

No. 2023-7858

**Official Order  
of the  
Texas Commissioner of Insurance**

**Date:** 03/22/2023

**Subject Considered:**

Chadley Ray Holland

[REDACTED]  
Carrollton, Texas 75010

Default Order  
SOAH Docket No. 454-23-11174.C  
TDI Enforcement File No. 30301

**General remarks and official action taken:**

The subject of this default order is whether an insurance adjuster license should be issued to Chadley Ray Holland (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance (department). This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On February 3, 2023, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED]

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██████████, Carrollton, Texas 75010. The Notice of Hearing and Original Petition were also sent by electronic mail.

4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

## Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, and 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. The department provided proper notice of the hearing under TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.89.

## Order

It is ordered that Chadley Ray Holland's application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:  
  
FC5D7EDDFFBB4F8...

\_\_\_\_\_  
Cassie Brown  
Commissioner of Insurance

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Commissioner's Order

Chadley Ray Holland

SOAH Docket No. 454-23-11174.C

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Prepared and reviewed by:

*/s/ Jeannie Ricketts*

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Jeannie Ricketts, Staff Attorney  
Enforcement

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Commissioner's Order  
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## Affidavit

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §

Before me, the undersigned authority, personally appeared David Moreno, who, being by me duly sworn, deposed as follows:

"My name is David Moreno and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Chadley Ray Holland. I have confirmed that:

- a. The last mailing address provided to the department in writing by Chadley Ray Holland is [REDACTED], Carrollton, Texas 75010.
- b. The file maintained by Enforcement contains a Notice of Hearing dated February 3, 2023, and an Original Petition, which were filed with the State Office of Administrative Hearings.
- c. On February 3, 2023, the Notice of Hearing and Original Petition addressed to Chadley Ray Holland were mailed first-class and certified, return receipt requested, to his last known address.

Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit C and Exhibit D, respectively."

DocuSigned by:

*David Moreno*

83320CE8F5D8495...

Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 3/8/2023. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
\_\_\_\_\_  
Notary Public State of Texas

ACCEPTED **2023-7858**

454-23-11174  
2/3/2023 8:32:03 am  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Kevin Garza, CLERK

FILED  
454-23-11174  
2/3/2023 8:31 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Kevin Garza, CLERK

**SOAH DOCKET NO. 454-23-11174.C**  
**TDI ENFORCEMENT FILE NO. 30301**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**CHADLEY RAY HOLLAND,**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**

**NOTICE OF HEARING**

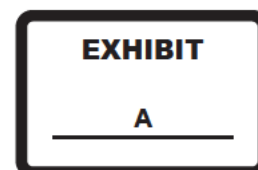
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Thursday, April 27, 2023, at 9 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

**Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.**

**YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**



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**IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

**IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.**

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) *(by mail, fax, or electronically)*  
Docketing Division  
State Office of Administrative Hearings  
300 West 15th Street, Room 504  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 322-2061 (Fax);  
[www.soah.texas.gov](http://www.soah.texas.gov)
  
- (2) *(by mail, fax, or email)*  
Chief Clerk  
Texas Department of Insurance  
P.O. Box 12030, MC GC-CCO  
Austin, Texas 78711-2030  
(512) 490-1064 (Fax)  
[chiefclerk@tdi.texas.gov](mailto:chiefclerk@tdi.texas.gov); and
  
- (3) *(by mail, fax, or email)*  
Jeannie Ricketts, Staff Attorney  
Texas Department of Insurance  
Enforcement, MC ENF

## **2023-7858**

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Chadley Ray Holland  
SOAH Docket No. 454-23-11174.C  
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P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
jeannie.ricketts@tdi.texas.gov

### **Receiving Documents Electronically and Filing Documents with SOAH**

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: [www.soah.texas.gov](http://www.soah.texas.gov).

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits are on SOAH's website. SOAH's website also includes guidance for representing yourself.

### **Important Security Notice** (for In-Person Hearings ONLY)

**ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.**



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Chadley Ray Holland  
SOAH Docket No. 454-23-11174.C  
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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

*/s/ Jeannie Ricketts*

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Jeannie Ricketts  
State Bar No. 24041774  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6336 (Direct)  
(512) 490-1020 (Fax)  
Jeannie.Ricketts@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC ENF  
Whitney Fraser, Litigation Director, Enforcement, MC ENF  
Administrative Review, MC CO-AAL

# 2023-7858

Notice of Hearing  
Chadley Ray Holland  
SOAH Docket No. 454-23-11174.C  
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## CERTIFICATE OF SERVICE

I, Jeannie Ricketts, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by regular, first-class mail and by certified mail, return receipt requested, on this 3rd day of February 2023 to:

Chadley Ray Holland  
[REDACTED]  
Carrollton, Texas 75010  
*Respondent Pro Se*

*Via CM/RRR No.:* 9214 8901 9403 8303 1998 78

*Via Email*

*/s/ Jeannie Ricketts*

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Jeannie Ricketts

**2023-7858**

SOAH DOCKET No. 454-23-11174

FILED  
454-23-11174  
1/30/2023 4:08 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NO. 30301**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

**CHADLEY RAY HOLLAND,**

**Respondent**

**BEFORE THE STATE OFFICE**

ACCEPTED  
454-23-11174  
1/30/2023 5:30:20 pm  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**OF**

**ADMINISTRATIVE HEARINGS**

**ORIGINAL PETITION**

The Texas Department of Insurance (TDI) seeks to deny Chadley Ray Holland’s insurance adjuster license application. In support of this petition, TDI makes the following allegations upon information and belief:

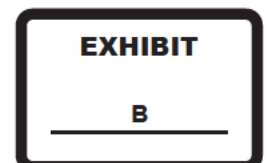
**Jurisdiction**

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4101.051; TEX. GOV’T CODE §§ 2001.051-2001.178; TEX. OCC. CODE §§ 53.021-53.023; and 28 TEX. ADMIN. CODE § 1.502.

**Factual Allegations**

License Application:

1. Chadley Ray Holland (Holland) applied for an insurance adjuster license on March 4, 2022, and disclosed a criminal history.
2. On March 7, 2022, TDI requested that Holland provide certified copies of his court documents for all of his offenses. To date, Holland has not provided TDI with all criminal offense records.
3. On July 5, 2022, TDI proposed to deny his application based on his criminal history. On August 5, 2022, Holland requested a hearing in response to TDI’s proposed license denial.



Criminal History:

*Assault by Contact/Threat*

4. On January 8, 2015, in case no. 005-87405-2013, in Collin County Court at Law no. 5 in Texas, Holland pleaded guilty to Class C misdemeanor assault by contact/threat.<sup>1</sup> The court deferred his jail sentence to time served. It also ordered him to pay a \$300 fine, court costs, and to avoid contact with the victim.

*Aggravated Assault with a Dangerous Weapon:*

5. On January 30, 2017, in case no. CR 1501141, in the Fifth Judicial Circuit Court, Brown County, South Dakota, Holland pleaded guilty to aggravated assault with a dangerous weapon. The court suspended his sentence and placed him on probation for six years. It also ordered him to pay \$604 in fines and costs and to serve 120 days in jail (90 days' time served credit and time off for work and school).
6. On February 8, 2017, Holland violated his probation by testing positive for methamphetamine and carrying a concealed knife to a court meeting.
7. On July 10, 2017, the court revoked Holland's probation based on those violations at which point he was convicted. It ordered him to serve 10 years in prison with four years suspended. It credited him with 232 days served and reimposed prior fines and costs. The court also ordered the South Dakota Board of Pardons and Parole to supervise him for any suspended portion of his sentence. Holland obtained an early release from prison on August 16, 2019.
8. On September 4, 2019, Holland transferred his parole to the Texas Board of Pardons and Parole in Austin where he remains on parole.
9. In three prior proposals for decision in TDI contested cases, SOAH judges held that aggravated assault constitutes fraudulent and dishonest conduct, as referred to in TEX. INS. CODE § 4005.101(b)(5).<sup>2</sup> In the *Barmore* and *Iglesias* PFDs, the judges

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<sup>1</sup> TEX. PEN. CODE § 22.01(a)(3).

<sup>2</sup> See e.g., 2011 WL 761704, *In Regard to the Application of Eduardo Innocente Iglesias for a General Life, Accident, and Health License* (Feb. 23, 2011) and 2008 WL 961932 *In Re: Application of James David Barmore* (Apr. 3, 2008); see also 2008 WL 3876873 *In Re: Application by Keri Latoya Birdow for Registration as an Insurance Adjuster Trainee* (Aug. 15, 2008).

determined that aggravated assault can directly relate to the duties and responsibilities of the licensed occupation under 28 TEX. ADMIN. CODE § 1.502.

**Legal Allegations**

1. Holland engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5), 28 TEX. ADMIN. CODE § 1.502(e)(1), and prior SOAH decisions.
2. Holland has been convicted of a felony as contemplated by TEX. INS. CODE § 4005.101(b)(8), 28 TEX. ADMIN. CODE § 1.502, and TEX. OCC. CODE §§ 53.021-53.023.
3. Holland committed offenses against the person as contemplated by TEX. OCC. CODE § 53.025 and 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).
4. Under TEX. OCC. CODE § 53.025 and 28 TEX. ADMIN. CODE § 1.502(e)(4)(B), Holland committed assault, an offense of such a serious nature that TDI considers it of prime importance in determining fitness for licensure.
5. TDI guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize the department:
  - a. considers it very important that applicants be honest, trustworthy, and reliable;
  - b. may refuse to issue an original license if the department determines that the applicant has committed a felony or has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation; and
  - c. considers the felony offense of assault to be offenses of such a serious nature that they are of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).

**Relief Sought**

If one or more of the above allegations is found to be true, the department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

1. denying Holland's license application and

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Original Petition  
Chadley Ray Holland  
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2. granting any other just and appropriate relief to which the Department may be entitled to by law.

Respectfully Submitted,

*/s/Jeannie Ricketts*

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Jeannie Ricketts  
State Bar No. 24041774  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6336 (Direct)  
(512) 490-1020 (Fax)  
Jeannie.Ricketts@tdi.texas.gov  
SBN: 24041774

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

**2023-7858**

**Automated Certificate of eService**

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Jeannie Ricketts  
Bar No. 24041774  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 72282355  
Status as of 1/30/2023 5:33 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	1/30/2023 4:08:01 PM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	1/30/2023 4:08:01 PM	SENT
Jeannie Ricketts		Jeannie.Ricketts@tdi.texas.gov	1/30/2023 4:08:01 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	1/30/2023 4:08:01 PM	SENT

Associated Case Party: Chadley Ray Holland

Name	BarNumber	Email	TimestampSubmitted	Status
Chadley Ray Holland		[REDACTED]	1/30/2023 4:08:01 PM	SENT

**2023-7858**

**Automated Certificate of eService**

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Jeannie Ricketts  
Bar No. 24041774  
Enforcementgeneral@tdi.texas.gov  
Envelope ID: 72401354  
Status as of 2/3/2023 8:32 AM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT
Jeannie Ricketts		Jeannie.Ricketts@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT
Catarina Tapia		Catarina.Tapia@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	2/3/2023 8:31:10 AM	SENT

Associated Case Party: Chadley Ray Holland

Name	BarNumber	Email	TimestampSubmitted	Status
Chadley Ray Holland		[REDACTED]	2/3/2023 8:31:10 AM	SENT





2023-7858



# Shipment Confirmation Acceptance Notice

## A. Mailer Action

**Note to Mailer:** The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 02/03/2023

Shipped From:

Name: MC ENF M RUIZ

Address: 1601 CONGRESS AVENUE SUITE 6 900

City: AUSTIN

State: TX ZIP+4® 78711

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

## B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.  
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0042 1508 47

**EXHIBIT**

**D**



Name and Address of Sender  
MC ENF M RUIZ  
TEXAS DEPARTMENT OF INSURANCE  
1601 CONGRESS AVENUE, SUITE 6.900  
AUSTIN TX 78711

- Check type of mail or service
- Adult Signature Required
  - Adult Signature Restricted Delivery
  - Certified Mail
  - Certified Mail Restricted Delivery
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail
  - Priority Mail Express
  - Registered Mail
  - Return Receipt for Merchandise
  - Signature Confirmation
  - Signature Confirmation Restricted Delivery

Affix Stamp Here  
(for additional copies of this receipt).  
Postmark with Date of Receipt.

USPS Tracking/Article Number

1. 9214 8901 9403 8303 1998 78

CHADLEY RAY HOLLAND  
[REDACTED]  
CARROLLTON, TEXAS 75010

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.08	4.15	Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

2023-7858

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: [Blank]

Postmaster: Per (Name of receiving employee)