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**BEFORE THE MISSISSIPPI STATE  
BOARD OF FUNERAL SERVICE**

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IN THE MATTER OF:  
ALFREDA GRAY LEGACY  
MEMORIAL, LLC

AND

CAUSE NO. 320346828

ALFREDA GRAY, INDIVIDUALLY, AS  
OWNER AND AS LICENSEE IN  
CHARGE OF ALFREDA GRAY LEGACY MEMORIAL LLC,  
Respondent

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**AGREED STIPULATION AND CONSENT ORDER**

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**FINDINGS OF FACT**

1. The Board is a duly constituted authority existing within the executive branch of the government of the State of Mississippi and is charged with the licensure and regulation of funeral directors, funeral service practitioners and funeral establishments pursuant to Title 73, Chapter 11 of the Mississippi Code of 1972, as amended. The main executive offices are located at 3010 Lakeland Cove, Suite W, Flowood, MS 39232.
2. At all times mentioned herein, Legacy Memorial LLC, was licensed by the Board as a funeral establishment in Hattiesburg, Forrest County, Mississippi, holding license number FE-9717.
3. At all times mentioned herein, Alfreda Gray was licensed by the Board as a funeral director, holding license number FD-0187. She was also the licensee in charge of Legacy Memorial LLC.
4. Legacy Memorial LLC and Alfreda Gray are collectively referred to herein as Respondent.

5. By entering into this Agreed Order, Respondent waives any defect in proceedings before the Board and any further right to notice and hearing under Title 73, Chapter 11 of the Mississippi Code of 1972, as amended, or any other governing laws, rules and regulations at this time.
6. Respondent had the opportunity at all times to seek advice from competent counsel of her choice. No coercion has been exerted upon the Respondent nor have any promises been made other than those reflected in this Agreed Order. The Respondent has freely and voluntarily entered into this Agreed Order after the opportunity to consult with legal counsel and being motivated only by the desire to resolve the issues addressed herein and for the purpose of avoiding further administrative or judicial action with respect to this cause.
7. It is expressly understood by the Respondent that this Agreed Order is subject to the approval of the Board and shall have no force and effect unless and until signed by the Board. Respondent agrees and authorizes the Board staff and/or legal counsel to present this Agreed Order to the Board for consideration of the terms provided herein. Respondent further understands and agrees that, in order to make a decision regarding approval of this Agreed Order, discussions must take place between Board members, staff and legal counsel. Should this Agreed Order not be accepted by the Board, Respondent agrees that the presentation to and consideration of the Agreed Order shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings, including serving as arbiter in any hearing regarding the Respondent by having considered this matter. Similarly, if this Agreed Order is not accepted, Respondent will be free to defend himself in a formal hearing before the Board and no admissions or inferences will be made from Respondent's willingness to have entered into this Agreed Order.
8. Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review of or to otherwise challenge or contest the validity of any action taken by the Board and/or its representative(s) in this matter, the Agreed Order and/or the stipulated Findings of Fact, Conclusions of Law, and penalty imposed by this Agreed Order.
9. Respondent is fully aware of her right to contest charges made against her in a formal hearing. These rights include: representation by an attorney at the Respondent's expense, the right to a public hearing on the charges filed, the right to confront and cross examine witnesses, to receive written findings of fact and conclusions of law supporting the decision of the merits of the accusations, and the right to obtain judicial review of the Board's decision.

10. On or about October 26, 2023, the Board received a complaint against Legacy Memorial LLC from Anishia Wiley (Wiley). Wiley stated that she and another family member, Lillie, contacted Legacy Memorial LLC to complete funeral arrangements for Vincent Wiley. Wiley stated that she and Lillie finalized assignment in the amount of \$12,702.00 and notarized the aforementioned assignment at the Sunbelt Federal Credit Union. Respondent filed a second claim to Elite Funeral Funding in the amount of \$19,152.00, a difference of \$6,450.00.
11. On or about October 31, 2023, the Board opened Complaint Number 320346828 against Respondent and began its investigation.
12. Respondent admits billing Elite Funeral Funding \$19,152.00. Respondent admits to unprofessional conduct in the practice of funeral service likely to deceive, defraud or harm the public in violation of Miss. Code Ann. § 73-11-57(1)(p)(iii). Respondent admits that the revised assignment sent to the Elite Funeral Funding in the amount of \$19,152.00 was fraudulent.
13. Clear and convincing evidence establishes that Respondent is guilty of violating Miss. Code Ann. §§ 73-11-57(1)(p):
  - a. (iv) – Any act or omission in the practice of funeral service or directing which constitutes dishonesty, fraud or misrepresentation with the intent to benefit the licensee, another person or funeral establishment, or with the intent to substantially injure another person, licensee or funeral establishment; or
  - b. (v) – Any act or conduct, whether the same or of a different character than specified above, which constitutes or demonstrates bad faith, incompetency or untrustworthiness; or dishonest, fraudulent or improper dealing; or any other violation of the provisions of this chapter, the rules and regulations established by the board or any rule or regulation promulgated by the Federal Trade Commission relative to the practice of funeral service or funeral directing.

### CONCLUSIONS OF LAW

Based upon the foregoing Findings of Facts, the Board makes the following:

1. The Board has jurisdiction over the subject matter and the Respondent under Section 73-11-57 of the Mississippi Code of 1972, as amended. Venue is likewise properly placed before this Board to hear this matter in Flowood, Mississippi.
2. The Board gave Respondent due, proper, and timely notice of the charges against

her and has fulfilled all relevant procedural requirements. All substantive and procedural requirements under law have been met by the Board.

3. Under Section 73-11-57, the Board is authorized to revoke, suspend, assess a civil penalty (fine), place a license holder on probation, refuse to renew a license and/or take other appropriate action with respect to any license for a violation of the laws, rules and regulations governing the practice of funeral service or funeral directing.

### ADJUDICATION

NOW THEREFORE, based on the Findings of Fact and Conclusions of Law, the Board makes the following:

1. Should Respondent fail or neglect to comply with any of these terms, conditions, or undertakings set forth in this Stipulation and Consent Order, the Board may institute any legal or administrative process it deems appropriate to enforce same and to seek such other appropriate sanctions.
2. Respondent shall pay an administrative or monetary penalty in the amount of One Thousand Dollars (\$1,000.00) to the Board within thirty (30) calendar days of the Board's execution of this Stipulation and Consent Order. The administrative or monetary penalty must be paid by money order or certified or cashier's check, payable to the Mississippi State Board of Funeral Service and delivered to: Della Smith, Executive Director, Mississippi State Board of Funeral Service, 3010 Lakeland Cove, Suite W, Flowood, Mississippi 39232-9709.
3. Respondent shall pay Lillie and Anishia Wiley ("Complainant") the total amount of \$6,450 Dollars and no Cents (\$6,450.00) within thirty (30) calendar days of the Board's execution of this Stipulation and Consent Order, reimbursing her for funds paid to the Respondent for funeral goods and services not furnished.
4. Respondent acknowledges that the Board retains jurisdiction over this matter for purposes of enforcing this Stipulation and Consent Order.
5. This action and order of the Board shall be public record. It may be shared with other licensing boards (in and out of state) and the public and may be reported to the appropriate entities as required or authorized by state and/or federal law or guidelines.
6. Respondent waives any further hearings or appeals to the Board or to any court relating to all terms and conditions of this Stipulation and Consent Order and

agrees that this is a Final Order of the Board.

7. Respondent is hereby suspended for at least one (1) year from and after the date that this Final Order is signed by the Board. This suspension may be stayed and may be served as a period of probation only after Respondent has satisfied the provisions described above in Paragraph 2 and 3 regarding the monetary penalty.
8. If, however, Respondent fails to meet the pre-conditions described above in Paragraph 2 and 3 for stay of suspension, the suspension shall remain in effect until further order of the Board.
9. After Respondent has met the requirements specified above in Paragraph 2 and 3, the Respondent's licensure probation and stay of suspension shall be subject to the following terms and conditions:
  - a) The Respondent shall be placed on probation for no less than one year from and after the date that the Board executes this Final Order.
  - b) The Respondent shall timely pay the monetary penalty as set forth in this Final Order.
  - c) The Respondent shall appear and report to the Board as requested by the Board.
  - d) The Respondent shall promptly advise the Board in writing of any changes in address, practice, professional status, ownership, management, or compliance with this Final Order. Respondent shall inform the Board in writing within no more than seven (7) calendar days of any change concerning the aforesaid information or conditions.
  - e) At the end of each monthly period during probation, the Respondent shall provide the Board with a copy of the statement of goods and services selected, any death certificates filed, payment records, insurance claims forms, and such other information as the Board may require for each final disposition arrangement made during that quarter.

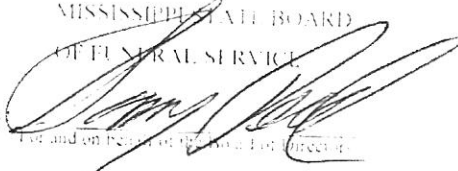
The monthly reports must be received in the Board office by the fifteenth calendar day of the following month or the date specified by the Board for any other report.

- f) Respondent shall cooperate with the Board, its attorneys, investigators, and other representatives in the investigation of Respondent's operation, practices and compliance with the provisions of this Final Order. The Respondent is jointly and severally responsible for demonstrating compliance with each and every provision of this Final Order. The Respondent may be required to furnish the Board with additional information as may be deemed necessary by the Board or its representatives. It is the Respondent's responsibility to fully comply with all such requests in a timely fashion. Failure to satisfactorily comply with such requests will be deemed a violation of probation and stay of suspension.
  - g) Respondent shall be subject to random and unannounced inspections by Board staff, investigators and/or other representatives. Respondent shall cooperate with the Board, its attorneys, investigators and other representatives in any investigation of compliance with the provisions of probation and stay of suspension.
  - h) Any time periods during which the Respondent does not operate as a funeral establishment and provide funeral service in the State of Mississippi will not be credited toward any period of probationary time.
- A. It is Respondent's responsibility to ensure all payments, reports, evaluations, and documentation required to be filed with the Board pursuant to this Final Order are timely filed by those making the payment or preparing the report, evaluation, or documentation. Failure to make payments or file reports on or before the due date is a violation of this Order.
- B. Respondent shall comply with the terms of this Final Order and all state and federal statutes and regulations concerning the operation of funeral establishments and/or the practice or business of funeral directing and/or funeral service. Failure to do so shall constitute a violation of probation and of this Order. The burden of proof for any action brought against the Respondent as a result of a breach of the conditions of this Final Order shall be on the Respondent to demonstrate compliance with this Order.
- C. If the Board has probable cause to believe Respondent has failed to comply with or has violated any of the requirements for staying the suspension as outlined in this Final Order, the Board may remove the stayed suspension.

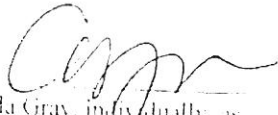
The removal of the stayed suspension shall take effect upon service of a notice of removal of stayed suspension to the Respondent and the license or licenses shall be suspended until such time as the Board re-imposes the stay of suspension.

- D. Further, if Respondent fails to comply with the laws and regulations governing the operation of funeral establishments and or the practice or business of funeral directing and or funeral service and or with any terms or conditions of this Final Order, the Respondent may be subject to additional disciplinary action, up to and including license revocation, by the Board.
- E. There shall be no automatic termination of probation after the end of the Respondent's probation period. At the end of the probation period, the Respondent may petition the Board in writing for termination of probation and full reinstatement of license without restrictions or conditions. If the Respondent has satisfactorily complied with all conditions of this Final Order, there are no outstanding complaints or other disciplinary actions or proceedings pending against the Respondent and the Respondent is otherwise fit and competent to act as a funeral establishment, funeral director and funeral service licensee, the Board shall terminate probation. If the Respondent fails to make such a written request or petition, then Respondent's license probationary status shall continue, subject to the terms and conditions set forth in this Final Order.
- F. Any money paid by the Respondent shall be deemed received by the Board when noted in the Board's record by Board staff. Further, any correspondence, report, or documentation from or for the Respondent shall be deemed received by the Board when the Board's date stamp is affixed to the correspondence.
- The monetary penalty, costs, fees and or other report or documentation required by this Final Order shall be delivered to: Della Smith, Executive Director, Mississippi State Board of Funeral Service, 3010 Lakeland Cove, Suite W, Flowood, Mississippi 39222-9709.
- G. Respondent shall be responsible for all costs and expenses associated with carrying out the provisions of this Final Order.

SO ORDERED, this the 17<sup>th</sup> day of April, 2024.

MISSISSIPPI STATE BOARD  
OF FUNERAL SERVICE  
By:   
For and on behalf of the Board, Executive Director

AGREED AS TO FORM AND CONSENT.

A handwritten signature in cursive script, appearing to read "Alfreda Gray", written over a horizontal line.

Alfreda Gray, individually, as  
Owner and as licensee in charge of  
Alfreda Gray Legacy Memorial, LLC.