



**ISSUED:**  
December 2,  
2024

STATE OF INDIANA  
OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

**Curtis Steger,  
Petitioner,**

**Administrative Case Number: DOI-2409-002519**

**v.**

**Agency Number: 23670-AD24-0919-040**

**Department of Insurance,  
Respondent.**

### **FINAL ADMINISTRATIVE DECISION**

The Administrative Law Judge (ALJ) Vanessa Voigt Gould, having heard the evidence and arguments presented in this matter, now issues this Final Order addressing the decision by the Department of Insurance (DOI) to deny Petitioner Curtis Steger's application for a resident insurance producer license. This decision is favorable to Respondent, the DOI. Any party dissatisfied with this decision may appeal. Appeal instructions are at the end of this document.

#### **Jurisdiction**

The ALJ assigned to this matter by the Director of the Office of Administrative Law Proceedings (OALP), *see* Ind. Code § 4-15-10.5-13, has jurisdiction over this case pursuant to Indiana Code § 4-15-10.5-12, which gives OALP jurisdiction over agency administrative actions subject to the Indiana Administrative Orders and Procedures Act at Indiana Code Art. 4-21.5 (AOPA) or "any other statute that requires or allows the office to take action." The OALP has jurisdiction over this case because this case is governed by AOPA.

#### **Issue**

The issue in this case is whether the DOI's denial of the Petitioner's application for a resident insurance producer license was reasonable.

#### **Procedural History**

1. On September 12, 2024, Petitioner sent a written request for a hearing on the denial of his application for a resident insurance producer license to the DOI.

2. On September 23, 2024, a Petition for Review seeking a hearing on the denial of Petitioner's application was filed with the OALP, and OALP assigned an ALJ to conduct the hearing.
3. A videoconference evidentiary hearing was conducted in this matter using the Zoom platform on October 28, 2024. Petitioner was represented by Attorney Casey Stafford. Respondent was represented by Attorney Joseph Bossinger.
4. Petitioner, Mr. J.C. Steger, and Ms. Sara Tolliver - Senior Investigator with the DOI - provided sworn testimony at the evidentiary hearing.
5. The following Exhibits were offered by Petitioner and admitted into evidence at the evidentiary hearing:
  - a. Petitioner's Exhibit 1, October 15, 2024, Progress Report from Parole Officer Felabom (1 page), admitted over timely objections as to relevancy and hearsay made by Respondent.
  - b. Petitioner's Exhibit 2, Affidavit of Bradley Steger (1 page), admitted over timely objections as to relevancy and hearsay made by Respondent.
6. The following Exhibits were offered by the Respondent and admitted into evidence at the evidentiary hearing:
  - a. Respondent's Exhibit A, Application for licensure dated June 16, 2017 (7 pages), admitted without objection.
  - b. Respondent's Exhibit B, Chronological Case Summary for 49G04-1812-F5-043852 (18 pages), admitted without objection.
  - c. Respondent's Exhibit C, Application for licensure dated July 17, 2024 (7 pages), admitted without objection.
  - d. Respondent's Exhibit D, Abstract of Judgment for 49G04-1812-F5-043852 (2 pages), admitted without objection.
  - e. Respondent's Exhibit E, Information for 49G04-1812-F5-043852 (3 pages), admitted without objection.

### **Findings of Fact**

1. Petitioner was initially issued a resident insurance producer license – license number 3249278 - on June 15, 2017. Testimony of Petitioner, Respondent's Exhibit A.
2. Petitioner's license remained active until July 31, 2019, when he failed to renew. Testimony of Petitioner, Testimony of Sara Tolliver.

3. On September 1, 2018, a criminal prosecution was initiated against the Petitioner consisting of six felony charges. Specifically, Petitioner was charged with four counts of child seduction as level five felonies, one count of child seduction as a level 6 felony, and one count of child exploitation as a level five felony in Marion County, Indiana under Cause No. 49G04-1812-F5-043852. Testimony of Petitioner, Testimony of Sara Tolliver, Respondent's Exhibits B and E.
4. An initial hearing was conducted on these felony charges on December 14, 2018. Testimony of Petitioner, Testimony of Sara Tolliver, Respondent's Exhibit B.
5. Petitioner did not report the criminal prosecution to the DOI within thirty (30) days of his initial hearing. Testimony of Petitioner, Testimony of Sara Tolliver.
6. Petitioner did not report the criminal prosecution to the DOI because he was unaware he needed to and at that time was focused on hiring an attorney and preparing his defense in response to the criminal charges that had been levied against him. Testimony of Petitioner.
7. On June 3, 2019, Petitioner plead guilty to one count of child seduction as a level five felony, one count of child seduction as a level six felony, and one count of child exploitation as a level five felony. His remaining charges were dismissed pursuant to the plea agreement he entered into with the State of Indiana. Testimony of Sara Tolliver, Respondent's Exhibits B and D.
8. Petitioner was sentenced to six years executed time in the Indiana Department of Correction. Respondent's Exhibits B and D.
9. Petitioner ultimately served five years of the executed part of his sentence at New Castle Correctional Facility (New Castle) beginning on June 3, 2019, and ending on March 13, 2024. Testimony of Petitioner.
10. During his incarceration at New Castle Petitioner participated in many programs and had no disciplinary complaints. Testimony of Petitioner.
11. Petitioner was released from New Castle Correctional Facility to parole on March 13, 2024. Testimony of Petitioner.
12. Petitioner will remain on parole through October of 2025, at which point he will then be placed on probation for a period of three years. Testimony of Petitioner.
13. Petitioner has been successful in complying with the stipulations of his parole to date. Testimony of Petitioner, Petitioner's Exhibit 1.

14. Petitioner is currently employed at his father JC Steger's company – The Advocate Companies - in an administrative capacity. Testimony of Petitioner and Testimony of JC Steger.
15. Petitioner works remotely from the same location as his father. Testimony of Petitioner. Testimony of JC Steger.
16. Petitioner is supervised in his work by his father on a daily basis. Testimony of Petitioner. Testimony of JC Steger.
17. Petitioner's uncle, Bradley Steger, also provides supervision of Petitioner's work for the Advocate Companies. Testimony of JC Steger, Petitioner's Exhibit 2.
18. Petitioner has a large support system, including his family and friends, who want to see him succeed in reestablishing himself in both his personal and professional life. Testimony of JC Steger, Petitioner's Exhibit 2.
19. On July 16, 2024, Petitioner submitted an application for a new resident insurance producer license to the DOI (July 2024 Application). Testimony of Sara Tolliver, Respondent's Exhibit C.
20. Petitioner disclosed his 2019 criminal convictions on his July 2024 Application. This was the first time DOI was made aware of criminal prosecution against the Petitioner. Testimony of Petitioner, Testimony of Sara Tolliver, Respondent's Exhibit C.
21. Petitioner's July 2024 Application was initially denied due to a clerical error. Testimony of Sara Tolliver.
22. Upon discovering the clerical error, the DOI conducted further investigation related to Petitioner's July 2024 Application and his qualifications for licensure. Testimony of Sara Tolliver.
23. On September 23, 2024, the DOI issued a Preliminary Written Order and Notice of License Denial to Petitioner. Testimony of Sara Tolliver.
24. The September 23, 2024 Preliminary Written Order and Notice of License Denial was later amended and an Amended Preliminary Written Order and Notice of License Denial issued on September 26, 2024. Testimony of Sara Tolliver.

#### **Conclusions of Law**

1. This matter is properly before the ALJ pursuant to Indiana Code § 4-21.5.

2. The DOI is responsible for licensing insurance producers who practice in the State of Indiana. Ind. Code § 27-1-15.6
3. Prior to issuing licensure for insurance producers, the DOI must find that each individual applicant meets the statutory requirements codified at Ind. Code § 27-1-15.6-6 and § 27-1-15.6-12.
4. OALP has jurisdiction over both the subject matter and the parties to this action and is the ultimate authority. Ind. Code § 27-1-15.6-12(d); Ind. Code §§ 4-15-10.5-12 and 13.
5. The evidentiary hearing in this matter was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code. Ind. Code § 4-21.5-3., Ind. Code § 27-1-15.6-12(d).
6. The person requesting an agency act has the burden of persuasion and the burden of going forward. Ind. Code § 4-21.5-3-14(c). Petitioner sought licensure from the DOI and thereby requested that the DOI act, as such Petitioner bears the burden of persuasion and the burden of proof in this matter.
7. Proceedings held before an ALJ are *de novo*, which means the ALJ does not—and may not—defer to an agency’s initial determination. Ind. Code § 4-21.5-3-14(d); *Ind. Dep’t of Natural Res. v. United Refuse Co., Inc.*, 615 N.E.2d 100, 104 (Ind. 1993). Instead, in its role as factfinder, the ALJ must independently weigh the evidence in the record and may base findings and conclusions only upon that record. *Id.* At a minimum, the ALJ’s findings “...must be based upon the kind of evidence that is substantial and reliable.” Ind. Code § 4-21.5-3-27(d). “[S]ubstantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support the decision...” *St. Charles Tower, Inc. v. Bd. of Zoning Appeals*, 873 N.E.2d 598, 601 (Ind. 2007).
8. Pursuant to Indiana Code § 27-1-15.6-12(b)(2)(A) the Commissioner of the DOI may refuse to issue an insurance producer license to an individual if that individual is found to have violated an insurance law.
9. Indiana Code § 27-1-15.6-17(b) is an insurance law that 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.”
10. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner denies an application for licensure license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal and that the applicant/licensee may – within 63 days after said notice – make a “written demand to the commissioner for a hearing before the commissioner to determine the reasonableness of the commissioner's action. The hearing shall be held not more than thirty (30) days after the applicant or licensee makes the written demand and shall be conducted under IC 4-21.5.”

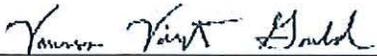
11. "A longstanding legal principle presumes that citizens know the law and must obey it—on pain of losing their lives, liberty, or property for noncompliance. '[B]ecause we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly.' *Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972). An ancient legal maxim, phrased in the obligatory Latin (*ignorantia juris non excusat*), admonishes that ignorance of the law is no excuse." See *Bellwether Properties, LLC v. Duke Energy Indiana, Inc.*, 87 N.E.3d 462, 467 (Ind. 2017) citing *Cotton v. Commonwealth Loan Co.*, 206 Ind. 626, 632, 190 N.E. 853, 856 (1934).
12. At the time Petitioner was charged with five felony counts of child seduction under Cause No. 49D30-1812-F5-043852, Petitioner held a resident producers license and was therefore required to comply with all insurance laws. Specifically, under Indiana Code § 27-1-15.6-17(b), Petitioner was required to report any criminal prosecution to the DOI within thirty (30) days of the initial hearing date. The fact that Petitioner was unaware of this requirement is no excuse.
13. Petitioner failed to report the criminal prosecution proceeding against him to the DOI within thirty (30) days of his initial hearing as required by law and in doing so, violated an insurance law. Specifically, Petitioner violated Indiana Code § 27-1-15.6-17(b). The DOI has authority to deny his application for an insurance producer license for this violation.
14. Furthermore, Indiana Code § 27-1-15.6-12(b)(6) provides that the Commissioner of the DOI may refuse to issue an insurance producer license to an individual if that individual has been convicted of a felony.
15. The DOI has discretion to properly deny the issuance of an insurance producer's license based upon prior felony conviction(s), although the conviction(s) are not crime(s) of dishonesty or related to the performance of insurance producer duties. *Grundy v. Indiana Department of Insurance*, Ind. App. 2024, 231 NE3d 841. Additionally, an insurance producer license may be denied regardless of whether the applicant has undergone rehabilitation, has a viable support system, or will be supervised in his employment. *Id.*
16. Petitioner was convicted of multiple felonies on June 3, 2019. Petitioner successfully completing his executed sentence, currently complying with parole, having a support system, and being supervised in his daily work do not negate the fact that the DOI has the authority and was within its discretion to deny Petitioner's application for an insurance producer license because he has been convicted of multiple felonies. Accordingly, the DOI's denial of Petitioner's application was reasonable.

17. Petitioner has failed to demonstrate by evidence that is substantial and reliable that the DOI's denial of his July 2024 Application was unreasonable and has therefore failed to satisfy the requisite burden of proof in this matter.
18. For all of these reasons, the DOI's Preliminary Order denying the Petitioner's July 2024 Application for a resident insurance producer license is affirmed.

### Decision and Order

In consideration of the foregoing, Findings of Fact and the Conclusions of Law, the ALJ finds in favor of the DOI. The DOI's denial of the Petitioner's application for a resident insurance producer license was reasonable and is hereby AFFIRMED.

So Ordered: December 2, 2024



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Hon. Vanessa Voigt Gould  
Administrative Law Judge  
Indiana Office of Administrative Law Proceedings

## Appeal Rights

A person who wishes to seek judicial review of this final determination must file a petition for review in an appropriate court within 30 days of the date this Order was served. See Ind. Code § 4-21.5-5-5. Guidance for calculating deadlines may be found at Ind. Code § 4-21.5-3-2.

Other requirements for a petition for judicial review may be found at Ind. Code Ch. 4-21.5-5. A petition for judicial review must be served on the Office of Administrative Law Proceedings at [oyalp@oyalp.in.gov](mailto:oyalp@oyalp.in.gov) to ensure the Office prepares the record that will be filed in the court presiding over the judicial review.

### Distribution:

**Petitioner:** Curtis Steger served by email to counsel at [cstafford@k-glaw.com](mailto:cstafford@k-glaw.com)

**Respondent:** Department of Insurance served by counsel Joseph Bossinger via email at [JBossinger@idoi.in.gov](mailto:JBossinger@idoi.in.gov)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 23670-AD24-0919-040

IN THE MATTER OF: )  
 )  
Curtis Stanley Steger )  
4839 Mallard View Lane )  
Indianapolis, IN 46226 )  
 )  
Applicant. )  
 )  
Type of Agency Action: Enforcement )  
 )  
License Application #: 1158967 )

**FILED**  
SEP 26 2024  
State of Indiana  
Department of Insurance

**AMENDED 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 Curtis Stanley Steger (“Applicant”) of the following Administrative Order:

1. Applicant initially submitted an application for resident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on June 15, 2017, which was granted under license number 3249278 on June 16, 2017, and remained active until July 31, 2019, when Applicant failed to renew.
2. Applicant submitted an application for resident producer licensure with the Commissioner on July 16, 2024, which was denied due to a clerical error.
3. Indiana Code § 27-1-15.6-12(d) states, in part, if the Commissioner denies an application for a license, the Commissioner shall notify the applicant and advise the applicant, in a

writing sent through regular first class mail, of the reason for the denial of the applicant's application. This Order serves as that notice.

4. 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.
5. Indiana Code § 27-1-15.6-12(b)(2)(A), provides, in part, that the Commissioner may refuse to issue an insurance producer license for violating an insurance law.
6. Indiana Code § 27-1-15.6-17(b), is an insurance law, which states in part, that 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.
7. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
8. Following a review of public records and the materials submitted by Applicant, 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)(2) and 27-1-15.6-12(b)(6) due to the following violations:

- a. Applicant's failure to timely notify the Department of the initiation of Applicant's December 13, 2018, criminal prosecution for five (5) counts of Child Seduction in Marion County, Indiana, under Cause Number 49D30-1812-F5-043852 not more than thirty (30) days after an initial pretrial hearing date; and

- b. Applicant's June 3, 2019, convictions for two (2) counts of Child Seduction, both Level 5 Felonies, and Child Exploitation, a Level 5, in Marion County, Indiana, under Cause Number 49D30-1812-F5-043852.
9. 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.
10. This is considered an agency 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** due to Applicant's failure to timely notify the Department of a criminal prosecution and for having been convicted of a felony.

9/26/2024  
Date Signed

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

Distribution:

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STATE OF INDIANA )  
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3. Indiana Code § 27-1-15.6-12(d) states, in part, if the Commissioner denies an application for a license, the Commissioner shall notify the applicant and advise the applicant, in a

writing sent through regular first class mail, of the reason for the denial of the applicant's application. This Order serves as that notice.

4. 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.
5. Indiana Code § 27-1-15.6-12(b)(1) states, in part, the Commissioner may refuse to issue an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
6. Indiana Code § 27-1-15.6-12(b)(2)(A), provides, in part, that the Commissioner may refuse to issue an insurance producer license for violating an insurance law.
7. Indiana Code § 27-1-15.6-17(b), is an insurance law, which states in part, that 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. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
9. Following a review of public records and the materials submitted by Applicant, 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)(1), 27-1-15.6-12(b)(2), and 27-1-15.6-12(b)(6) due to the following violations:
  - a. Applicant's failure to disclose, on Applicant's June 15, 2017, and July 16, 2024, applications, an April 26, 2015, Diversion Agreement for Illegal Possession of an Alcoholic Beverage, a Class C Misdemeanor, in Monroe County, Indiana, under Cause Number 53C05-1504-CM-001138;

- b. Applicant's failure to timely notify the Department of the initiation of Applicant's December 13, 2018, criminal prosecution for five (5) counts of Child Seduction under Cause Number 49D30-1812-F5-043852 not more than thirty (30) days after an initial pretrial hearing date; and
  - c. Applicant's June 3, 2019, convictions for two (2) counts of Child Seduction, both Level 5 Felonies, and Child Exploitation, a Level 5, in Marion County, Indiana, under Cause Number 49D30-1812-F5-043852.
10. 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.
11. This is considered an agency 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** due to Applicant's failure to disclose a Diversion Agreement on two (2) applications, failure to

timely notify the Department of a criminal prosecution, and for having been convicted of a felony.

9.23.2024  
Date Signed

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

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