

No. 2022-7263

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

**Date:** 03/09/2022

**Subject Considered:**

Ashley Nichole Seideman  
[REDACTED]  
Amarillo, Texas 79102

Default Order  
SOAH Docket No. 454-22-1189  
TDI Enforcement File No. 26759

**General remarks and official action taken:**

The subject of this default order is whether a general lines agent license should be issued to Ashley Nichole Seideman (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. 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 2, 2022, the department filed a First Amended Notice of Hearing, attached as Exhibit A, and an Original Petition filed as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached First Amended Notice of Hearing and Original Petition are incorporated in this order as findings of fact.

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3. The department sent the First Amended Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED], [REDACTED], Amarillo, Texas 79102.
4. Respondent failed to file a written response to the First Amended 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, 4005.101, 4005.102, and 4054.051; 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.

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## Order

It is ordered that Ashley Nichole Seideman'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:  
  
FC5D7EDDFFB84F8... \_\_\_\_\_  
Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:

/s/ Patrick Quigley  
Patrick Quigley, Staff Attorney  
Enforcement Division

# 2022-7263

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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 Ashley Nichole Seideman. I have confirmed that:

- a. The last mailing address provided to the department in writing by Ashley Nichole Seideman is [REDACTED], Amarillo, Texas 79102.
- b. The file maintained by the Enforcement Division contains a First Amended Notice of Hearing and Original Petition dated February 2, 2022, which were filed with the State Office of Administrative Hearings.
- c. On February 2, 2022, the First Amended Notice of Hearing and Original Petition addressed to Ashley Nichole Seideman were mailed first-class and certified, return receipt requested, to her last known address.

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

DocuSigned by:  
  
37C9391DA92F47F...  
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 2/25/2022. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...

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Notary Public State of Texas

**2022-7263**FILED  
454-22-1189  
2/2/2022 8:13 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK**EXHIBIT****A****SOAH DOCKET NO. 454-22-1189  
TDI ENFORCEMENT FILE NO. 26759**ACCEPTED  
454-22-1189  
2/2/2022 8:50 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK**TEXAS DEPARTMENT OF INSURANCE,****Petitioner****v.****ASHLEY NICHOLE SEIDEMAN,****Respondent****BEFORE THE STATE OFFICE****OF****ADMINISTRATIVE HEARINGS****FIRST AMENDED NOTICE OF HEARING**

The Texas Department of Insurance seeks to deny your license application. This First Amended 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 **Wednesday, March 22, 2022, at 9:00 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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First Amended Notice of Hearing

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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/e-filing-soah](http://www.soah.texas.gov/e-filing-soah)
- (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)*  
Patrick Quigley, Staff Attorney  
Texas Department of Insurance

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Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Patrick.quigley@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 with SOAH. You may file documents with SOAH by mail, fax, or electronically. To file electronically, you must use eFileTexas. Instructions on using eFileTexas 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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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

/s/ Patrick Quigley

Patrick Quigley, Staff Attorney  
State Bar No. 16430320  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6335 (Direct)  
(512) 490-1020 (Fax)  
patrick.quigley@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC ENF  
Ginger Loeffler, Litigation Director, Enforcement Division, MC ENF  
Administrative Review, MC CO-AAL

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First Amended Notice of Hearing

Ashley Nichole Seideman

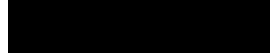
SOAH Docket No. 454-22-1189

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### CERTIFICATE OF SERVICE

I, Patrick Quigley, 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 February 2, 2022 to:

Ashley Nichole Seideman



Amarillo, Texas 79102

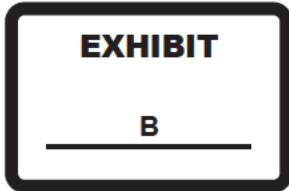
*Respondent Pro Se*

*Via CM/RRR No.: 9214 8901 9403 8365 2739 81*

*/s/ Patrick Quigley*

Patrick Quigley

**2022-7263**



FILED  
454-22-1189  
12/27/2021 11:04 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454- 22-1189**  
**TDI ENFORCEMENT FILE NO. 26759**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

ACCEPTED  
454-22-1189  
12/27/2021 12:05:22 pm  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**v.**

**OF**

**ASHLEY NICHOLE SEIDEMAN,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance (TDI) seeks to deny Ashley Nichole Seideman's (Seideman) license application. In support of this petition, the department 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 4054.051; 28 TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 2001.051-2001.178.

**Factual Allegations**

License Application

1. On October 16, 2020, Seideman applied for a general lines agent license with a life, accident, and health qualification to the department.
2. TDI proposed to deny Seideman's application on December 16, 2020, based on her criminal history. Seideman appealed that decision and made a written request for a hearing.

Criminal History

3. On December 30, 2015, Seideman pled guilty to Credit Card or Debit Card Abuse Elderly, a third-degree felony, in Case No. 71,166-D in the 320th District Court of

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Potter County, Texas. Seideman was placed on four years deferred adjudication. On January 6, 2020, Seideman was discharged from probation. The Court further ordered that the plea be withdrawn and the verdict set aside.

4. On January 12, 2016, Seideman pled guilty to Credit Card or Debit Card Abuse Elderly, a third-degree felony, in Case No. 26193C, in the 251st District Court of Randall County, Texas. Seideman was placed on deferred adjudication for three years. On January 28, 2020, Seideman was discharged from probation. The Court further ordered the plea be withdrawn and the verdict set aside.
5. On June 29, 2016, Seideman pled guilty to misdemeanor Theft Over \$100 and Under \$750, in No. 2016-00174, in the County Court of Deaf Smith County, Texas. Seideman was sentenced to pay a fine of \$200 and was confined in the Deaf Smith County Jail for 30 days.

### Legal Allegations

1. Seideman committed acts for which a license may be denied under TEX. INS. CODE § 4005.101:
  - a. Based on her prior criminal history, she engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
  - b. Seideman is considered to have been convicted of the two felony offenses because she completed the period of supervision less than five years before the date she applied for the license, and after consideration of the factors described by Sections 53.022 and 53.023(a) of the Texas Occupations Code, TDI determined Seideman may pose a continued threat to public safety or employment of her in the licensed occupation would create a situation in which she has an opportunity to repeat the prohibited conduct. TEX. OCC. CODE § 53.021.
2. In accordance with the requirements of Texas Occupations Code § 53.025, the department has developed guidelines relating to the matters which the department will consider in determining whether to grant, deny, suspend, or revoke any license or authorization under its jurisdiction. 28 TEX. ADMIN. CODE § 1.502.

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3. Seideman committed an offense for which fraud, dishonesty, or deceit is an essential element; a felony offense involving moral turpitude; an offense with the essential elements of a theft offense, as described by Penal Code, Chapter 31. 28 TEX. ADMIN. CODE § 1.502(e)(1), (3), and 4(E) and TEX. OCC. CODE §§ 53.021-53.025.
4. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
  - 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 an offense that directly relates to the duties and responsibilities of the licensed occupation; and
  - c. Considers credit card abuse elderly or debit card abuse elderly and theft to each be an offense to be of such a serious nature that they are of prime importance in determining fitness for licensure.

### 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 Seideman's license application; and
2. Imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,

/s/ Patrick Quigley

Patrick Quigley, Staff Attorney

State Bar No. 16430320

Texas Department of Insurance

Enforcement Division, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6335 (Direct)

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Original Petition

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(512) 490-1020 (Fax)

Patrick.quigley@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

2022-7263

EXHIBIT

C



# 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: 02/02/2022

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALUPE ST

City: AUSTIN

State: TX ZIP+4® 78701

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 0034 5121 58

QUIGLEY/26759



Firm Mailing Book For Accountable Mail

Name and Address of Sender

MC 110-1A M RUIZ
TEXAS DEPARTMENT OF INSURANCE
333 GUADALUPE ST
AUSTIN TX 78701

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

USPS Tracking/Article Number

1. 9214 8901 9403 8385 2739 81

QUIGLEY/26759

Addressee (Name, Street, City, State, & ZIP Code TM)

ASHLEY NICHOLE SEIDEMAN
AMARILLO, TEXAS 79102

Affix Stamp Here

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

2022-7263

Table with columns: 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, S Fee. Includes values like 1.56, 3.75, 1.85, and various fee headers.

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)



