

No. 2020-6624

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

Date: 12/22/2020

Subject Considered:

Cedric Tramaine Ledet
[REDACTED]
Richmond, TX 77406-7275

Default Order
SOAH Docket No. 454-21-0511
TDI Enforcement File No. 19597

General remarks and official action taken:

The subject of this default order is whether an adjuster license should be issued to Cedric Tramaine Ledet (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 October 28, 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.

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3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED], Richmond, TX 77406-7275.
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 pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4101.051; 28 TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021 – 53.023; 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.
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, 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 Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

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Order

It is ordered that Cedric Tramaine Ledet'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

By: 
C77A87C8C21B435...
Doug Slape
Chief Deputy Commissioner
TEX. GOV'T CODE § 601.002
Commissioner's Order No. 2018-5528

Prepared and reviewed by:



Nancy Williams, Staff Attorney
Enforcement Division

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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 Cedric Tramaine Ledet. I have confirmed that:

- a. The last mailing address provided to the department in writing by Cedric Tramaine Ledet is [REDACTED], Richmond, TX 77406-7275.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated October 28, 2020, which were filed with the State Office of Administrative Hearings.
- c. On October 28, 2020, the Notice of Hearing and Original Petition addressed to Cedric Tramaine Ledet were mailed certified, return receipt requested, to his last known address.

A copy of the certified mail log maintained by the Enforcement Division is attached as Exhibit C.

DocuSigned by:

David Moreno

9B8DD61FD9E645C...

Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 11/13/2020. This notarial act was an online notarization.

Notary Seal



Digital Certificate

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

ACCEPTED
454-21-0511
10/28/2020 10:21 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

2020-6624

FILED
454-21-0511
10/28/2020 9:44 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Donnie Roland, CLERK

**SOAH DOCKET NO. 454-21-0511
TDI ENFORCEMENT FILE NO. 19597**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

CEDRIC TRAMAINE LEDET,

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 **Tuesday, February 23, 2021, 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 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.



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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) Nancy Williams, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104

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Austin, Texas 78714-9104
(512) 490-1020 (Fax)
Nancy.Williams@tdi.texas.gov

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 hyperlink "Request Service by Email (only for use by self-represented litigants)," 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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6338 (Direct)
(512) 490-1020 (Fax)
Nancy.Williams@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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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent via electronic mail and by certified mail, return receipt requested, on this 28th day of October, 2020 to:

Cedric Tramaine Ledet

[REDACTED]

Richmond, TX 77406-7275

Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8323 8367 53

Via Email: [REDACTED]



Nancy Williams

**SOAH DOCKET NO. 454-21-
TDI ENFORCEMENT FILE NO. 19597**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

CEDRIC TRAMAINE LEDET,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

ORIGINAL PETITION

The Texas Department of Insurance seeks to deny Cedric Tramaine Ledet'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 4101.051; 28 TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021 – 53.023; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

Licensing Application

1. Cedric Tramaine Ledet (Ledet) submitted an application for an adjuster license to the Texas Department of Insurance (TDI) on September 21, 2018.
2. On March 7, 2019, TDI proposed to deny the license based on Ledet's criminal history.
3. On April 16, 2019, Ledet requested a hearing on this matter.

EXHIBIT

B

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Original Petition
Cedric Tramaine Ledet
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Criminal History

4. On March 27, 2000, Ledet pleaded guilty to five counts of theft, in a continuing scheme and course of conduct, and was placed on deferred adjudication. The theft was perpetrated against his employer. Within two months of being placed on deferred adjudication, Ledet was charged with theft from another employer, which along with other probation violations, resulted in a motion to revoke his deferred probation. Ledet was adjudicated guilty of felony theft on March 27, 2001, in Cause No. 32519, in the 240th District Court of Fort Bend County, Texas. There is no evidence to support that Ledet has paid the \$10,000 in restitution ordered by the Court.
5. On June 11, 2001, Ledet was found guilty of felony theft, in Cause No. 34107, in the 240th District Court of Fort Bend County, Texas, and was sentenced to three years confinement. The theft was perpetrated against his employer. There is no evidence to support that Ledet has paid over \$34,600 in restitution ordered by the Court.

Legal Allegation

1. Ledet has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8) and TEX. OCC. CODE § 53.021.
2. Ledet has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
3. Ledet has committed an offense directly related to the business of insurance as contemplated by 28 TEX. ADMIN. CODE § 1.502(f).
4. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that 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 misdemeanor that directly relates to the duties and responsibilities of the licensed occupation;

- c. considers any offense for which fraud, dishonesty, or deceit is an essential element; any felony involving moral turpitude or breach of fiduciary duty; or containing the essential elements of theft, 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)(1),(3), & (4)(F).

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 Ledet'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,



Nancy Williams
State Bar No. 24058175
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6338 (Direct)
(512) 490-1020 (Fax)
Nancy.Williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE



**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: 10/28/2020
 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 0024 9786 98

WILLIAMS/19597





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

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

USPS Tracking/Article Number	Addresssee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Services) 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. 9214 8901 9403 8323 8367 53 WILLIAMS/19597	CEDRIC TRAVANNE LEDET 77406-7215 RICHMOND, TX	1.40	3.55	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

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Total Number of Pieces Listed by Sender: 1
 Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)