

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

Cause No.: 11539-AD12-0829-042

IN THE MATTER OF:)
)
BAIL AGENT LICENSE)
APPLICATION OF:)
)
Anthony D. Philpott, Jr.)
511 N. Ship Street, #1)
Portland, IN 47371)

FILED

SEP 06 2012

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code §§4-21.5-1 et seq., 27-10-3-8 and 27-10-3-3, hereby gives notice to Anthony D. Philpott, Jr. ("Applicant") of the following Administrative Order:


1. Applicant filed an application for bail agent licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on August 15, 2012. Following a review of materials submitted by Applicant in support of his application and further investigation by the Department, the Commissioner, being fully advised, now hereby notifies Applicant that he is not qualified for licensure under Indiana Code §§27-10-3-8(a)(2 and 3) and 27-10-3-3(a)(1). Specifically, Applicant had a misdemeanor conviction for writing a bad check in 1990 which he disclosed on his application. He also had a check deception misdemeanor conviction in 2005 and a misdemeanor operating a vehicle while intoxicated conviction in 2003 that he did not disclose on his application. In addition, Applicant's driver's license has been suspended three (3) times in 2003 and once in 2005 for chemical test failure, operating while intoxicated, failure to file insurance, and failure to file financial responsibility. The driver's license suspensions were not disclosed on the license application. Applicant held a credit insurance producer license from June 3, 2003 until June 30, 2007. During that time, initial hearings were held in both the

operating a vehicle while intoxicated and check deception criminal prosecutions against Applicant and he failed to report those prosecutions to the Department as required by Ind. Code §27-1-15.6-17(b). By failing to disclose criminal prosecutions and driver's license suspensions on his application, Applicant committed perjury and made material misstatements and/or misrepresentations on the application in violation of Ind. Code §27-10-3-8(a)(3). By failing to report criminal prosecutions to the Department during the time he held an insurance producer license, Applicant violated laws of this state in the course of dealings under that license in violation of Ind. Code §27-10-3-8(a)(2). By having two (2) convictions for check deception, a conviction for operating a vehicle while intoxicated, four (4) driver's license suspensions, and failing to disclose all but one of those facts on his license application, Applicant has failed to affirmatively show that he is of good moral character as required by Ind. Code §27-10-3-3(a)(1).

2. Under Indiana Code §4-21.5-3-7, if you wish to file a petition for review of the Preliminary Administrative Order and Notice of License Denial, you must do so in writing within fifteen (15) days after you receive notice of this Order. Submit your petition to the attention of Investigator Mike Herndon.

IT IS THEREFORE ORDERED that the Applicant's request for licensure is hereby DENIED pursuant to Indiana Code §§27-10-3-8 and 27-10-3-3.

SO ORDERED this 6th day of September, 2012.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

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