

**BEFORE THE STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS,
CEMETERIES, AND BURIAL SERVICES**

**IN THE MATTER OF
Sean Daniels, Applicant for Apprentice
Funeral Director, Respondent**

Case No. 20-26

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services (the "Board") on November 17, 2020, in the Diamond Mine on the 2nd Floor of the Department of Commerce building, located at 1 Commerce Way, Little Rock, AR 72202. The Respondent, Sean Daniels, appeared. Amanda Gibson, Associate Counsel, Arkansas Insurance Department, appeared on behalf of the Board.

The Board, from all the evidence presented, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent will be employed at Rowell-Parish Mortuary in Ft. Smith, and Veasley Funeral Home and Cremation in Conway.
2. On October 5, 2020 Respondent submitted an application for registration as an apprentice funeral director.
3. In 2007, Respondent pled guilty to fraudulent use of a credit card, a class C Felony.
4. In 2010, Respondent pled guilty to filing a false report of criminal wrongdoing, a class D Felony.
5. Respondent waived notice of the hearing via certified mail.

6. Respondent waived the requirement that he be given twenty (20) days' notice of the hearing.

CONCLUSION OF LAW

Respondent's actions, as set forth in Findings of Fact 3 and 4 above, constitute a violation of Ark. Code Ann. § 17-29-302(a)(6)(A) in that the felony convictions prevent him from being able to pass the State Police criminal background check.

ORDER

Based upon the testimony and evidence presented at the hearing, the Board hereby orders that Respondent Sean Daniels' request to waive his prior felony convictions is **GRANTED**. Therefore, Respondent is approved to register as an Apprentice Funeral Director, notwithstanding his felony convictions.

Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, the Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court of the county in which he resides or does business, or in the Circuit Court of Pulaski County, within thirty (30) days after service of this Order.

IT IS SO ORDERED THIS 17th DAY OF NOVEMBER, 2020.

**STATE BOARD OF EMBALMERS, FUNERAL
DIRECTORS, CEMETERIES, AND BURIAL
SERVICES**

By:



Amanda Gibson
Counsel for the Board