

**IN THE COURT OF APPEALS  
OF THE  
STATE OF MISSISSIPPI  
NO. 96-CC-00137 COA**

**NORMA HARBOUR**

**APPELLANT**

**v.**

**MISSISSIPPI REAL ESTATE COMMISSION**

**APPELLEE**

**PER CURIAM AFFIRMANCE MEMORANDUM OPINION**

THIS OPINION IS NOT DESIGNATED FOR PUBLICATION AND MAY NOT BE CITED,  
PURSUANT TO M.R.A.P. 35-B

DATE OF JUDGMENT:	12/20/95
TRIAL JUDGE:	HON. ROBERT LEWIS GIBBS
COURT FROM WHICH APPEALED:	HINDS COUNTY CIRCUIT COURT
ATTORNEY FOR APPELLANT:	GORDON GARLAND LYELL III
ATTORNEYS FOR APPELLEE:	MARY MARVEL FYKE JOHN L. MAXEY II
NATURE OF THE CASE:	CIVIL - STATE BOARDS AND AGENCIES (OTHER THAN WORKER'S COMPENSATION)
TRIAL COURT DISPOSITION:	APPELLANT PLACED ON PROBATION FOR ONE YEAR DURING WHICH APPELLANT CANNOT ACT AS BROKER, MUST COMPLETE EIGHT HOURS OF CONTINUING EDUCATION AND PROVIDE VERIFICATION OF ASSETS IN ESCROW ACCOUNTS
DISPOSITION:	AFFIRMED - 9/23/97
MOTION FOR REHEARING FILED:	
CERTIORARI FILED:	
MANDATE ISSUED:	10/14/97

BEFORE BRIDGES, C.J., HINKEBEIN, AND KING, JJ.

PER CURIAM:

Norma Harbour holds a brokers license issued by the Mississippi Real Estate Commission. During

February, 1994, the commission issued a formal complaint charging Harbour within violations of the Real Estate Broker's License Act of 1954, as amended, § 73-35-21(a), (b), (f) and (m), Mississippi Code of 1972. Harbour admitted the factual allegations within the complaint at a hearing before the commission. Thereafter the commission entered an order finding Harbour in violation of its regulations and ordered various punishments, including a one year probation. Harbour appealed the decision to the Circuit Court of the First Judicial District of Hinds County, where the order was affirmed. Aggrieved by the imposition of these sanctions, Harbour argues on appeal 1) the sentence imposed by the Real Estate Commission was arbitrary and capricious and should be reversed or modified, 2) the order is void on its face.

This court may not intervene without finding the commission's decision to have been arbitrary and capricious, a standard requiring substantial supporting evidence. *Harris v. Mississippi Real Estate Commission*, 500 So. 2d 958, 962 (Miss. 1986). Since Harbour admitted the charges against her, this standard has clearly been met as to her guilt. As for the sanctions imposed, the commission is comprised of fellow licensees uniquely qualified to ascertain the seriousness of any violation and the appropriateness of punishment. The agency "knows best how to police its own." *Id.* at 963. We will not second guess its imposition of sanctions.

Harbour also suggests the commission's administrator alone has no authority to issue such a decision. Her argument is both unconvincing and unsupported. John W. Neelley signed the order acting as agent of the commission. More importantly, Harbour's failure to cite any authority in support of her claim of error renders moot this court's obligation to analyze her second argument. *Hoops v. State*, 681 So. 2d 521, 5526 (Miss. 1996).

For the reasons stated in its opinion dated December 20, 1995, we conclude that the Hinds County Circuit Court correctly affirmed the agency's decision.

**THE JUDGMENT OF THE HINDS COUNTY CIRCUIT COURT IS AFFIRMED. ALL COSTS OF APPEAL ARE ASSESSED TO THE APPELLANT.**

**BRIDGES, C.J., THOMAS, P.J., COLEMAN, DIAZ, HERRING, HINKEBEIN, KING, PAYNE, AND SOUTHWICK, JJ., CONCUR. McMILLIN, P.J., NOT PARTICIPATING.**