

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Acting Supervising Deputy Attorney General
3 KENT D. HARRIS
Supervising Deputy Attorney General
4 State Bar No. 144804
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-7859
Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU OF AUTOMOTIVE REPAIR**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke
12 Probation Against:

Case No.

79/15-26

13 **GREGORY STEVEN FERGUSON, AKA**
14 **GREGORY S. FERGUSON, DBA**
15 **G V SMOG**

16 1641 East Main Street, #B
Grass Valley, California 95945
Automotive Repair Dealer Registration
No. ARD 251208
Smog Check, Test Only Station License
No. TC 251208

PETITION TO REVOKE PROBATION

18 **GREGORY S. FERGUSON**

19 140 Manor Drive
Grass Valley, California 95945
Smog Check Inspector (EO) License
No. 146059
Smog Check Repair Technician (EI) License
No. 146059

22 Respondent.

24 Patrick Dorais ("Complainant") alleges:

25 **PARTIES**

26 1. Complainant brings this Petition to Revoke Probation solely in his official capacity as
27 the Chief of the Bureau of Automotive Repair ("Bureau"), Department of Consumer Affairs.

28 ///

1 **JURISDICTION**

2 6. The *Decision and Order* states, in pertinent part:

3 The Automotive Repair Dealer Registration Number ARD 251208, the
4 Smog Check, Test Only, Station License Number TC 251208, and the Advanced
5 Emission Specialist Technician License Number EA 146069 issued to respondent
6 Gregory Steven Ferguson, aka Gregory S. Ferguson, owner, GV SMOG, are
7 hereby REVOKED. Revocation is STAYED, and respondent's licenses are placed
8 on a two (2) year probation, subject to . . . terms and conditions.

9 7. Probation Term and Condition Number 4 of the *Decision and Order* states:

10 Upon successful completion of probation, respondent's licenses shall be
11 restored without condition.

12 **BACKGROUND**

13 8. Respondent attended three probation conferences on or about May 21, 2013,
14 August 13, 2013, and November 19, 2013, whereat it was confirmed by a Bureau representative
15 that Respondent had been provided with a copy of the *Decision and Order* and Respondent
16 presented plans and methods to achieve success in maintaining compliance with the terms and
17 conditions of probation. Respondent signed and dated a probation conference report at each
18 probation conference.

19 **FIRST CAUSE TO REVOKE PROBATION**

20 (Failure to Report in Person)

21 9. At all times after the effective date of Respondent's probation, Condition 1.b. of the
22 Decision and Order in Case No. 79/12-78 stated:

23 Respondent or respondent's authorized representative must report in person
24 or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set
25 by the Bureau, but no more frequently than each quarter, on the methods used and
26 success achieved in maintaining compliance with the terms and conditions of
27 probation.

28 10. Respondent's probation is subject to revocation because he failed to comply with
29 Probation Condition 1.b., referenced above. The facts and circumstances regarding this violation
30 are that Respondent failed to report in person for probation conferences set by the Bureau, as
31 follows:

32 a. On or about November 19, 2013, Respondent was notified at a probation conference
33 that his next probation conference would be held on May 20, 2014, which he failed to attend.

1 2. Revoking the probation that was granted by the Bureau of Automotive Repair in Case
2 No. 79/12-78 and imposing the disciplinary order that was stayed thereby revoking Smog Check
3 Test Only, Station License No. TC 251208, issued to Gregory Steven Ferguson, also known as
4 Gregory S. Ferguson, doing business as G V Smog;

5 3. Revoking the probation that was granted by the Bureau of Automotive Repair in Case
6 No. 79/12-78 and imposing the disciplinary order that was stayed thereby revoking Smog Check
7 Inspector (EO) License No. 146059, and Smog Check Repair Technician (EI) License
8 No. 146059, issued to Gregory Steven Ferguson, also known as Gregory S. Ferguson; and,

9 4. Taking such other and further action as deemed necessary and proper.

10
11 DATED: August 26, 2014 Patrick Dorais

PATRICK DORAIS
Chief
Bureau of Automotive Repair
Department of Consumer Affairs
State of California
Complainant

12
13
14
15 SA2014117369
16 11447080.doc
17
18
19
20
21
22
23
24
25
26
27
28