

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19914-AD21-0122-012

IN THE MATTER OF:)
)
Anthony L. Mitchell)
1505 Kimberly Ct.,)
Wylie, TX 75098)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 809046)

FILED

APR 01 2021

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE 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 § 27-1-15.6-12, hereby gives notice to Anthony L. Mitchell (“Applicant”) of the following Administrative Order:

1. Applicant was previously licensed as a nonresident producer with the Indiana Department of Insurance April 11, 2005 to April 30, 2011.
2. Applicant filed an application to reactivate his nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on September 21, 2020.
3. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
4. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer’s license for having been convicted of a felony.

5. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
6. Indiana Code § 27-1-15.6-12(b)(2)(A) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for violating an insurance law.
7. Indiana Code § 27-1-15.6-17(b), is an insurance law, which states not more than thirty (30) days after an initial pretrial hearing date, a producer shall report to the Commissioner any criminal prosecution of the producer initiated in any jurisdiction.
8. Following a review of public records, and a review of documentation submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(6) due to his August 28, 2018, conviction for Driving While Intoxicated 3rd or More, a 3rd Degree Felony, from the State of Texas.
9. Following a review of public records, and a review of documentation submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(8) due to his July 27, 2006 conviction for Assault Causes Bodily Injury/Family Member, a Misdemeanor, out of Texas.
10. Following a review of public records, and a review of documentation submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Codes §§ 27-1-15.6-12(b)(2)(A) and 27-1-15.6-17(b) due to his failure to timely

report his 2006 criminal proceedings to the Department during his previous period of licensure.

11. Indiana Code § 27-1-15.6-12(d) provides that the applicant may, not more than sixty-three (63) days after notice of denial of the application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
12. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6-12(b)(6), 27-1-15.6-12(b)(8), and 27-1-15.6(b)(2)(A) due to Applicant's criminal history, which includes a felony conviction, and for his failure to timely report criminal proceedings to the Department. Applicant may reapply for licensure not less than one (1) year from the date of this order.

4-1-2021
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

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