

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7884-AD09-0219-004

IN THE MATTER OF:)

Insurance Agent License)
Application of:)

Amos Terrell Cooley)
1107 Arrow Avenue)
Anderson, IN 46016)

FILED

AUG 07 2009

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On June 17, 2009, the Administrative Law Judge, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Respondent by mailing the same to his home address.
2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.
3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:


1. Applicant is Granted a resident producer life insurance license, subject to a probationary period of one (1) year.

2. During the probationary period, Applicant is required to submit written reports to the attention of Department Investigator Mike Herndon. A report should be due every ninety (90) days for one (1) year from the date of the Commissioner's Final Order. Each report should contain:

- a. The total number of quotes or proposals the Applicant presented during the period.
- b. The total number of policies sold by Applicant during the period.
- c. The total amount of premiums developed during the period on the policies sold by Applicant.
- d. The total amount of commissions earned by Applicant during the period.
- e. A report from Mr. Stanley May on how Applicant is progressing, any problems or accomplishments.

3. Applicant's request for written consent to engage in the business of insurance, pursuant to 18 U.S.C. §§1033 and 1034, is Granted.

ALL OF WHICH IS ORDERED by the Commissioner this 7th day of August 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Copies to:

Robert Hummel, Attorney
Indiana Department of Insurance
311 W. Washington Street
Suite 300
Indianapolis, Indiana 46204

Amos Cooley
1107 Arrow Avenue
Anderson, IN 46016

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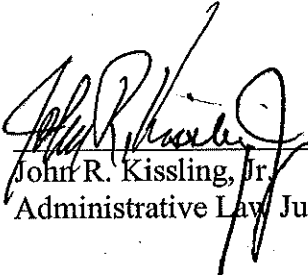
JUN 17 2009

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order are deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.


John R. Kissling, Jr.
Administrative Law Judge

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7884-AD09-0219-004

IN THE MATTER OF:)

Insurance Agent License)
Application of:)

Amos Terrell Cooley)
1107 Arrow Avenue)
Anderson, IN 46016)

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JUN 17 2009

STATE OF INDIANA
DEPT. OF INSURANCE

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND RECOMMENDED ORDER**

Administrative Law Judge John R. Kissling, Jr., came to hear the matter of Applicant Amos Terrell Cooley on March 19, 2009, at 10:05 a.m. and will now render a decision.

The Indiana Department of Insurance ("Department") was represented by counsel, Robert L. Hummel. Applicant appeared in person at the hearing that he requested.

Based upon the evidence presented at said hearing, the Administrative Law Judge now makes the following Findings of Fact, Conclusions of Law, and issues this Recommended Order.

FINDINGS OF FACT

1. Applicant was properly notified of the hearing date and time by U.S. Certified Mail #7004 1160 0000 3840 6389.

2. On February 10, 2009, the Department received Applicant's application for a resident life insurance producer license. (Exhibit 1)

3. On February 24, 2009, a Preliminary Administrative Order and Notice of License Denial was issued by the Commissioner because the Applicant had a Class B felony conviction for armed robbery.

4. On February 27, 2009, Applicant filed a letter with the Department requesting an administrative hearing. (Exhibit 5)

5. On June 14, 1999 Applicant pled guilty to armed robbery a Class B felony. Applicant was sentenced to fifteen (15) years, eight (8) years executed. After serving sentence Applicant was placed on five (5) years probation. (Exhibit 9).

6. On November 29, 2004 Applicant's probation was revoked for a curfew violation. The five (5) year sentence previously suspended was ordered executed. Applicant was incarcerated for two (2) years from November 2004 to November 2006 and then was on parole from December 2006 until December 2008. (Exhibit 8)

7. On November 2, 2008 Applicant obtained a funeral director intern license from the state. (Exhibit A).

8. Applicant obtained an associate degree in accounting in June of 2004. (Exhibit B).

9. Applicant completed one (1) semester of college in the fall of 2001 while incarcerated. (Exhibit C).

10. Applicant completed one (1) year in an electronics technician program while incarcerated. (Exhibit E).

11. Applicant received a completion certificate from International Conference of Funeral Services Examining Board for passing the funeral director test. (Exhibit F).

12. Applicant obtained an associate degree from Cincinnati College of Mortuary Science. (Exhibit G).

13. A letter of recommendation and testimony from Stanley May of L.C. Mays Funeral Service stating he was a mentor to Applicant thru school. Mr. May has known Applicant since his youth and has seen the changes Applicant is making in his life. (Transcript pgs. 23-25; Exhibit L).

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.

2. The hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code and all procedures and rules set forth by such Act have been followed in this matter.

3. Service of process was completed via the use of the United States Mail in compliance with the statute and due process requirements.

4. Ind. Code §27-1-15.6-12(b)(9) states that the Commissioner may refuse to issue an insurance producer license if the applicant has had a felony conviction.

5. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Applicant should be Granted a resident producer life insurance license, subject to a probationary period of one (1) year.

2. During the probationary period, Applicant should be required to submit written reports to the attention of Department Investigator Mike Herndon. A report should be due every ninety (90) days for one (1) year from the date of the Commissioner's Final Order. Each report should contain:

a. The total number of quotes or proposals the Applicant presented during the period.

b. The total number of policies sold by Applicant during the period.

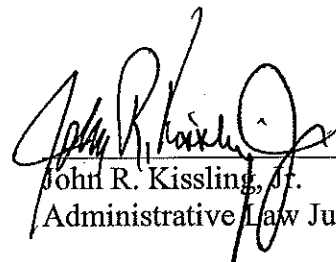
c. The total amount of premiums developed during the period on the policies sold by Applicant.

d. The total amount of commissions earned by Applicant during the period.

e. A report from Mr. Stanley May on how Applicant is progressing, any problems or accomplishments.

3. Applicant's request for written consent to engage in the business of insurance, pursuant to 18 U.S.C. §§1033 and 1034, should be Granted.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 17th day of June, 2009.


John R. Kissling, Jr.
Administrative Law Judge

Distribution:

Robert L. Hummel, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46204

Amos Cooley
1107 Arrow Avenue
Anderson, IN 46016