

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 20487-AG21-0826-164

IN THE MATTER OF: )

Gary Chase Chapman )  
840 E. Diamond Avenue )  
Evansville, IN 47711 )

Applicant. )

Type of Agency Action: Enforcement )

License Application #: 850743 )

**FILED**

**FEB 03 2022**

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, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Gary Chase Chapman ("Applicant") of the following Administrative Order:

1. Applicant applied for an Indiana resident producer license on or around March 10, 2021.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-6 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(6) states, in part, that the Commissioner may refuse to issue an insurance producer's license for having been convicted of a felony.
4. Following a review of public records and the materials submitted by the Applicant, 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

Applicant's conviction on November 12, 2021, for Resisting Law Enforcement – Defendant Draws or Uses a Deadly Weapon, a Level 6 Felony, in the State of Indiana.

5. 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 applicant's application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
6. 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 Code § 27-1-15.6-12(b)(6), due to Applicant's felony conviction. Applicant may reapply for licensure not less than one (1) year from the date of this order.

2/3/22  
Date Signed

Amy L. Beard  
Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution:

Gary Chase Chapman  
840 E. Diamon Avenue  
Evansville, IN 47711

Victoria Hastings, Attorney  
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Indiana Department of Insurance – CONFIDENTIAL AND PRIVILEGED  
Enforcement Division

To: Ronda Ankney, Chief Deputy Commissioner  
Cc: Victoria Hastings, Attorney  
From: Melissa Higgins, Supervising Investigator  
Date: January 31, 2022

Re: Gary C. Chapman (“Applicant”)  
Cause No.: 20487-AG21-0826-164

Purpose:

The purpose of this memo is to request the Commissioner approve the attached Preliminary Administrative Order and Notice of License Denial denying a resident producer Applicant due to Applicant’s criminal history, which includes a recent felony conviction.

Issue:

Whether a resident producer Applicant that disclosed a recent conviction for **Resisting Law Enforcement, a Level 6 Felony**, and for Striking a Law Enforcement Animal, a Class A Misdemeanor, **should be denied licensure**.

Facts:

Applicant seeks a resident producer license. Applicant submitted an application to the Department on March 10, 2021.

On said application, Applicant disclosed that on or around September 19, 2019, he was placed on a **pretrial diversion in Hardin County, Kentucky, for three (3) years having been charged with Carrying Concealed Deadly Weapon, a Class A Misdemeanor, Tampering w/ Physical Evidence, a Class D Felony, Possession of Marijuana, a Class B Misdemeanor, and Possession of Paraphernalia, a Class A Misdemeanor**. Applicant’s pretrial diversion is not scheduled to terminate until September 19, 2022.

On May 30, 2020, he was charged in Vanderburgh County, Indiana, with Resisting Law Enforcement – **Defendant Draws or Uses a Deadly Weapon, a Level 6 Felony, and Striking a Law Enforcement Animal, a Class A Misdemeanor**. Applicant had a plea agreement where he was **officially convicted on November 12, 2021**.

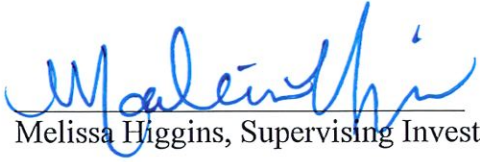
Analysis:

Indiana Code § 27-1-15.6-12(b)(6) authorizes the Commissioner to refuse to issue an insurance producer license for having been convicted of a felony.

The Enforcement Division believes denial of Applicant’s license is appropriate due to Applicant’s criminal history, which includes a recent felony conviction.

Recommendation

We recommend the Commissioner approve the Preliminary Administrative Order and Notice of License Denial, which denies a resident producer's application due to Applicant's criminal history, which includes a felony conviction.

A handwritten signature in blue ink, appearing to read 'Melissa Higgins', is written over a horizontal line.

Melissa Higgins, Supervising Investigator