

STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 13594-AD15-0115-001

IN THE MATTER OF:)
)
Insurance Producer License)
Application of:)
)
Eddie R. Hudson)
4164 Lake Park Blvd #B)
Indianapolis, IN 46227)
)
Applicant)

FILED
DEC 04 2015
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On October 30, 2015, the Administrative Law Judge, Amy L. Beard, filed her 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 Applicant by mailing the same to his home address of record.

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

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and 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 Administrative Order and Notice of License Denial is AFFIRMED.

2. Applicant is DENIED a insurance producer license.

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 4 day of December, 2015.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Eddie R. Hudson
4164 Lake Park Blvd #B
Indianapolis, IN 46227

Brigitte Collier
Indiana Department of Insurance
Enforcement Division
311 West Washington Street, Suite 103
Indianapolis, IN 46204-2787

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EDDIE R. HUDSON)
4164 Lake Park Blvd #B)
Indianapolis, IN 46227,)
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Petitioner.)

FILED

OCT 30 2015

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 Recommended 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, Stephen W. Robertson, Commissioner of the Indiana Department of Insurance, within eighteen (18) days from the date stamped on this Notice of Filing of Recommended Order.



Amy L. Beard
Administrative Law Judge

Distribution:

EDDIE R. HUDSON
4164 Lake Park Blvd #B
Indianapolis, IN 46227

BRIGITTE COLLIER
Attorney, Enforcement Division
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204

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BEFORE THE INDIANA
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CAUSE NUMBER: 13594-AD15-0115-001

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FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ORDER

Administrative Law Judge, Amy L. Beard, ("ALJ"), having considered and reviewed all of the evidence, now renders a decision in the matter of the Insurance Producer License Application of Eddie Hudson under Cause Number 13594-AD15-0115-001. This matter came to be heard telephonically by the ALJ at the Indiana Department of Insurance, 311 West Washington Street, Indianapolis, Indiana, on April 22, 2015.

The Petitioner, Eddie Hudson, ("Petitioner") appeared telephonically and without legal counsel. The Respondent, the Indiana Department of Insurance ("Department"), was represented at the administrative hearing by legal counsel, Brigitte Collier. At the hearing, witnesses testified under oath, evidence was heard, and exhibits were received into evidence.

Based upon the evidence presented at the hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and Recommended Order pursuant to Indiana Code section 4-21.5-3-27.

FINDINGS OF FACT

1. On or about December 18, 2014, the Petitioner submitted an application for an insurance producer license ("Application") to the Department. *Preliminary Administrative Order and Notice of License Denial; Transcript ("Tr.") at p. 10-11.*

2. On February 2, 2015, the Commissioner issued a Preliminary Administrative Order and Notice of License Denial ("Denial Order") denying the Petitioner's Application. Specifically, the Petitioner's request for licensure was denied because he had "not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)" due to having been convicted of two (2) felonies. *Denial Order.*

3. On or about April 6, 2015, the Petitioner requested a hearing to determine the reasonableness of the Commissioner's decision to deny the Petitioner's Application. *Notice of Hearing.*

4. An administrative hearing in this matter was held on April 22, 2015, at 1:00 p.m. *Notice of Hearing.*

Petitioner's Felony Convictions

5. On his Application, the Petitioner disclosed that he had been convicted of two (2) felonies.. *Tr. at p. 11.*

6. Along with submission of his Application, the Petitioner included the chronological case summaries for his felony convictions and an Order of Probation. *Tr. p. 14-15.*

7. On February 26, 2014, the Petitioner pleaded guilty to two felonies for operating a vehicle while intoxicated with a passenger under the age of eighteen (18) years old. *Exhibit C ("Ex. C").*

8. On April 16, 2014, a notice of probation violation was filed. The court found the

Petitioner had violated his probation for failing to comply with substance abuse treatment. *Ex. C.*

9. On November 12, 2014, the Petitioner was arrested and charged with Operating a Vehicle after Being a Habitual Traffic Offender under cause number 49G18-1411-F6-051163. *Tr. at p. 16-17.*

10. On November 17, 2014, the Petitioner had a second Notice of Probation Violation and a Violation Hearing was held on June 6, 2014. The Petitioner was found in violation and continued on probation. *Exhibit D ("Ex. D").*

11. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action. *See I.C. §§ 27-1-15.6 et seq. and 4-21.5-3 et seq.*

2. This hearing was held in compliance with Indiana's Administrative Orders and Procedures Act ("Act"), codified at I.C. § 4-21.5-3 *et. seq.*

3. The Petitioner received notice of the Preliminary Administrative Order and Notice of License Denial, in compliance with I.C. §§ 4-21.5-3-1 and 27-1-15.6-12(d).

4. Pursuant to I.C. § 27-1-15.6-12(b)(6), the Commissioner may refuse to issue an insurance producer license to a person for having had "been convicted of a felony."

5. The Petitioner was convicted of two (2) felonies in 2014 for operating a vehicle under the influence of alcohol with a passenger under the age of 18.

6. The Petitioner has not met his burden of proof and shown that the Denial Order was in error.

7. 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. The Preliminary Administrative Order and Notice of License Denial shall be upheld.
2. The Petitioner shall be DENIED an insurance producer license.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 30 day of October 2015.



Amy L. Beard
Administrative Law Judge

Distribution:

EDDIE R. HUDSON
4164 Lake Park Blvd #B
Indianapolis, IN 46227

BRIGITTE COLLIER
Attorney, Enforcement Division
Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204

STATE OF INDIANA)
) SS:
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BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 13594-AD15-0115-001

IN THE MATTER OF:)
)
INSURANCE AGENT LICENSE)
APPLICATION OF:)
)
Eddie R. Hudson,)
 Applicant.)
)
4164 Lake Park Blvd #B)
Indianapolis, IN 46227)

FILED

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STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Ind. Code § 4-21.5-1 *et seq.*, and Ind. Code § 27-1-15.6-12, hereby gives notice to **Eddie R. Hudson** ("Applicant") of the following Administrative Order:

1. Applicant filed an application for licensure with the Department on or around December 18, 2014. Following a review of materials submitted by Applicant in support of his application, the Commissioner of the Department ("Commissioner"), being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Ind. Code § 27-1-15.6-12(b); specifically, Applicant has been convicted of two felonies.

2. Ind. Code § 27-1-15.6-12(b) provides, in part, as follows:

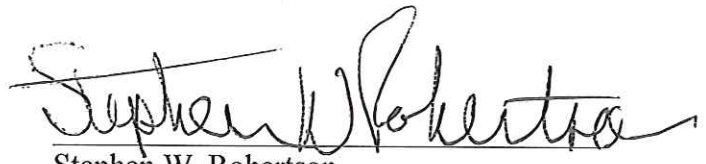
The commissioner may reprimand, levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for a period of years, permanently revoke an insurance producer's license, or refuse to issue or renew an insurance producer license, or take any combination of these actions, for any of the following causes:

(6) Having been convicted of a felony.

3. Applicant may, not more than sixty-three (63) days after this notice is mailed, make a written demand to the Commissioner for a hearing to determine the reasonableness of the Commissioner's action. The hearing will be held not more than thirty (30) days after Applicant's demand and will be conducted under Ind. Code 4-21.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby denied pursuant to Indiana Code § 27-1-15.6-12(b).

2-2-15
Date Signed


Stephen W. Robertson
Commissioner,
Indiana Department of Insurance

Distribution:

Eddie R. Hudson
4164 Lake Park Blvd #B
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Calla Dain, Insurance Investigator
Indiana Department of Insurance
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Certified Mail Receipt: 9214 8901 0661 5400 0048 6355 81