

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 11152-AD12-0412-021

IN THE MATTER OF:)

Insurance Agent License)
Application of:)

Michelle D. Bryant)
112 W. Louisiana St.)
Evansville, IN 47710)

FILED

OCT 02 2012

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On August 14, 2012, the appointed Administrative Law Judge, Holly Williams, filed her Findings of Fact, Conclusions of Law, and Recommended Order in the above captioned matter. As ultimate authority in this case, the Commissioner of the Indiana Department of Insurance, Stephen R. Robertson, having read and reviewed the Findings of Fact, Conclusions of Law, and Recommended Order and being duly advised in the premises, deviates from ALJ Williams' Recommended Order pursuant to Indiana Code § 4-21.5-3-29.

FINDINGS OF FACT

1. The ALJ's Findings of Fact, entered August 14, 2012, are incorporated into this Order.
2. Applicant's conviction included felony child exploitation and vicarious sexual conduct, and misdemeanor possession of child pornography. Exhibits 1, 4, 5, 6, and 7.

3. As a licensed insurance producer, Applicant could visit consumer's homes to sell, solicit, or negotiate insurance.

4. Applicant's letters of reference came from her father and her deacon, two relationships that tend to call into question the objectivity of the reference.

5. Applicant did not provide any letters of reference or secure any witness testimony from any business associates.

6. The risk of harm to the insurance-buying public is substantial, given the nature of Applicant's felony convictions.

7. Conclusions of Law that should be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

8. The ALJ's Conclusions of Law numbers 1, 2, 3, and 4, entered August 14, 2012, are adopted and incorporated into this Order. The ALJ's conclusions of law 5 and 6 are not adopted.

9. Applicant failed to meet her burden of proving the Preliminary Administrative Order and Notice of License Denial should be overturned.

10. Findings of Fact that should be adopted as Conclusions of Law are hereby incorporated herein as such.

ORDER

THEREFORE, the Commissioner of Insurance, being fully advised, now ORDERS that Respondent's application for an insurance producer license is DENIED.

10-2-12

Date

A handwritten signature in black ink, reading "Stephen W. Robertson". The signature is written in a cursive, flowing style with a horizontal line drawn through the middle of the name.

Stephen W. Robertson
Insurance Commissioner

Distribution:

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