

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MARION )  
 IN THE MATTER OF: )  
 )  
 Nicole Fraley )  
 3549 W. Starlight Dr )  
 Connersville, IN 47331 )  
 )  
 Respondent. )  
 )  
 Type of Agency Action: Enforcement )  
 )  
 License Number: 3503595 )

BEFORE THE INDIANA  
 COMMISSIONER OF INSURANCE  
 CAUSE NO: 21365-AD22-0310-037

**FILED**  
**JUN 14 2022**  
 STATE OF INDIANA  
 DEPT. OF INSURANCE

**ADMINISTRATIVE ORDER**  
**NOTICE OF NONRENEWAL OF LICENSE**

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 Nicole Fraley (“Respondent”) of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 3503595 (“Respondent’s license”) since December 4, 2019.
2. Respondent’s license expired on May 31, 2022.
3. On or about September 14, 2017, the Indiana Supreme Court Disciplinary Commission (Commission) ordered Respondent to show cause in writing why Respondent should not be immediately suspended from the practice of law in Indiana due to failure to cooperate with the Commission’s investigation of a grievance filed against Respondent.

4. Respondent filed a response on September 25, 2017, indicating she has cooperated with the Commission's investigation and the Commission subsequently filed a motion to dismiss this proceeding as moot.
5. On or about May 4, 2018, the Commission ordered the Respondent to show cause in writing why she should not be suspended immediately from the practice of law in the state of Indiana due to Respondent's failure to cooperate with the Commission's investigation of grievances, number 18-1134 and 18-0977, filed against her by failing to provide requested information regarding allegations of professional misconduct against her which were sent to Respondent at her official address of record with the Clerk of the Court.
6. On or about January 22, 2020, the Commission dismissed the case as moot due to the Court disbarring Respondent in a different disciplinary proceeding.
7. On or about June 6, 2019, The Supreme Court of Indiana held a trial for Respondent based on the charges of misconduct by severely mismanaging her trust account and by engaging in a pattern of dishonest and fraudulent behavior.
8. The Supreme Court of Indiana found the Respondent guilty of misconduct and on January 21, 2020, the Court disbarred the Respondent from the practice of law in Indiana.
9. In the Respondent's original application for licensure in 2019, she listed the three Actions by the Commission by stating that each one was without sanction. At the time Respondent submitted her application for resident producer's license, she had not yet been disbarred. Therefore she was correct by saying no sanctions were taken.
10. Respondent has not uploaded the January 21, 2020 disbarment to the NIPR warehouse.

11. Indiana Code § 27-1-15.6-12(b)(2)(A) states in part, that the Commissioner may refuse to issue or renew an insurance producer license for violating an insurance law.
12. Indiana Code § 27-1-15.6-17-(a) is an insurance law that states, “A producer shall report to the commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in Indiana not more than thirty (30) days after the final disposition of the matter.”
13. Indiana Code § 27-1-15.6-12(b)(8) states in part, that the Commissioner may refuse to issue or renew an insurance producer license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
14. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal. This Order serves as that notice.
15. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty-three (63) days of the mailing of this Order, make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent’s written demand.
16. This is considered an administrative action by the Indiana Department of Insurance. If you choose to appeal this administrative action, please follow the aforementioned instructions. Subsequently, after the Department has received your written request for a hearing, the State of Indiana Office of Administrative Law Proceedings (“OALP”) will

assign an administrative law judge to preside over this matter, and you will receive more information from OALP to begin the administrative process.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due to IC 27-1-15.6-12(b)(8) and IC § 27-1-15.6-17-(a), Respondent's disbarment from the practice of law in Indiana by the Indiana Supreme Court and failure to timely report the same.

6/14/22

Date Signed

Amy L. Beard

Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution:

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