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**BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:
**JC TRUCK DRIVING SCHOOL, LLC. dba
JC TRUCK DRIVING SCHOOL
722 Julie Ann Way
Oakland, CA 94621**
**Approval to Operate an Institution Non-
Accredited, Institution Code Number
82335603**

Respondent.

Case No. 1003489

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1.2 On or about May 29, 2020, Complainant Dr. Michael Marion, Jr., in his official capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs, filed Accusation No. 1003489 against J C Truck Driving School, LLC, dba J C Truck Driving School (Respondent) before the Director of Consumer Affairs. (Accusation attached as Exhibit A.)

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1 2. On or about February 22, 2016, the Bureau issued Approval to Operate an Institution
2 Non-Accredited, Institution Code Number 82335603, to Respondent. The Approval to Operate
3 was in full force and effect at all times relevant to the charges brought in Accusation No. 1003489
4 and will expire on February 21, 2021, unless renewed.

5 3. On or about June 3, 2020, Respondent was served by Certified and First Class Mail
6 copies of Accusation No. 1003489, Statement to Respondent, Notice of Defense, Request for
7 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at
8 Respondent's address of record which, pursuant to Business and Professions Code section 136, is
9 required to be reported and maintained with the Bureau. Respondent's address of record was and
10 is: 722 Julie Ann Way, Oakland, CA 94621.

11 4. Additionally, copies of Accusation No. 1003489, Statement to Respondent, Notice of
12 Defense, Request for Discovery, and Discovery Statutes, were served by Certified and First Class
13 Mail to Juan Carpio Peredomo, Agent for Service of Process for J C Truck Driving School, LLC,
14 at 1846 5th Avenue, Apt A, Oakland, CA 94606.

15 5. Service of the Accusation was effective as a matter of law under the provisions of
16 Government Code section 11505(c) and/or Business and Professions Code section 124.

17 6. Government Code section 11506(c) states, in pertinent part:

18 (c) The respondent shall be entitled to a hearing on the merits if the respondent
19 files a notice of defense . . . and the notice shall be deemed a specific denial of all
20 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
21 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
22 discretion may nevertheless grant a hearing.

23 7. The Bureau takes official notice of its records and the fact that Respondent failed to
24 file a Notice of Defense within 15 days after service upon them of the Accusation, and therefore
25 waived their right to a hearing on the merits of Accusation No. 1003489.

26 8. California Government Code section 11520(a) states, in pertinent part:

27 (a) If the respondent either fails to file a notice of defense . . . or to appear at
28 the hearing, the agency may take action based upon the respondent's express
admissions or upon other evidence and affidavits may be used as evidence without
any notice to respondent

1 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
2 written motion requesting that the Decision be vacated and stating the grounds relied on within
3 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
4 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

5 This Decision shall become effective on SEP 27 2020.

6 It is so ORDERED August 14, 2020

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9 RYAN MARCROFT, DEPUTY DIRECTOR
10 LEGAL AFFAIRS DIVISION
11 DEPARTMENT OF CONSUMER AFFAIRS
12 FOR THE DIRECTOR OF CONSUMER AFFAIRS
13 BUREAU FOR PRIVATE POSTSECONDARY
14 EDUCATION

13 42242794.DOCX
14 DOJ Matter ID:SF2020200695

15 Attachment:
16 Exhibit A: Accusation