

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NO.: 17533-AD18-1001-079

IN THE MATTER OF:)
)
Mary Roberts)
118 E. Riverside Drive Apt. B)
Evansville, IN 47712)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
Application ID: 648368)

FILED

DEC 11 2018

STATE OF INDIANA
DEPT. OF INSURANCE

ORDER VACATING HEARING DATE

The Enforcement Division of the Indiana Department of Insurance (the "Department"), by counsel, having filed its Motion to Vacate Hearing Date, and the Administrative Law Judge, being duly advised, hereby finds that said motion should be GRANTED.

IT IS THEREFORE ORDERED that the hearing scheduled for December 12, 2018 at 2:30pm is Vacated.



Administrative Law Judge

Distribution:

Erica J. Dobbs, Attorney
ATTN: Melissa Higgins, Insurance Investigator
Indiana Department of Insurance
311 West Washington St. #103
Indianapolis, IN 46204-2787

Mary Roberts
118 E. Riverside Drive Apt. B
Evansville, IN 47712

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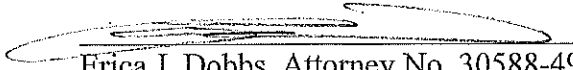
MOTION TO VACATE HEARING

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Erica J. Dobbs, respectfully requests the December 12, 2018 hearing currently set in the above-captioned matter be vacated, and in support thereof states as follows:

1. On October 15, 2018, the Commissioner issued a Preliminary Administrative Order and Notice of License Denial in this matter (“Denial Order”).
2. The Denial Order notified Mary Roberts (“Applicant”) that she had not fully met the requirements of licensure by having a felony conviction.
3. Subsequently, Applicant requested a hearing on the Denial Order, and a hearing date was set for December 12, 2018.
4. Applicant, via counsel, contacted the Department on December 6, 2018 and made known her desire to have the hearing vacated. (See attached email)

WHEREFORE, the Department respectfully requests this Court vacate the hearing currently set for December 12, 2018 and grant all other relief just and proper in the premises.

Respectfully submitted,



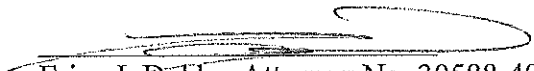
Erica J. Dobbs, Attorney No. 30588-49
Indiana Department of Insurance
Enforcement Division

Certificate of Service

This is to certify that a copy of the foregoing Motion has been served upon
Applicant in the above-captioned proceeding this 7th day of December, 2018.

Mary Roberts
118 E. Riverside Drive Apt. B
Evansville, IN 47712

Courtesy Copy:
Daniel Moon, via email



Erica J. Dobbs, Attorney No. 30588-49
Indiana Department of Insurance
Enforcement Division

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CAUSE NO.: 17533-AD18-1001-079

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FILED

NOV 26 2018

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF HEARING

Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an evidentiary hearing will be held on December 12 2018, at 2:30^{pm} Eastern Time at 311 West Washington Street, Suite 103, Indianapolis, Indiana 46204-2787, to determine whether to grant Respondent's request for approval of her resident navigator's license.

The hearing will be conducted in accordance with the provisions of the Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5-3 *et seq.* The Commissioner's authority regarding agent licensing is contained in Indiana Code § 27-19-4.

The issues to be resolved at the hearing are those described in the Preliminary Administrative Order and Notice of License Denial filed on October 15, 2018.

The Indiana Department of Insurance asserts that Respondent has violated Indiana Code §§ 27-19-4-3(a)(8) by having a felony conviction.

In accordance with Indiana Code § 27-1-15.6-34, the Administrative Law Judge in this matter is:

Reuben B. Hill

Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 232-2387

The Department of Insurance will be represented by its counsel, Erica J. Dobbs, who can be reached at:

Indiana Department of Insurance
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787
Telephone: (317) 234-5887

A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of the proceeding, may be held in default or have a proceeding dismissed under Indiana Code § 4-21.5-3-24.

Dated:

11/26/18

Reuben B. Hill

Administrative Law Judge
Indiana Department of Insurance

Distribution:

Erica J. Dobbs, Attorney
ATTN: Melissa Higgins, Sr. Insurance Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204-2787

Mary Roberts
118 E. Riverside Dr. Apt. B
Evansville, IN 47712

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COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17533-AD18-1001-079

IN THE MATTER OF:)

Mary Roberts)
118 E. Riverside Dr. Apt. B)
Evansville, IN 47713)

Applicant.)

Type of Agency Action: Enforcement)

Application ID: 648368)

FILED

OCT 15 2018

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF CERTIFICATION DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-19-4, hereby gives notice to Mary Roberts (“Applicant”) of the following Administrative Order:

1. Applicant submitted an application to become a resident navigator with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on April 23, 2018.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-19-4-3 and Indiana Code § 27-19-4-5.
3. Indiana Code § 27-19-4-3(a)(8) provides, in part, that if a person is a navigator, they must not have been convicted of a felony or other crimes determined by the Commissioner.
4. The Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure, as stated by Indiana Code § 27-19-4-3(a)(8) due to Applicant’s convictions for Burglary, a 2nd Degree Felony, from June 11, 2011, Criminal

Possession Forged Instrument, a Felony, from June 11, 2011, and Burglary, a 2nd Degree Felony, from October 6, 2011, all in the State of Kentucky.

5. Should Applicant wish for the Commissioner to review this decision, Applicant must, within fifteen (15) days after receiving notice of this Order, file a written petition with the Commissioner. This petition must state facts demonstrating that Applicant:

(A) is a person to whom this Order is specifically directed;


(B) is aggrieved or adversely affected by this Order; or

(C) is entitled to review under any law

6. If a petition for review is granted, the Department shall assign the matter to an administrative law judge to conduct informal proceedings to settle the matter.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes § 27-19-4-3(a)(8), due to Applicant's multiple felony convictions.

October 15, 2018
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Mary Roberts
118 E. Riverside Dr. Apt. B
Evansville, IN 47713

Erica J. Dobbs, Attorney
ATTN: Melissa Higgins, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-8687, fax 317 234-2103