

No. 2021-7015

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

**Date:** 10/07/2021

**Subject Considered:**

Adonay Arellano

[REDACTED]  
The Colony, TX 75056

Default Order  
SOAH Docket No. 454-22-0011  
TDI Enforcement File No. 25371

**General remarks and official action taken:**

The subject of this default order is whether a life agent license should be issued to Adonay Arellano (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**

1. On September 3, 2021, 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] [REDACTED] The Colony, TX 75056, and to the electronic mail address on file with the department.

# 2021-7015

Commissioner's Order

Adonay Arellano

SOAH Docket No. 454-22-0011

Page 2 of 5

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, 4001.102, 4001.105, 4005.101, and 4054.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; TEX. ADMIN. CODE § 1.502(e); 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.

# 2021-7015

Commissioner's Order

Adonay Arellano


SOAH Docket No. 454-22-0011

Page 3 of 5

## Order

It is ordered that Adonay Arellano's license 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:    
FC5D7EDDFB4F8...  
Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:



Nancy Williams, Staff Attorney  
Enforcement Division

# 2021-7015

Commissioner's Order  
Adonay Arellano  
SOAH Docket No. 454-22-0011  
Page 4 of 5

## 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 Adonay Arellano. I have confirmed that:

- a. The last mailing address provided to the department in writing by Adonay Arellano is [REDACTED] The Colony, TX 75056.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated September 3, 2021, which were filed with the State Office of Administrative Hearings.
- c. On September 3, 2021, the Notice of Hearing and Original Petition addressed to Adonay Arellano were sent by certified mail, return receipt requested, to her last known address.

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

DocuSigned by:  
  
CADA5240EB3D446...  
Affiant

# 2021-7015

Commissioner's Order

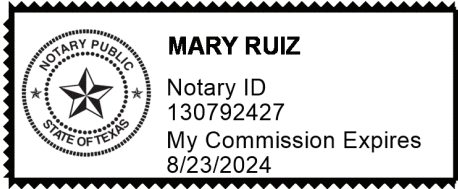
Adonay Arellano

SOAH Docket No. 454-22-0011

Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 9/23/2021. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

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

**2021-7015**

FILED  
454-22-0011  
9/3/2021 8:29 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

ACCEPTED  
454-22-0011  
09/03/2021 9:22 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454-22-0011  
TDI ENFORCEMENT FILE NO. 25371**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**ADONAY ARELLANO aka ADONAY  
GARPA,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**NOTICE OF HEARING**

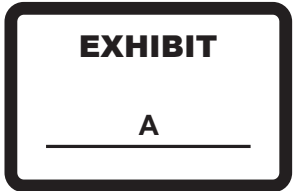
The Texas Department of Insurance seeks to take disciplinary action against you. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, November 9, 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 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.**



## 2021-7015

Notice of Hearing

Adonay Arellano aka Adonay Garpa

SOAH Docket No. 454-22-0011

Page 2 of 5

**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 REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, AND IMPOSITION OF ADMINISTRATIVE PENALTIES, 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 REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, AND IMPOSITION OF ADMINISTRATIVE PENALTIES, 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 12030, MC GC-CCO  
Austin, Texas 78711-2030  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Nancy Williams, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030

# 2021-7015

Notice of Hearing

Adonay Arellano aka Adonay Garpa

SOAH Docket No. 454-22-0011

Page 3 of 5

Austin, Texas 78711-2030  
(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](http://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.



## 2021-7015

Notice of Hearing

Adonay Arellano aka Adonay Garpa

SOAH Docket No. 454-22-0011

Page 4 of 5

Respectfully Submitted,



---

Nancy Williams

State Bar No. 24058175

Texas Department of Insurance

Enforcement Division, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(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 ENF  
Whitney Fraser, Litigation Director, Enforcement Division, MC ENF  
Administrative Review, MC CO-AAL

# 2021-7015

Notice of Hearing

Adonay Arellano aka Adonay Garpa

SOAH Docket No. 454-22-0011

Page 5 of 5

## CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by electronic mail and by certified mail, return receipt requested, on this 3rd day of September, 2021 to:

Adonay Arellano

[REDACTED]  
The Colony, TX 75056

*Respondent Pro Se*

ia Email [REDACTED]

Via CM/RRR No.: 9214 8901 9403 8348 4800 85



---

Nancy Williams

**2021-7015** 454-22-0011

FILED  
454-22-0011  
9/2/2021 2:55 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

ACCEPTED  
454-22-0011  
09/02/2021 3:10 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454-21-  
TDI ENFORCEMENT FILE NO. 25371**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**ADONAY ARELLANO aka ADONAY  
GARPA,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to deny Adonay Arellano’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 4051.051; TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021 – 53.023; and TEX. GOV’T CODE §§ 2001.051-2001.178.

**Factual Allegations**

Application

1. Adonay Arellano aka Adonay Garpa (Arellano) applied for a life agent license with the Texas Department of Insurance (TDI) on May 7, 2020.
2. On June 19, 2020, TDI proposed to deny the license based on Arellano’s criminal history and her failure to disclose her criminal history.
3. On July 8, 2020, TDI received Arellano’s request for a hearing on this matter.



# 2021-7015

Original Petition

Adonay Arellano

Page 2 of 3

## Criminal History

4. In January 2002, Arellano was convicted of misdemeanor possession of marijuana.
5. On April 15, 2005, Arellano pleaded guilty to three counts of burglary of habitation, all second-degree felony offenses, in Cause nos. 15772, 1582, and 15793 in the 282<sup>nd</sup> Judicial District Court of Dallas County, TX. In exchange for her plea, Arellano was given 10 years deferred adjudication and was subsequently granted early discharge from her deferred probation on August 12, 2014.
6. On October 2, 2008, while still under deferred adjudication probation in Dallas County, she was convicted of three counts of felony burglary of a habitation, all second-degree felony offenses, in Cause nos. 0745, 0746, and 0747 in the 376<sup>th</sup> Judicial District Court of Denton County. In exchange for her plea, Arellano was sentenced to serve two years in the Texas Department of Corrections in each case, to run concurrently.

## Failure to Disclose

7. On her application, ID 2054879, Arellano falsely answered "NO" to the following questions:
  - a. "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?"
  - b. "Have you ever been convicted of a felony, had a judgment withheld or deferred or are you currently charged with committing a felony?"

## **Legal Allegations**

1. Arellano intentionally made a material misstatement in the license application, as contemplated by TEX. INS. CODE § 4005.101(b)(2).
2. Arellano attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.101(b)(3).
3. Arellano has been convicted of a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8).

4. Arellano committed offenses that directly relate to the business of insurance, as contemplated by 28 TEX. ADMIN. CODE § 1.502(f).
5. Arellano committed offenses that the department considers to be of such a serious nature that they are of prime importance in determining fitness for licensure under 28 TEX. ADMIN. CODE §§ 1.502(e)(1) & 1.502(e)(4)(E).

**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 Adonay Arellano's license application and
2. imposing any other just and appropriate relief to which the department may be entitled to by law.

Respectfully Submitted,



---

Nancy Williams  
State Bar No. 24058175  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6338 (Direct)  
(512) 490-1020 (Fax)  
Nancy.Williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

2021-7015



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: 09/03/2021  
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 0031 4212 93

WILLIAMS/25371





Firm Mailing Book For Accountable Mail

2021-7015

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.

Table with columns: USPS Tracking/Article Number, Addressee (Name, Street, City, State, & ZIP Code), 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, ST Fee. Includes row 1 with tracking number 9214 8901 9403 8348 4800 85 and recipient WILLIAMS/25371.

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)