

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 15699-BB16-1024-007

IN THE MATTER OF:                     )  
  )  
INDIANA BAIL AGENT LICENSE           )  
  )  
Chester T. Spall                        )  
800 W. Jefferson Street                )  
Franklin, IN 46131                     )  
Type of Agency Action: Enforcement    )  
  )  
Bail Agent License No. 982511         )

**FILED**

DEC 16 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**


The Indiana Department of Insurance ("Department"), by its counsel, Cathleen Nine-Altevogt, and Chester T. Spall, ("Respondent"), a licensed bail agent, signed an Agreed Entry which purports to resolve all issues involved in an investigation by the Department, and which has been submitted to the Commissioner of Insurance ("Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED, by the Commissioner of Insurance:

1. Respondent shall permanently surrender his bail agent license by mailing it to the attention of Department attorney Cathleen Nine-Altevogt within ten (10) days after the date of this Final Order.
2. Respondent waives his right to petition for judicial review of this Final Order.

ALL OF WHICH IS ORDERED this 16 day of December, 2016.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Chester T. Spall  
800 W. Jefferson Street  
Franklin, IN 46131

Cathleen Nine-Altevogt, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

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**AGREED ENTRY**

This Agreed Entry is executed by Cathleen Nine-Altevogt, attorney for the Indiana Department of Insurance ("Department"), and Chester T. Spall ("Respondent"), a licensed Indiana bail agent, to resolve all issues concerning an investigation by the Department. This Agreed Entry is subject to the review and approval of the Commissioner of the Department.

WHEREAS, Respondent is a licensed bail agent, license number 982511;

WHEREAS, the Department received Johnson County Jail records showing that the Respondent placed six (6) monetary gifts into two (2) Johnson County prisoners' telephone accounts;

WHEREAS, documents show that Respondent purchased six (6) money orders for deposit into three (3) female inmates' commissary accounts;

WHEREAS, the Department received a CD containing recordings of jail telephone calls between Respondent and seven (7) female prisoners, and in conversations with six (6) of the seven (7) prisoners, Respondent discussed sex acts with them;

WHEREAS, the Department and Respondent communicated on September 29, 2016, and Respondent admitted to giving cash gifts to more than one female prisoner incarcerated in the Johnson County Jail; Respondent was informed by the Department that an enforcement case had been opened based on this violation and not to give gifts of any kind to prisoners in any jail or place of detention;

WHEREAS, on October 26, 2016, the Department received copies of additional Johnson County Jail records that documented another cash deposit into a female prisoner's account on October 24, 2016;

WHEREAS, Respondent admitted to violating 760 IAC 1-6.2-7(3) by giving gifts to prisoners in a jail;

WHEREAS, Indiana Code §27-10-3-8(a)(2) provides that the Commissioner shall revoke a license for a violation of any laws of this state in the course of dealings under any license issued to the licensee by the commissioner;

WHEREAS, Indiana Code §27-10-3-8(a)(7)(B) provides that the Commissioner shall revoke a license when, in the judgment of the Commissioner, the licensee has, in the conduct of affairs under the license, demonstrated conduct rendering the licensee unfit to carry on the bail bond business or making the licensee's continuance in such business detrimental to the public interest;

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without a hearing;

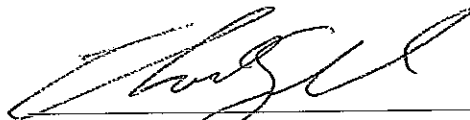
IT IS THEREFORE NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter of and the parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the parties.

3. Respondent voluntarily and freely waives his right to a public hearing.
4. Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
5. Respondent admits to the violations.
6. Respondent agrees to permanently surrender his bail agent license and to mail the license to the attention of Department Attorney Cathleen Nine-Altevogt within ten (10) days after the Commissioner signs the Final Order.
7. The Department agrees to accept Respondent's compliance with the terms of this agreement as full resolution of the issue.
8. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

12-8-16

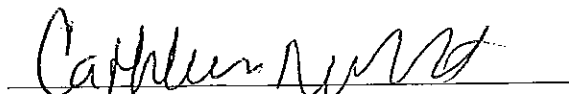
Date Signed



Chester T. Spall, Respondent

12-13-16

Date Signed



Cathleen Nine-Altevogt  
Attorney No. 32706-49  
Indiana Department of Insurance

STATE OF INDIANA )  
COUNTY OF Johnson ) SS:

Before me, a Notary Public for Johnson County, State of  
Indiana, personally appeared Chester T. Spall and being first duly sworn  
by me upon his oath, says that the facts alleged in the foregoing instrument  
are true.

Signed and sealed this 8<sup>th</sup> day of December, 2016.

Cindy A Placek  
Signature

CINDY A PLACEK  
Printed

My Commission expires: 5-7-2024

County of Residence: JOHNSON



CINDY A. PLACEK, Notary Public  
Johnson County, State of Indiana  
My Commission Expires May 7, 2024