

No. 2018 - 5597

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

Date: **AUG 01 2018**

Subject Considered:

Texas Department of Insurance
v.
Christopher Deon Thompson

SOAH Docket No. 454-18-0752.C

General remarks and official action taken:

This order is in consideration of Christopher Deon Thompson's application for an adjuster all lines license. Following a hearing before the State Office of Administrative Hearings (SOAH), the administrative law judge (ALJ) submitted a proposal for decision containing findings of fact and conclusions of law, recommending that the Texas Department of Insurance (department) deny Mr. Thompson's license application.

The proposed findings of fact, conclusions of law, and recommendation of the ALJ are adopted with nonsubstantive formatting and style changes.

FINDINGS OF FACT

1. On March 30, 2017, Christopher Deon Thompson applied for an adjuster all lines license from the Department.
2. On July 14, 2017, the department proposed to deny the application.
3. Mr. Thompson requested a hearing to challenge the denial.
4. On November 11, 2017, the department issued a notice of hearing on the denial of the application.
5. The notice of hearing contained a statement of the time, place, and nature of the hearing; a statement of the legal authority and jurisdiction under which the hearing was to be held; a reference to the particular sections of the statutes and rules involved; and either a short, plain statement of the factual matters asserted or an attachment that incorporates by

reference the factual matters asserted in the complaint or petition filed with the state agency.

6. The hearing in this case was held on December 11, 2017, before ALJ Rebecca S. Smith at SOAH in Austin, Texas. The department staff was represented by Staff Attorney LaKisha Seldon McKay. Mr. Thompson represented himself. The hearing concluded the same day, and the record closed on December 28, 2017, with the submission of additional evidence from Mr. Thompson.
7. On November 6, 1991, in Cause No. CF-91-3509, in the District Court of the 14th Judicial District of the State of Oklahoma, Mr. Thompson pleaded guilty to one count of shooting with intent to kill. He was sentenced to five years' imprisonment in the Oklahoma State Penitentiary.
8. On October 9, 1995, in Cause No. CF-TU-94-003551, in the District Court of Tulsa County, Mr. Thompson pleaded guilty to the felony of first degree manslaughter. The crime occurred on July 15, 1994. He was sentenced to twenty-five years' confinement with the Oklahoma Department of Corrections and assessed a \$500.00 fine, plus court costs and victim's compensation. He was released from confinement on May 6, 2005.
9. Mr. Thompson has two criminal convictions, both for extremely serious offenses involving violence.
10. Both crimes involve shooting at another person with the intent to kill.
11. Mr. Thompson was a minor at the time he committed his first offense and just a few years out of minority when he committed his second.
12. Over 23 years have passed since Mr. Thompson last committed a crime.
13. Mr. Thompson has been out of prison for over 12 1/2 years.
14. Mr. Thompson has consistently worked since being released, except for a period of time when he pursued his education.
15. During his incarceration and after his release, Mr. Thompson has worked with youth, trying to help them make good choices. As part of that work, he visited kids at their homes to provide counseling.
16. Mr. Thompson presented multiple letters of recommendation.
17. The preponderance of the evidence does not show Mr. Thompson's current fitness to hold a license.

18. The positive factors do not outweigh the serious nature of Mr. Thompson's offense.

CONCLUSIONS OF LAW

1. The department has jurisdiction over this matter. Tex. Ins. Code §§ 4001.002, 4001.105, 4005.101.
2. SOAH has authority to hear this matter and issue a proposal for decision with findings of fact and conclusions of law. Tex. Gov't Code ch. 2003; Tex. Ins. Code § 4005.104.
3. Mr. Thompson received timely and sufficient notice of hearing. Tex. Gov't Code ch. 2001; Tex. Ins. Code § 4005.104(b).
4. The department may deny a license if an applicant commits an offense that directly relates to the duties and responsibilities of an insurance adjuster. Tex. Occ. Code § 53.021(a)(1).
5. Mr. Thompson has not shown the fitness required to perform the duties and discharge the responsibilities of the licensed occupation. Tex. Occ. Code §§ 53.022 – 53.023; 28 Tex. Admin. Code § 1.502(h).
6. The department should deny Mr. Thompson's application for a license.

ORDER

It is ordered that Christopher Deon Thompson's application for an adjuster all lines license is denied.



Kent C. Sullivan
Commissioner of Insurance