

Utah Department of Commerce  
Heber M. Wells Bldg., 2<sup>nd</sup> Floor  
160 East 300 South  
Salt Lake City, UT 84114-6704

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**BEFORE THE DIVISION OF CONSUMER PROTECTION  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

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**IN THE MATTER OF:**

**JUSTIN MARK BROWN**, also doing  
business as **JUSTIN BROWN**  
**TAXIDERMY;**

**Respondents.**

**ORDER OF DEFAULT AND  
FINAL ORDER**

**DCP Legal File No. CP- 2023-042**

**DCP Case No. 143318**

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Justin Mark Brown and Justin Brown Taxidermy have not participated in this adjudicative proceeding by failing to file a request for a hearing, after having been duly served with the Citation in this matter.<sup>1</sup> As a consequence thereof, the presiding officer enters the default of the Respondents pursuant to U.C.A. §63G-4-209(1)(a). Where Respondents have failed to timely contest and request a review of the Citation initiated by the Division of Consumer Protection (the "Division"), the Citation becomes the final order pursuant to Utah Code Ann. §13-2-6(3)(f).

The Division hereby finds:

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<sup>1</sup> Pursuant to U.C.A. §63G-4-201(2)(b), service is made by regular U.S. mail. The Citation in this matter was mailed by first class mail, postage prepaid, certified mail, and an email that Respondents used to communicate with the Division. Only the certified mailer was returned as unclaimed. The first class mail was not returned to the Division, and the email did not bounce back to the Division.

1. Justin Mark Brown (Respondents) is a resident of Santaquin, Utah. Respondents also did business using the name Justin Brown Taxidermy, an expired DBA registered with the Utah Division of Corporations and Commercial Code.
2. At all times relevant to this Citation, Respondents provided taxidermy services to consumers in Utah.
3. In or around September 2020, a consumer contacted Respondents to have a moose head skinned, tanned, and mounted. Respondents represented he would provide the services.
4. On October 24, 2020, the consumer paid Respondents \$400 by check.
5. On October 7, 2021, the consumer paid Respondents another \$500 by check.
6. Respondents accepted a total of \$900 and the moose hide from the consumer for moose taxidermy. Respondents did not give a timeframe for delivery after accepting the payments.
7. Respondents did not provide the consumer with an invoice, contract, or other written document.
8. As of the date of this Default, Respondents have not fulfilled the order for the taxidermy services nor provided a replacement or refund.
9. After receiving a \$900 payment from the consumer for taxidermy services, Respondents knowingly or intentionally failed to furnish the services and has not provided a refund.
10. The above action is in violation of the UCSPA, Utah Code § 13-11-4(2)(f), which provides:

(2) Without limiting the scope of Subsection (1), a supplier commits a deceptive act or practice if the supplier knowingly or intentionally:

....

(f) after receipt of payment for goods or services, fails to ship the goods or furnish the services within the time advertised or otherwise represented or, if no specific time is advertised or represented, fails

to ship the goods or furnish the services within 30 days, unless within the applicable time period the supplier provides the buyer with the option to:

- (i) cancel the sales agreement and receive a refund of all previous payments to the supplier if the refund is mailed or delivered to the buyer within 10 business days after the day on which the seller receives written notification from the buyer of the buyer's intent to cancel the sales agreement and receive the refund; or
- (ii) extend the shipping date to a specific date proposed by the supplier;

11. The above actions constitute a single violation of the above-referenced statute.

### ORDER

Respondents are ordered to cease and desist from any act in violation of the *Utah Consumer Sales Practices Act*, Utah Code § 13-11-1 *et seq.* and rules promulgated thereunder.

**Pursuant to Utah Code Ann. § 13-2-6(2), a person who has notice of this final cease and desist order and intentionally violates any provision contained therein is guilty of a third degree felony.**

Justin Mark Brown doing business as Justin Brown Taxidermy are assessed and ordered to pay, jointly and severally, an administrative fine in the amount of \$2,500 for one violation of the *Utah Consumer Sales Practices Act*, Utah Code § 13-11-1 *et seq.* and rules promulgated thereunder.

This fine may be filed and entered with the appropriate court as a civil judgment.

This order shall be effective on the signature date below.

DATED 23 Oct 2027.

UTAH DIVISION OF CONSUMER PROTECTION

  
KATHERINE HASS, DIRECTOR

## **NOTICE**

**Pursuant to U.C.A. §63G-4-209, a defaulted party may seek to have the agency set aside the default order, and any order in the adjudicative proceeding issued subsequent to the default order, by following the procedures outlined in the Utah Rules of Civil Procedure. A motion to set aside a default and any subsequent order shall be made to the presiding officer.**

**A defaulted party may seek agency review under U.C.A. §63G-4-302, only on the decision of the presiding officer on the motion to set aside the default.**

**CERTIFICATE OF SERVICE**

I certify that I have the 23<sup>rd</sup> day of October, 2023, served the foregoing document on the parties of record in this proceeding set forth below by mailing a copy thereof, properly addressed by first class mail and certified mail with postage prepaid, to:

**RESPONDENTS:**

Justin Brown Taxidermy

[REDACTED]  
Santaquin, UT 84655

Justin Mark Brown

[REDACTED]  
Santaquin, UT 84655

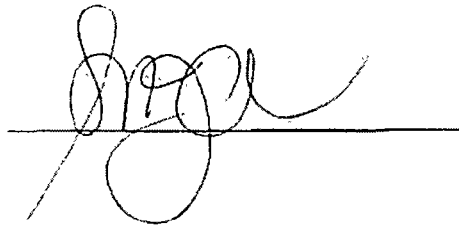
and by email, to:

Justin Brown Taxidermy  
justinbrowntaxidermy@gmail.com

Adam Watson, Chief Investigator  
[awatson@utah.gov](mailto:awatson@utah.gov)

Edgar White, Investigator  
[edgarwhite@utah.gov](mailto:edgarwhite@utah.gov)

Kim Wheeler, Records Custodian  
[DCPLegal@utah.gov](mailto:DCPLegal@utah.gov)

A handwritten signature in black ink, appearing to read 'Kim Wheeler', is written over a horizontal line.