

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 22892-AD23-1117-044

IN THE MATTER OF:

Cory Tierney
218 S 1st St
Decatur, IN 46733

Applicant.

Type of Agency Action: Enforcement

License Application #: 1101718

FILED

JAN 16 2024

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 Cory Tierney (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for resident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on October 25, 2023.
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) provides, in part, the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
4. Following a review of public records, and a review of materials submitted by Applicant in support of Applicant’s application, the Commissioner, being fully advised, now hereby notifies Applicant that Applicant has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(6) due to Applicant being convicted of the following felonies:

- a. July 7, 2017 Resisting Law Enforcement, a Level 6 Felony;
 - b. January 26, 2022 Domestic Battery committed in the presence of a child less than 16 years old, a Level 6 Felony;
 - c. January 26, 2022 Invasion of Privacy, a Level 6 Felony;
 - d. January 26, 2022 Resisting Law Enforcement, a Level 6 Felony;
 - e. January 26, 2022 Invasion of Privacy, a Level 6 Felony; and
 - f. June 2, 2023 Invasion of Privacy, a Level 6 Felony.
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 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 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.

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 having been convicted of six (6) felonies. Applicant may reapply for licensure not less than one (1) year from the date of this order.

Jan 16, 2024
Date Signed

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

Distribution to:

Cory Tierney
218 S 1st St
Decatur, IN 46733

Samantha Aldridge, Attorney
ATTN: Sara Tolliver, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-8687, fax 317 234-2103

Indiana Department of Insurance – CONFIDENTIAL AND PRIVILEGED
Enforcement Division

To: Ronda Ankney, Chief Deputy Commissioner
Cc: Samantha Aldridge, Attorney
From: Sara Tolliver, Enforcement Investigator
Date: January 16, 2024

Re: Cory Tierney (“Applicant”)
Cause No.: 22892-AD23-1117-044

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 convictions.

Issue:

Whether a resident producer applicant, who is convicted of six (6) felonies, should be denied licensure.

Facts:

Applicant applied for an Indiana resident producer license on October 25, 2023. Applicant disclosed the following misdemeanor convictions which all occurred in the State of Indiana:

- a. July 7, 2017 Possession of Marijuana, a Class B Misdemeanor.
- b. October 31, 2017 Resisting Law Enforcement, a Class A Misdemeanor..
- c. March 20, 2020 Invasion of Privacy, a Class A Misdemeanor.
- d. March 23, 2020 Domestic Battery, a Class A Misdemeanor.
- e. March 23, 2020 Interference with Reporting of a Crime, a Class A Misdemeanor.
- f. November 18, 2020 Possession of Marijuana, a Class A Misdemeanor.

Applicant disclosed the following felonies which all occurred in the State of Indiana:

- a. July 7, 2017 Resisting Law Enforcement, a Level 6 Felony.
- b. January 26, 2022 Domestic Battery committed in the presence of a child less than 16 years old, a Level 6 Felony.
- c. January 26, 2022 Invasion of Privacy, a Level 6 Felony.
- d. January 26, 2022 Resisting Law Enforcement, a Level 6 Felony.
- e. January 26, 2022 Invasion of Privacy, a Level 6 Felony.
- f. June 2, 2023 Invasion of Privacy, a Level 6 Felony.

Mitigating/Aggravating Factors:

The Enforcement Division believes denying Applicant's application is appropriate because: 1) Applicant was convicted of six (6) felonies within the last six (6) years 2) Applicant is currently on probation 3) Applicant was convicted of six (6) misdemeanors within the last six (6) years.

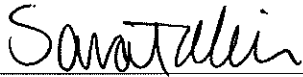
Analysis:

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 application is appropriate due to Applicant's six (6) felony convictions.

Recommendation

We request that the Commissioner approve the Preliminary Administrative Order and Notice of License Denial, which denies a resident producer's application due to Applicant's felony convictions.



Sara Tolliver, Enforcement Investigator