arts and wrestling. The commission shall have the sole authority to license promoters of matches, contests, and exhibitions of martial arts. The commission shall have the duty to safeguard the public health, to protect competitors, and to provide for competitive matches by requiring licensed organizations to abide by rules promulgated by the commission for basic minimum medical and safety requirements based on the nature of the activity and the anticipated level of physical conditioning and training of competitors. The commission shall have the authority to inquire as to a licensed organization's plans or arrangements for compliance with such rules. The commission shall have the authority to require annual fees for licensure and a fee for each such match, contest, or exhibition or for each show and to penalize licensed organizations, licensed promoters, and the holders of match permits that violate the provisions of this article or rules of the commission promulgated in accordance with this article.

O.C.G.A. § 43-4B-54(a) provides that:

The commission is authorized to suspend, revoke, or deny a license or renewal of a license of an organization or a promoter for violation of this article or rules of the commission promulgated in accordance with this article. The commission is authorized to fine a licensed organization or promoter for violation of this article or rules of the commission promulgated in accordance with this article.

O.C.G.A. Section 43-1-19(a), provides that:

(a) A professional licensing board shall have the authority to refuse to grant a license to an applicant therefore or to revoke the license of a person licensed by that board or to discipline a person licensed by that board, upon a finding by a majority of the entire board that the licensee or applicant has:

(6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee or applicant to practice a business or profession

licensed under this title, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in any actual injury to any person or be directly related to the practice of the business or profession but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practice of the business or profession licensed under this title:

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the professional licensing board regulating the business or profession licensed under this title....which statute, law, or rule or regulation relates to or in part regulates the practice of a business or profession licensed under this title, when the licensee or applicant knows or should know that such action is violative of such statute, law, or rule;

O.C.G.A. Section 43-1-19(d), provides that:

(d) When a professional licensing board finds that any person is unqualified to be granted a license or finds that any person should be disciplined pursuant to subsection (a) of this Code section or the laws, rules, or regulations relating to any business or profession licensed by the board, the board may take any one or more of the following actions:

(2) Administer a public or private reprimand, but a private reprimand shall not be disclosed to any person except the licensee;

(3) Suspend any license for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of said license;

(4) Limit or restrict any license as the board deems necessary for the protection of the public;

(5) Revoke any license;

(6) Condition the penalty upon, or withhold formal disposition pending, the applicant's or licensee's submission to such care, counseling, or treatment as the board may direct;

(7) Impose a fine not to exceed \$500.00 for each violation of a law, rule, or regulation relating to the licensed business or professional.

GAEC Rule 85-3-.18(a) provides that:

All mixed martial arts events shall be subject to the licensing requirements of 85-1-.02(1)(i)

GAEC Rule 85-1-.02(1)(i) provides that:

Verbal or physical abuse of official or commission appointed supervisor. Any licensee who verbally or physically abuses an official or the commission

appointed supervisor of a match shall be suspended indefinitely and his or her license may be revoked.

GAEC Rule 85-1-.07(3)(c)(1) provides that:

1. Pre-show Instructions. Referees shall meet with the contestants and with each chief second appointed by the contestants prior to the beginning of the show and during that meeting shall inform each party of the rules applicable to each fight as well as the in-ring conduct expected from each contestant and second assisting in the corner of each contestant.

GAEC Rule 85-1-.08(1)(h) provides that:

Appearance and time. All contestants must be in the dressing room at least 60 minutes before the event is scheduled to begin.

### III. Decision and Order

After having considered all of the testimony and evidence in this case, the Commission finds that grounds for sanctioning Respondent's license as a mixed martial arts fighter have been proven by the preponderance of the evidence

For the above and foregoing reasons, Respondent's license as a mixed martial arts fighter is hereby suspended for a period of one year. This Final Decision is effective upon docketing.

SO ORDERED this 4 day of November, 2013.

**GEORGIA ATHLETIC AND  
ENTERTAINMENT COMMISSION**

BY: J.J. BIELLO.  
Chairman

ATTEST:

  
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MATTHEW WOODRUFF  
Executive Director