

NORTH CAROLINA
WAKE COUNTY

BEFORE THE NORTH CAROLINA
BOARD OF FUNERAL SERVICE
CASE NO. C20-0028

In the matter of:)
)
Aldridge Holdings, LLC d/b/a)
Southern Piedmont Cremation Service,)
Respondent.)

CONSENT ORDER

THIS CAUSE, coming before the North Carolina Board of Funeral Service (hereinafter the “Board”) at its offices at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina 27605, with a quorum present, the Board and Respondents stipulate and agree to entry of the following Consent Order:

1. Aldridge Holdings, LLC d/b/a Southern Piedmont Cremation Service (hereinafter “Respondent Crematory”) is licensed as Crematory No. 126 by the Board and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code and the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984).
2. For all times relevant to this matter, James Lowell Blalock, who holds Crematory Manager Permit No. CM0017, has served as the Crematory Manager of Respondent Crematory.
3. On or about April 20, 2020, Board staff received a complaint from Nicole Marie Gordon (hereinafter “Complainant”). Board staff provided Respondent with an opportunity to respond to the Complainant’s allegations, and Respondent did so on or about May 7, 2020. Evidence obtained in this matter tends to show the following:
 - a. On or about August 12, 2019, Complainant’s father passed away. Respondent Crematory was selected to perform the decedent’s cremation.
 - b. On or about August 16, 2019, Complainant signed a standard cremation authorization for the decedent’s cremation, directing that one-half of the decedent’s cremains were to be returned to her and the remaining cremains were to be given to a third party.
 - c. Following the cremation, Respondent Crematory failed to comply with the standard cremation authorization signed by the Complainant, in that it returned all of the decedent’s cremains to the third party.

CONCLUSIONS OF LAW

1. Respondent is subject to jurisdiction before the Board.

2. The acts and omissions of Respondent Crematory described in Paragraphs 1-3, violate N.C. Gen. Stat. § 90-210.123(g)(10), which prohibits violating any provision of Article F of Chapter 90 of the North Carolina General Statutes, all rules and regulations of the Board, and the standards set forth in 16 C.F.R. § 453 (1984), as amended from time to time.
3. The acts and omissions of Respondent Crematory described in Paragraphs 1-3, violate N.C. Gen. Stat. § 90-210.130, by failing to properly release cremains to an authorizing agent and in accordance with a duly-executed cremation authorization form.

BASED upon the foregoing Findings of Fact and Conclusions of Law, and in lieu of further proceedings, Respondent wishes to resolve this matter by consent and agree that Board staff and counsel may discuss this Consent Order with the Board *ex parte* whether or not the Board accepts this Consent Order as written.

Whereas Respondent acknowledges that it has read this entire document and understand it;

Whereas Respondent acknowledges that it enters into this Consent Order freely and voluntarily;

Whereas Respondent acknowledges that it has had full and adequate opportunity to confer with legal counsel in connection with this matter;

Whereas Respondent understands that this Consent Order must be presented to the Board for approval and that Respondent hereby waives any argument that any Board members considering this Consent Order are disqualified from participating in a hearing of this matter; and

Whereas the Board has determined that the public interest is served by resolving this matter as set forth below.

THEREFORE, with the consent of Respondent, it is ORDERED that:

1. The Crematory Permit of Respondent Crematory is suspended for twelve (12) months, but said suspension is stayed on the following conditions:
 - a. Respondent Crematory admits to the violations herein;
 - b. Respondent Crematory shall be placed on probation during the period of stayed suspension;

- c. Respondent Crematory shall not violate any law or rule of the Board during the period of suspension;
 - d. Respondent Crematory shall timely respond to any and all Board and/or Board staff correspondence;
 - e. Respondent Crematory shall comply with all terms of this Consent Order; and
 - f. Within thirty (30) days from the date this Consent Order takes effect, Respondent Crematory shall pay a compromise penalty of One Thousand Five Hundred (\$1,500.00) Dollars to the Civil Penalty and Forfeiture Fund in accordance with Article 31A of Chapter 115C of the North Carolina General Statutes.
2. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with or pursuant to this Consent Order. If the Board receives evidence that Respondent has violated any term of this Consent Order or any other law or rule enforced by the Board, the Board shall schedule a show cause hearing for a determination of the violations. If the Board determines that a violation has occurred, the Board may impose such disciplinary action as it determines is appropriate and is authorized by law.
3. This Consent Order shall take effect immediately upon its execution by all parties and reflects the entire agreement between Respondent and the Board, there being no agreement of any kind, verbal or otherwise, which varies, alters, or modifies this Consent Order.
4. No modification or waiver of any provision of this Consent Order shall be effective unless it is in writing, adopted and approved by the Board, and signed by the parties affected.
5. Both the Board and Respondent participated in the drafting of this Consent Order. Any ambiguities herein shall not be construed against either party in any future civil or administrative proceeding.
6. Respondent hereby waive any requirement under any law or rule that this Consent Order be served upon them.
7. Upon its execution by the Board and Respondent, this Consent Order shall become a public record within the meaning of Chapter 132 of the North Carolina General Statutes and shall be subject to public inspection and dissemination pursuant to the provisions thereof.

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CONSENTED TO:

Aldridge Holdings, LLC d/b/a
Southern Piedmont Cremation Service

By: James Lowell Blalock Date: August 7, 2020
James Lowell Blalock
Crematory Manager

By Order of the North Carolina Board of Funeral Service, this the 12 day of
August, 2020.

By: Phillip Mark Blake
Phillip Mark Blake
Board President