

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Rosendo Casarez, Jr.)	File No.: EB-11-SD-0125
)	NAL/Acct. No.: 201232940002
Licensee of Station KCRX(AM))	FRN: 0006903041
Roswell, NM)	Facility ID No.: 57700

FORFEITURE ORDER

Adopted: May 16, 2012

Released: May 17, 2012

By the Regional Director, Western Region, Enforcement Bureau:

I. INTRODUCTION

1. In this Forfeiture Order, we issue a monetary forfeiture in the amount of eight thousand dollars (\$8,000) to Rosendo Casarez, Jr. (Casarez), licensee of Station KCRX(AM), in Roswell, New Mexico, for willfully and repeatedly violating Section 11.35 of the Commission's rules.¹ The noted violations involved Casarez's failure to ensure the operational readiness of the Station KCRX(AM) Emergency Alert System equipment.

2. On January 31, 2012, the Enforcement Bureau's San Diego Office (San Diego Office) issued a Notice of Apparent Liability for Forfeiture (*NAL*) in the amount of \$8,000 to Casarez.² Casarez has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.³

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended, and Sections 0.111, 0.204, 0.311, 0.314, and 1.80(f)(4) of the Commission's Rules, Rosendo Casarez, Jr. **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of eight thousand dollars (\$8,000) for willfully and repeatedly violating Section 11.35 of the Commission's rules.⁴

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within thirty (30) calendar days of the release of this Forfeiture Order. If the forfeiture is not paid within the period specified, the case may be referred to the U.S. Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment of the forfeiture must be made by check or similar

¹ 47 C.F.R. § 11.35.

² *Rosendo Casarez, Jr.*, Notice of Apparent Liability for Forfeiture, 27 FCC Rcd 482 (Enf. Bur. 2012) (*NAL*).

³ Counsel for Casarez advised the Western Region that there would be no substantive response to the *NAL*, after consultation with Casarez. E-mail from Lewis Goldman, Esquire, Counsel for Rosendo Casarez, Jr., to Margaret Egler, Regional Counsel, Western Region, FCC Enforcement Bureau (Apr. 24, 2012, 7:59 a.m. PDT).

⁴ 47 U.S.C. § 503(b); 47 C.F.R. §§ 0.111, 0.204, 0.311, 0.314, 1.80(f)(4), 11.35.

⁵ 47 U.S.C. § 504(a).

instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Account number and FRN referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 979088, St. Louis, MO 63197-9000. Payment by overnight mail may be sent to U.S. Bank – Government Lockbox #979088, SL-MO-C2-GL, 1005 Convention Plaza, St. Louis, MO 63101. Payment by wire transfer may be made to ABA Number 021030004, receiving bank TREAS/NYC, and account number 27000001. For payment by credit card, an FCC Form 159 (Remittance Advice) must be submitted. When completing the FCC Form 159, enter the NAL/Account number in block number 23A (call sign/other ID), and enter the letters “FORF” in block number 24A (payment type code). Requests for full payment under an installment plan should be sent to: Chief Financial Officer -- Financial Operations, 445 12th Street, S.W., Room 1-A625, Washington, D.C. 20554. Please contact the Financial Operations Group Help Desk at 1-877-480-3201 or Email: ARINQUIRIES@fcc.gov with any questions regarding payment procedures. Rosendo Casarez, Jr., shall also send electronic notification on the date said payment is made to WR-Response@fcc.gov

5. **IT IS FURTHER ORDERED** that a copy of this Forfeiture Order shall be sent by both First Class Mail and Certified Mail, Return Receipt Requested, to Rosendo Casarez, Jr., at his address of record, and his counsel, Lewis H. Goldman, P.C., 45 Dudley Court, Bethesda, Maryland 20814.

FEDERAL COMMUNICATIONS COMMISSION

Rebecca L. Dorch
Regional Director, Western Region
Enforcement Bureau