

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER: 8157-AG09-0608-143

IN THE MATTER OF:)
)
Anthony L. Smith,)
Respondent/Agent.)
)
1283 W. 90th Ave., apt. 302)
Merrillville, IN 46410)
)
Indiana License #618601)

FILED


JUL 21 2009

STATE OF INDIANA
DEPT. OF INSURANCE

Motion to Vacate Probation Order


The Enforcement Division, by counsel, now moves that the Probation Order of June 8, 2009 be vacated. In support of this request, the Division asserts that notice has been received that Respondent has paid the child support arrearage in full or established a payment plan to pay the arrearage, per the requirements of Ind. Code §27-1-15.6-29.

Respectfully requested,


Robert L. Hummel
Attorney #20936-49

ORDER

The Commissioner now being so advised hereby vacates the referenced Probation Order, effective July 24, 2009, this 21st day of July, 2009.


Carol A. Cutter, Commissioner
Indiana Department of Insurance

Distribution:

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

Anthony L. Smith
1283 W. 90th Ave., apt. 302
Merrillville, IN 46410

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1283 West 90th Avenue, Apt. 302)
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Type of Agency Action: Enforcement)
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Indiana License No. 618601)

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STATE OF INDIANA
DEPT. OF INSURANCE

FINDINGS OF FACT AND PROBATION ORDER

WHEREAS, the Indiana Department of Insurance Consumer Protection Unit (“Department”) received notification from the Indiana Department of Child Services Child Support Bureau (“Child Services”) that Anthony L. Smith (“Respondent”), a licensed insurance producer in Indiana, had a child support payment arrearage.

WHEREAS, on April 3, 2009, the Department sent a letter to Respondent, pursuant to Ind. Code §27-1-15.6-29, stating that if the child support arrearage was not paid in full, a request for the activation of an income withholding order establishing a payment plan was not made, or a request for a hearing was not made within twenty (20) days after the notice was mailed, Respondent’s Indiana insurance producer license would be placed on probation.

WHEREAS, more than twenty (20) days have elapsed since the Department sent Respondent the April 3, 2009 letter.

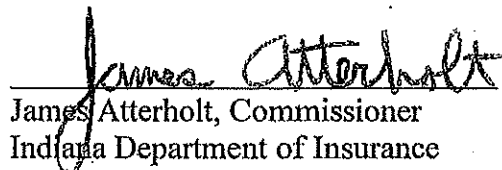
WHEREAS, the Department has been notified by Child Services that Respondent has not paid the child support arrearage in full, requested the activation of an income withholding order establishing a payment plan, or requested a hearing.¹⁴

WHEREAS, due to Respondent's failure to comply with the requirements set forth in the April 3, 2009 letter and, pursuant to Ind. Code §27-1-15.6-29(a), the Commissioner shall place Respondent's insurance license on probation.

WHEREAS, pursuant to Ind. Code §27-1-15.6-29(c), if, within twenty (20) days after the date of this order, Respondent has not paid the child support arrearage in full or established a payment plan to pay the arrearage and requested the activation of an income withholding order, the Commissioner shall suspend Respondent's insurance license.

IT IS THEREFORE ORDERED BY THE COMMISSIONER that Respondent's insurance producer license is hereby placed on probation, effective immediately, and will remain on probation until ten (10) business days after the Commissioner receives a notice from Child Services that Respondent has paid the child support arrearage in full or has established a payment plan to pay the arrearage and requested the activation of an income withholding order.

ALL OF WHICH IS ORDERED this 8 day of June, 2009.


James Atterholt, Commissioner
Indiana Department of Insurance