

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

IN THE MATTER OF:)
)
JOE GIBSON,) 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 Gibson, was notified of the meeting by certified mail and failed to appear before the Commission. 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. During the match, Respondent placed his opponent in a choke hold. When his opponent tapped out, the Respondent failed to release the choke hold and held it longer than allowed. This conduct endangered the health and safety of his opponent.

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.

III. Decision and Order

After having considered all of the 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.

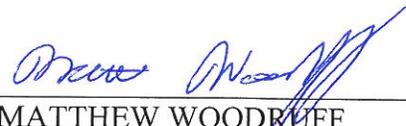
For the above and foregoing reasons, Respondent's license as a mixed martial arts fighter is hereby indefinitely suspended. This Final Decision is effective upon docketing.

SO ORDERED this 4 day of November, 2013.

**GEORGIA ATHLETIC AND
ENTERTAINMENT COMMISSION**

BY: J.J. BIELLO.
Chairman

ATTEST:



MATTHEW WOODRUFF
Executive Director