

No. 2020-6527

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

Date: 10/28/2020

Subject Considered:

Andre' Le'Non Crawford

[REDACTED]
Houston, TX 77021

Default Order
SOAH Docket No. 454-20-4076.C
TDI Enforcement File No. 23329

General remarks and official action taken:

The subject of this default order is whether a General Lines Life, Accident and Health license should be issued to Andre' Le'Non Crawford (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance or appear at the hearing on the merits. 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 June 24, 2020, 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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Houston, TX 77021. 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.
5. On August 6, 2020, Respondent called in to the prehearing conference in response to Order No. 1 issued on July 20, 2020, to discuss conducting the hearing remotely.
6. On August 25, 2020, the Texas Department of Insurance filed an Amended Notice of Hearing and an Amended Petition with the State Office of Administrative Hearings.
7. The department filed the Amended Notice of Hearing and Amended Petition to update the legal allegations against the Respondent. The date of the hearing remained the same.
8. The department sent the Amended Notice of Hearing and an Amended Petition to Respondent's last known address provided in writing to the department, [REDACTED], [REDACTED], Houston, TX 77021. The Amended Notice of Hearing and Amended Petition were also sent by electronic mail.

Failure to Appear at Hearing on the Merits

9. After receiving proper notice of the date, time, and location of the hearing on the merits, Respondent failed to appear for the hearing on October 12, 2020, as shown in the record in SOAH Docket No. 454-20-4076.C.

Conclusions of Law

1. The commissioner has jurisdiction pursuant to 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 pursuant to TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.

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3. The department provided proper notice of the hearing pursuant to 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 and failure to appear in person or by legal representative at the hearing, the department is entitled to disposition by default pursuant to 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Amended Notice of Hearing and Amended Petition are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

Order

It is ordered that Andre' Le'Non Crawford's application is denied. A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

Commissioner of Insurance

DocuSigned by:

Doug Slape

By: _____

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Doug Slape

Chief Deputy Commissioner

TEX. GOV'T CODE § 601.002

Commissioner's Order No. 2018-5528

Prepared and reviewed by:

L. Merida

Latoya Merida, Staff Attorney
Enforcement Division

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 Andre' Le'Non Crawford. I have confirmed that:

- a. The last mailing address provided to the department in writing by Andre' Le'Non Crawford is [REDACTED], Houston, TX 77021.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated June 24, 2020, which were filed with the State Office of Administrative Hearings.
- c. On June 24, 2020, the Notice of Hearing and Original Petition addressed to Andre' Le'Non Crawford were mailed certified, return receipt requested, to his last known address.

Copies of the certified mail log maintained by the Enforcement Division is attached as Exhibit C."

DocuSigned by:

David Moreno

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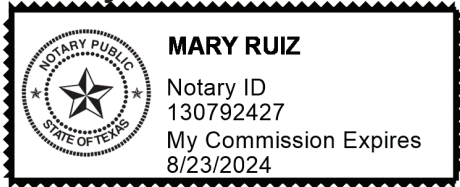
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 10/19/2020. This notarial act was an online notarization.

Notary Seal



Digital Certificate

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

2020-6527

ACCEPTED
454-20-4076
6/24/2020 12:49 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

FILED
454-20-4076
6/24/2020 12:39 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

**SOAH DOCKET NO. 454-20-4076
TDI ENFORCEMENT FILE NO. 23329**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

Andre' Le'Non Crawford

ADMINISTRATIVE HEARINGS

Respondent

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 the **12th day of October, 2020, at 1:00PM.** The hearing will take place at the State Office of Administrative Hearings, located in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas 78701.

The hearing shall be conducted pursuant to 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, 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 PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.

EXHIBIT

A

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Notice of Hearing

Andre' Le'Non Crawford

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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) 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);
- (2) Chief Clerk
Texas Department of Insurance
P.O. Box 149104, MC112-2A
Austin, Texas 78714-9104
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and
- (3) Latoya Merida, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 490-1020 (Fax)
Latoya.merida@tdi.texas.gov

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Receiving Documents

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, www.soah.texas.gov, click on the "E-Services" tab, then click the "Email Service" hyperlink, and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

Important Security Notice

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.

If you have any questions, please contact me at the address or telephone number shown below.

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Respectfully Submitted,

L. Merida

Latoya Merida

State Bar No. 24089625

Texas Department of Insurance

Enforcement Division, MC110-1A

P.O. Box 149104

Austin, Texas 78714-9104

(512) 676-6344 (Direct)

(512) 490-1020 (Fax)

Latoya.merida@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A
Whitney Fraser, Litigation Director, Enforcement Division, MC-110-1A
Administrative Review, MC107-1A

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Notice of Hearing

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CERTIFICATE OF SERVICE

I, Latoya Merida, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by certified mail, return receipt requested and by electronic mail, on this 24th day of June, 2020 to:

Andre Le'Non Crawford

[REDACTED]

Houston, TX 77021-6220

Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8315 0725 03

Via email to: [REDACTED]

L. Merida

Latoya Merida

454-20-4076

SOAH DOCKET NO. _____
TDI ENFORCEMENT FILE NO. 23329

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

Andre' Le'Non Crawford,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance seeks to deny Andre' Le'Non Crawford's 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 pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

License Application

1. On July 15, 2019, Andre' Le'Non Crawford (Crawford) applied for a General Lines Life, Accident and Health license to be issued by the Texas Department of Insurance (TDI).
2. On October 10, 2019, TDI proposed to deny Crawford's application based on his criminal history. Crawford appealed that decision and made a written request for a hearing that was received on October 17, 2019.

EXHIBIT

B

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Original Petition
Andre' Le'Non Crawford
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Criminal History

3. On December 2, 2004, Crawford pleaded guilty to the Class A Misdemeanor offense of Carrying a Weapon in Cause No. 1271549 in the Criminal County Court at Law No. 5 in Harris County, Texas for an offense occurring on November 25, 2004. Crawford received 2 days of confinement and was ordered to pay a fine.
4. On March 7, 2019, Crawford pleaded guilty to a Second Degree Felony offense of Manufacturing or Delivery of a Controlled Substance in Cause No. 18-DCR-083348 in the 240th Judicial District Court in Fort Bend County, Texas for an offense occurring on July 13, 2018. Crawford received 10 years in TDCJ probated for 6 years and ordered to pay court costs and a fine.
5. Crawford is presently on Community Supervision for a second degree felony and is not expected to be released from Community Supervision until March 7, 2025.

Legal Allegations

1. Crawford has committed an act for which a license may be denied pursuant to TEX. INS. CODE § 4005.101(b) because he has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8) and TEX. OCC. CODE § 53.021(d).
2. Crawford has committed a felony offense, as contemplated in 28 TEX. ADMIN. CODE §§ 1.502(d) and (f).
3. Crawford committed an offense that TDI considers to be of such serious nature that it is of prime importance in determining fitness for licensure or authorization, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(G).
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 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 an offense relating to the manufacture, delivery, or possession with intent to manufacture or deliver, a controlled substance or a dangerous drug to be of such a serious nature that it is of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(G).

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 Andre' Le'Non Crawford's license application and
2. any other just and appropriate relief to which the Department may be entitled to by law.

Respectfully Submitted,

L. Merida

Latoya Merida
State Bar No. 24089625
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6344(Direct)
(512) 490-1020 (Fax)
Latoya.merida@tdi.texas.gov



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: 06/24/2020
 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

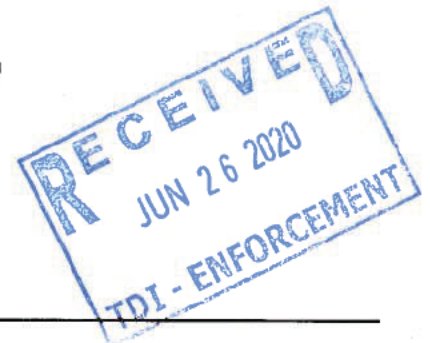
- Note to RSS Clerk:
1. Home screen > Mailing/Shipping > More
 2. Select Shipment Confirm
 3. Scan or enter the barcode/label number from PS Form 5630
 4. Confirm the volume count message by selecting Yes or No
 5. Select Pay and End Visit to complete transaction

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 0022 6110 54



Merida/23329



Firm Mailing Book For Accountable Mail

2020-6527

Name and Address of Sender

MC 110-1A M RUIZ
Texas Department of Insurance
333 Guadalupe St
Austin TX 78701

Affix Stamp Here
(if issued as an international
certificate of mailing or for
additional copies of this receipt).
Postmark with Date of Receipt.

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 8315 0725 03

Merida/23329

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

ANDRE LENON CRAWFORD
HOUSTON TX 77021-6220

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, SH Fee. Includes a 'RECEIVED' stamp and a signature.

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)

Signature