

Administrative Office of the Courts



INVESTIGATION SUMMARY, DETERMINATION, PROBABLE CAUSE REVIEW, AND RECOMMENDATION REPORT

Complaint No. 25-D001

School No. [REDACTED]

March 24, 2025

Certification and Licensing Division

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
INVESTIGATION SUMMARY, DETERMINATION, PROBABLE
CAUSE REVIEW, AND RECOMMENDATION REPORT**

<i>CERTIFICATE HOLDER INFORMATION</i>	Certificate Holder:	Jacob's Driving School, LLC
	Certification Number:	School [REDACTED]
	Type of Certificate:	Defensive Driving School
<i>COMPLAINANT</i>	Name:	Yolimar Roman
<i>INVESTIGATION INFORMATION</i>	Complaint Investigator:	Number: 25-D001 Crystal Jones
Complaint Received:		December 26, 2024
Complaint Forwarded to the Certificate Holder:		January 6, 2025
Certificate Holder Received Complaint:		January 30, 2025
Response From Certificate Holder:		January 21, 2025
Period of Active Certification:		April 14, 2017- present
Status of Certification:		Active
Availability of Certificate Holder:		Available
Availability of Complainant:		Available
Report Date:		March 24, 2025

ALLEGATIONS:

1. Jacob's Driving School, LLC. [REDACTED] failed to timely report the completion of defensive driving course for a defendant.
2. Jacob's Driving School, LLC. [REDACTED] failed to timely remit the court diversion fee.

ADDITIONAL FINDINGS:

None.

SUMMARY OF INVESTIGATIVE PROCEDURE:

- Written complaint and documentation submitted by complainant, Yolimar Roman ("Roman"), Deputy Court Manager of the Country Meadows Justice Court ("Country Meadows Court").
- Written response and documentation submitted by Stanislav Mordukhayev ("Mordukhayev"), owner of Jacob's Driving School, LLC. [REDACTED] ("School [REDACTED]").
- Review of applicable Certification and Licensing Division ("Division") records.

- Review of applicable sections of Arizona Revised Statutes (“A.R.S.”), Arizona Codes of Judicial Administration (“ACJA”) § 7-201 and § 7-205, and Arizona Supreme Court Rules.

INTERVIEWS:

1. Yolimar Roman
2. Stanislav Mordukhayev

SUMMARY OF FACTUAL FINDINGS OF INVESTIGATION

Complaint

Roman, Deputy Court Manager of the Country Meadows Court, alleged School [REDACTED] failed to timely report the completion of a defensive driving course for defendant, Victoria Carlton (“Carlton”) and failed to timely remit the court diversion fee. This resulted in a notification of a failure to respond to a citation being sent to Carlton.

Response

Mordukhayev, on behalf of School [REDACTED], provided a written response to the complaint. He acknowledged the delayed check and indicated it had been lost in the mail. Mordukhayev explained a replacement check was promptly sent to the court which Country Meadows Court received on December 30, 2024, and the matter was resolved. He also indicated he contacted Carlton on December 26, 2024, and provided an explanation.

Allegation 1: Jacob’s Driving School, LLC [REDACTED] failed to timely report the completion of a defensive driving course for a defendant.

In response to the complaint, School [REDACTED] informed the Division that Carlton completed the course on September 15, 2024, and the course completion was electronically reported to the Country Meadows Court on September 17, 2024.

Defensive driving schools are required by ACJA §7-205 (F)(24)(b)(4) to access the defensive driving database, Database for Driver Training School (“DDTS”), correctly and accurately and report completions timely and accurately.

In her interview with the Division, Roman explained that upon being contacted by Carlton on December 26, 2024, Roman accessed the DDTS system to verify the completion status of the course. At that time, she noted that the system did not show any record indicating that Carlton had completed the course. Roman further clarified that Country Meadows Court did not receive the official notification of completion until December 30, 2024.

The Division contacted the Administrative Office of the Courts’ IT Department (“IT”) to determine if there was any record of when School [REDACTED] entered the class as completed in the DDTS database. IT clarified that DDTS does not track event updates at a granular level.

Although, the class completion shows September 15, 2024, it is unknown when School [REDACTED] entered the information into DDTS. Additionally, the modified date of a record is updated every time the record is accessed or altered—such as when course completion, court payments are applied, or state fee check numbers are submitted. Therefore, it cannot be determined with certainty when the class was actually entered as completed without more detailed logs, which the system does not support. See DDTS record below.

Citation Number:	[REDACTED]
Violation Code:	[REDACTED]
Charge Identifier:	A
Process Server Fee:	
Violation Date:	08-25-2024 MM-DD-YYYY
Arraignment Date:	09-26-2024 MM-DD-YYYY
Extension Date:	MM-DD-YYYY
School Receipt Date:	08-25-2024 MM-DD-YYYY
Class Date:	08-25-2024 MM-DD-YYYY
Completion Date:	09-15-2024 MM-DD-YYYY
Completion Type:	AD
Class Result:	☒ Pass ☐ Fail
Do not Export Changes:	☐
Additional Information	
Student Status:	C
Violation Type:	CV
Juvenile Fee Waived:	False
Court Response:	P
Court Response Date:	12-27-2024
State Fee Refund Date:	MM-DD-YYYY
Court Pmt Check Num:	51017
Court Pmt Date:	09-17-2024 MM-DD-YYYY
State Fee Check Num:	50901
State Fee Remittance Date:	09-05-2024 MM-DD-YYYY
Diversion Fee:	100.00
Last Modified By:	System
Last Modified Date:	12-27-2024
Last Court Export Date:	12-26-2024
Court Export:	N

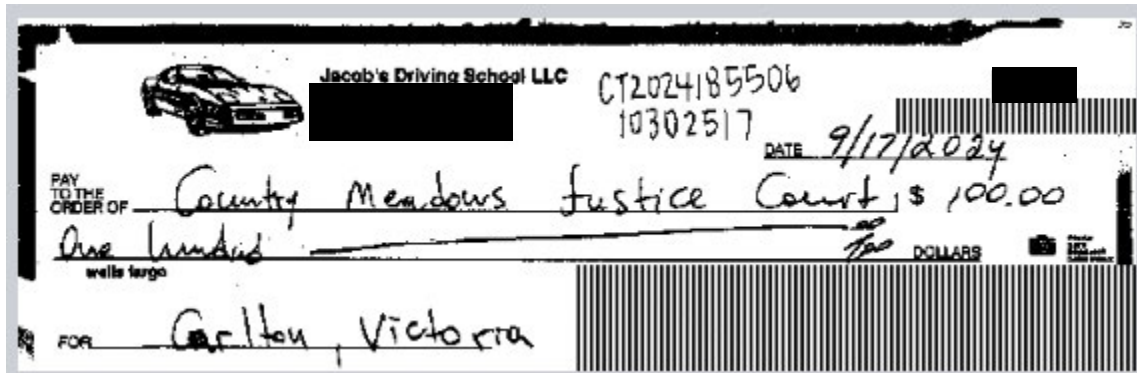
The Division notes that although School [REDACTED] asserted, in the interview with the Division, the completion was reported on September 17, 2024, School [REDACTED] was unable to provide documentation or records confirming the submission of the completion to DDTS. The DDTS system only shows the class completion date of September 15, 2024, but it does not

provide a timestamp for when the completion was entered into the system. Without more detailed tracking logs, which the system does not support, it is not possible to verify the exact timing of the report. Therefore, based on the available information, the allegation cannot be conclusively substantiated.

Allegation 1 is not substantiated.

Allegation 2: Jacob's Driving School, LLC. [REDACTED] failed to timely remit the court diversion fee.

In the interview with the Division, School [REDACTED] stated that check [REDACTED] was mailed to the Country Meadows Court on September 17, 2024. School [REDACTED] explained that this check was possibly lost in the mail, and a replacement check was mailed on December 24, 2024. See the first check from September 2024 below:



The Division notes that while the check number has been digitally added to the check, the original check sequence number is not visible. School [REDACTED] was unable to provide a full copy of the check. According to School [REDACTED], the replacement check, issued on December 24, 2024, bore check number [REDACTED]. However, School [REDACTED] could not provide a copy of check [REDACTED]. Instead, School [REDACTED] supplied a ledger showing both the check number and the issue date, December 24, 2024.

The Division has identified discrepancies with the information provided. Carlton did not inform Country Meadows Court or School [REDACTED] of the failure to respond to the citation until December 26, 2024, as outlined in an email from Carlton dated December 26, 2024 (included below). School [REDACTED] stated they were not made aware of the issue until that date; however, they indicated that the replacement check was mailed on December 24, 2024.

From:
Sent:
To:
Subject:
Attachments:

Follow Up Flag:
Flag Status:

Follow up
Completed

CF 2024185506

You don't often get email from vwillanti@gmail.com. [Learn why this is important](#)

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender. Please use caution when you receive messages from new senders. Always validate the sender first.

Good afternoon, I received a notification in the mail that I failed to respond to my citation #914296324238003. However, I completed a safe driving course with Jacob's Driving School prior to the submission deadline. Please see attached for the certificate of completion for you to look over. I also reached out to the school to see if they could re-submit this information since it seems it was never received.

Thank you for your time.

Sincerely,
Victoria

Additionally, Roman reported that the Country Meadows Court did not receive the original check (check number [REDACTED]) until December 30, 2024. Country Meadows Court also did not receive check number [REDACTED], and School [REDACTED] confirmed that check number [REDACTED] has not been cashed.

School [REDACTED] has proposed the following corrective measures to prevent a recurrence of this issue:

- **Enhanced Payment Documentation:** A standardized process will be established to log all outgoing payments, ensuring all mailing details and tracking information, if applicable, are properly documented.
- **Internal Check Reconciliation:** A monthly reconciliation process will be put in place to ensure that all payments made by the school align with court records and confirmations.
- **Proactive Follow-Up Protocol:** A follow-up system will be introduced to confirm that critical payments, like court diversion fees, are received within a specified timeframe.

As acknowledged by School [REDACTED], via email, School [REDACTED] did not have an effective reconciliation system in place. Had the school implemented the required reconciliation process outlined in the ACJA, they would have been alerted that the check had not been cashed for several months. It is not known if the initial check number [REDACTED] for the court diversion fee issued on September 17, 2024, was lost in the mail. The date of the check indicates the court diversion fee would have been remitted to the Country Meadows Court within the three business days as required by ACJA §7-205(F)(26)(f)(2). However, the

court diversion fee was remitted in late December 2024, as evidenced by Country Meadows Court's receipt.

A follow-up was conducted with School [REDACTED] to ensure that the necessary reconciliation measures were implemented. During the follow-up, the ACJA reconciliation system requirements were discussed, and School [REDACTED] stated that they had previously maintained the required system as outlined by ACJA.

If School [REDACTED] had a reconciliation system in place as required by ACJA §7-205(F)(27), School [REDACTED] would have timely realized that the check issued to the Country Meadows Court involving Carlson had not been cashed. The requisite reconciliation system is required by the ACJA to reconcile monthly bank statements for the court diversion fees.

ACJA § 7-201(F)(1):

F. Role and Responsibilities of Certificate Holders. 1. Code of Conduct. Each individual certificate holder shall adhere to the code of conduct or standards of conduct, subsection (J) in the applicable section of the ACJA

ACJA § 7-205(J)(1)(d):

d. Compliance. A school shall perform all duties and discharge all obligations in accordance with current Arizona law and the administrative rules, court orders, administrative orders, ACJA § 7-201, and this section.

ACJA § 7-201(H)(6)(a):

6. Grounds for Discipline. A certificate holder is subject to disciplinary action if the board finds the certificate holder has engaged in one or more of the following:

a. Failed to perform any duty to discharge any obligation in the course of the certificate holder's responsibilities as required by law, court rules, this section or the applicable section of the ACJA;

ACJA §7-205(F)(27)(a), and (b)(1) and (2), and (c)(1):

27. Reconciliation System. A school shall comply with the following financial and reporting requirements:

a. Reconcile and balance all collected fees on a daily basis and account for the remainder in the account at all times.

b. Reconcile the monthly bank statement for the court diversion, state fee and state surcharge checking account including:

- (1) Aggregate receipts for the month shall match the aggregate deposits; and
 - (2) The month-end checking account balance shall match the unpaid amounts owed to the courts.
- c. Investigate on a monthly basis all disbursement checks outstanding for more than six months and if a check is outstanding the school shall:
- (1) If the payee is a court or the state treasurer, notify the court or state treasurer, as applicable, of the outstanding check, cancel the outstanding check and reissue a new check, if necessary.

Although the Division cannot conclusively determine that check number [REDACTED] was not issued timely, the court diversion fee was not paid until on or about December 30, 2024, because of School [REDACTED]'s lack of the ACJA-required reconciliation system.

Allegation 2 is substantiated.

DISCIPLINARY HISTORY:

None.

SUBMITTED BY:

[REDACTED]

Crystal Jones, Investigator March 24, 2025
Certification and Licensing Division

REVIEWED BY:

[REDACTED]

3/25/2025

Pasquale Fontana, Manager
Certification and Licensing Division Date

REVIEWED BY:



3/28/2025

Aaron Nash, Director

Certification and Licensing Division Date

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
REVIEW AND DECISION OF THE PROBABLE CAUSE
EVALUATOR**

REVIEW AND DECISION OF THE PROBABLE CAUSE EVALUATOR:

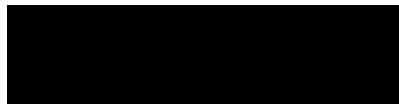
Under ACJA § 7-201(H)(5)(a), the deputy director, serving in the capacity of probable cause evaluator under ACJA § 7-201(D)(3)(a), having conducted an independent review of the facts and evidence gathered during the course of the investigation of complaint number 25-D001:

- ☐ Directs division staff to investigate further.
- ☒ Determines probable cause does not exist demonstrating the certificate holder has committed any acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Allegation(s):

1

- ☒ Determines probable cause exists demonstrating the certificate holder has committed one or more acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Allegation(s):

2



Jeffrey Schrade
Probable Cause Evaluator

3/31/2025
Date

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
RECOMMENDATION TO THE BOARD**

<i>CERTIFICATE HOLDER INFORMATION</i>	Certificate Holder:	Jacob's Driving School, LLC.
	School Number:	██████
	Type of Certificate:	Defensive Driving School

RECOMMENDATION TO THE DEFENSIVE DRIVING BOARD ("BOARD"):

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Jacob's Driving School, LLC, School ██████, has not committed the alleged act(s) of misconduct in Allegation 1 as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in complaint number 25-D001.

It is recommended the Board dismiss Allegation 1, with prejudice.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Jacob's Driving School, LLC, School ██████, has committed the alleged act(s) of misconduct in Allegation 2 as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in complaint number 25-D001.

It is further recommended the Board enter a finding grounds for informal disciplinary action exists under Arizona Code of Judicial Administration ("ACJA") § 7-201(H)(6) for act(s) of misconduct involving ACJA §§ 7-201(F)(1) and (H)(6)(a); ACJA §§7-205(F)(27)(a), (b)(1), (2), and (c)(1) and § 7-205(J)(1)(d).

Mitigating factors under ACJA § 7-201(H)(22)(b)(1):

- ☒ [x] The absence of a prior disciplinary record;
- ☐ [] The absence of a dishonest motive;
- ☐ [] The absence of a selfish motive;
- ☐ [] Personal or emotional problems;
- ☐ [] A timely good faith effort to make restitution or to rectify consequences of misconduct;
- ☐ [] Full and free disclosure to the division staff, the board or the hearing officer;
- ☐ [] A cooperative attitude toward any proceedings;
- ☐ [] Inexperience in the practice of the profession or occupation;
- ☐ [] Character or reputation;
- ☐ [] Physical or mental disability;
- ☐ [] Physical or mental impairment;
- ☐ [] Delays in the disciplinary proceedings;
- ☐ [] Interim rehabilitation;
- ☐ [] Imposition of other penalties or sanctions;
- ☒ [x] Remorse;

- ☐ The remoteness of prior offenses;
- ☐ Other: _____

Aggravating factors under ACJA § 7-201(H)(22)(b)(2):

- ☐ A prior disciplinary record;
- ☐ A dishonest motive;
- ☐ A selfish motive;
- ☐ Multiple offenses;
- ☐ Bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with this section, the applicable section of ACJA, court rules or orders of the hearing officer; (Failure to respond to Division requests sent to a valid point of contact reflects an uncooperative attitude toward the investigation)
- ☐ Submission of false evidence, false statements or other deceptive practices during the discipline process;
- ☐ Refusal to acknowledge wrongful nature of the conduct;
- ☐ Vulnerability of the victim;
- ☐ Substantial experience in the profession or occupation;
- ☐ Indifference to making restitution;
- ☐ Other: _____

It is further recommended the Board direct the Division to issue a Letter of Concern to Jacob's Driving School, LLC. School [REDACTED].

SUBMITTED BY:

[REDACTED]

3/31/2025

Aaron Nash, Director Date
Certification and Licensing Division

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
DECISION AND ORDER OF THE BOARD**

DECISION AND ORDER:

The Board having reviewed the above Investigation Summary, Determination, Probable Cause Review, and Recommendation Report, regarding complaint number 25-D001 and Jacob's Driving School, LLC, School [REDACTED], makes a finding of facts and this decision, based on the facts, evidence, and analysis as presented and:

- ☐ Request division staff to conduct further investigation;
- ☐ Refer the complaint to another entity with jurisdiction;

Referral to: _____

- ☐ Determine no violation exists and dismiss the complaint
 - ☐ with prejudice
 - ☐ without prejudice

- ☐ Determine no acts of misconduct or violation occurred and no discipline is warranted; however the certificate holder's actions need modification or elimination and issue an advisory letter pursuant to subsection (D)(5)(c)(1)(g);

- ☐ Enter a finding the certificate holder has violated any provisions of the statutes, court rules, this section, or the applicable ACJA specific sections or subsection (H)(6) and order an emergency summary suspension, pursuant to subsection (H)(9)(d);

- ☒ Enter a finding the certificate holder has violated any of the provisions of the statutes, court rules, this section, the applicable ACJA sections or subsection (H)(6) and issue an order imposing any or a combination of the following information or formal disciplinary sanctions:

- ☒ Issue a letter of concern
- ☐ Issue a censure
- ☐ Resolve any found acts of misconduct or violations by consent order or other negotiated settlement
- ☐ Place specific restrictions on a certificate
- ☐ Place the certificate holder on probation or a set period of time under specified conditions

- ☐] Mandate additional training for the certificate holder
- ☐] Issue a cease and desist order pursuant to subsection (E)96)
- ☐] Order suspension of a certificate for a set period of time with specific conditions for reinstatement

- ☐] Order revocation of a certificate with specific conditions for reinstatement
- ☐] Assess costs associated with the investigation and disciplinary proceedings; or
- ☐] Impose civil penalties associated with the investigation and disciplinary proceedings.

- ☐] Order the preparation of documents necessary for informal or formal disciplinary actions under subsection (H)(7)(b), (H)(8)(b) or (H)(9)(b)

- ☐] Request the license holder appear before the Board to participate in a Formal Interview, pursuant to ACJA § 7-201(H)(8).

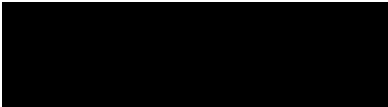
- ☐] Enter a finding the public health, safety or welfare is at risk, requires emergency action, and orders the immediate emergency suspension of the license and sets an expedited hearing for:

Date, Time, and Location: _____

- ☐] Order the filing of Notice of Formal Charges, pursuant to ACJA § 7-201(H)(10).

☒] Adopts the recommendations of the Division Director.

- ☐] Does not adopt the recommendations of the Division Director and orders:



Johnny Tse, Chair
 Defensive Driving Board

06/23/2025

Date