

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 10140-AD11-0307-007

INSURANCE AGENT LICENSE)
APPLICATION OF:)

Casi J. App)
26 West High Street)
Mooreville, IN 46158)

FILED

JUN 27 2011

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On June 2, 2011, the appointed Administrative Law Judge, Bryan Shade, 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 of Recommended Order on Applicant by mailing the same to her home address.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Applicant 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. The preliminary denial of Applicant's insurance producer license application is reversed.
2. Applicant is granted an insurance producer license, subject to a probationary period of one (1) year.

Under Ind. Code §4-21.5-5-5, Applicant has the right to appeal this Final Order by filing a petition for judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS Ordered by the Commissioner this 27th day of June, 2011.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Casi J. App
26 West High Street
Mooresville, IN 46158

Robert L. Hummel, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 10140-AD11-0307-007

IN THE MATTER OF:)

INSURANCE AGENT LICENSE)
APPLICATION OF:)

Casi J. App)
26 West High Street)
Mooresville, IN 46158)

FILED

JUN 02 2011

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties to 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 of your objection with reasonable particularity; and 2) is filed with the ultimate authority for the Final Order, the Commissioner of the Department of Insurance, within fifteen (15) days from the date of service of this Order.



Bryan Shade
Administrative Law Judge

3. Applicant's license application was denied due to the fact that she had previously been convicted of Theft a Class D Felony on July 16, 2009. (See Transcript at 31; Exhibit 1 and 2).
4. Applicant took prescription drugs from a previous employer and gave them to an acquaintance, who in turn sold the prescription drugs. (See Transcript at 11).
5. Applicant completed all terms and conditions of her probation associated with her conviction without any violations. (See Transcript at 33; Exhibit 2).
6. As a result, her Class D Felony was reduced to a Class A Misdemeanor. (See Transcript at 13 and 27; Exhibit 2).
7. Applicant exhibited an understanding that her conduct was grossly inappropriate.

CONCLUSIONS OF LAW

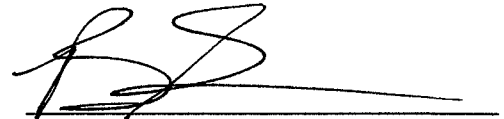
1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Pursuant to Indiana Code § 27-1-15.6-12(b)(8), the Commissioner may refuse to issue an Indiana Producer License if the applicant uses dishonest practices or demonstrates untrustworthiness in the conduct of business in Indiana or elsewhere.
4. Applicant has met her burden of proving that the prior denial of her license application was in error.
5. Findings of Fact that can be adopted as Conclusions 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. That the denial of Applicant's Producer License application be reversed.
2. That the Applicant be granted a probationary Producer's License for a one (1) year period.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this ____ day of June, 2011.



Bryan Shade
Administrative Law Judge

Distribution:

**Robert L. Hummel, Attorney
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787**

**Casi J. App
26 West High Street
Mooresville, IN 46158**