

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JAN 30 2009

STATE OF OKLAHOMA, ex rel. KIM
HOLLAND, Insurance Commissioner,

Petitioner

v.

FRANCISCO GONZALEZ, a licensed
producer in the State of Oklahoma,

Respondent.

INSURANCE COMMISSIONER
OKLAHOMA

Case No. 08-1673-DEN

ORDER DENYING LICENSE RENEWAL

This matter is a denial proceeding under the Oklahoma Producer Licensing Act. 36 O.S. §§ 1435.1 et seq. The Oklahoma Insurance Department notified Respondent on December 12, 2008 that his renewal license was denied for having been convicted of a felony. 36 O.S. § 1435.13(A)(6). Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter.

A hearing was held before the undersigned Hearing Examiner on January 29, 2009. Petitioner appeared by counsel Julie Delluomo. Respondent appeared without counsel. Respondent was sworn and testified, exhibits were presented and argument of counsel heard.

FINDINGS OF FACT

1. Respondent plead guilty to the felony federal crime of Importation or Transportation of Obscene Matters, 18 U.S.C. § 1462(a) on August 14, 2008, in the Western District Court of Oklahoma. Respondent received three years probation as his sentence.

2. Respondent applied for renewal of his producer license on October 31, 2008. Respondent acknowledged on his producer renewal application that he had been convicted of a felony since the last renewal and provided a copy of his Judgment in Criminal Case No. CR-07-48-001-D (Exhibit A). Respondent also provided a written explanation concerning his felony conviction (Exhibit B).

3. Respondent's application for renewal was denied on December 10, 2008. Petitioner received and filed Respondent's written request for an administrative hearing on the matter of the denial on December 23, 2008. A Notice of Hearing set for January 29, 2009 was filed on December 30, 2008 and the Hearing was held on that date.

CONCLUSIONS OF LAW

Respondent violated 36 O.S. § 1435.13(A)(6), having been convicted of a felony.

ORDER

IT IS THEREFORE ORDERED THAT THE RENEWAL OF THE PRODUCER LICENSE OF RESPONDENT FRANCISCO GONZALEZ IS HEREBY DENIED.

Done this 29th day of January 2009.


Leamon Freeman, Hearing Examiner
Oklahoma Insurance Department
2401 N. W. 23rd Street, Suite 28
P. O. Box 53408
Oklahoma City, OK 73152-3408

CERTIFICATE OF SERVICE

I certify that on the 30th day of January, 2009, a copy of this Final Order was sent by U.S. mail to:

Francisco Gonzalez
333 N.W. 5th, #1505
Oklahoma City, OK 73102



Julie Delluomo