

NO. **4061**

**OFFICIAL ORDER
OF THE
TEXAS COMMISSIONER OF INSURANCE**

DATE: JUL 27 2015

Subject Considered:

EDWARD M. MORRIS
2602 Fieldstone Drive
Killeen, Texas 76549-3489

DEFAULT ORDER

SOAH DOCKET NO. 454-15-4415.C
ENFORCEMENT FILE NO. 9580

General remarks and official action taken:

The commissioner of insurance considers whether disciplinary action should be taken against Edward M. Morris.

FINDINGS OF FACT

1. Edward M. Morris, individual identification no. 638353, holds a limited lines license issued by TDI on March 12, 2010.
2. TDI records show the last mailing address Edward M. Morris provided in writing to the department is 2602 Fieldstone Drive, Killeen, Texas 76549-3489.
3. On June 25, 2015, TDI sent a notice of hearing to Edward M. Morris' last known mailing address.
4. Edward M. Morris failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. On November 13, 2014, Edward M. Morris personally waived his right to a formal disciplinary hearing and voluntarily agreed to the issuance of commissioner's order no. 3685, which was issued by the commissioner on November 20, 2014. In commissioner's order no. 3685, Edward M. Morris consented to the following finding of fact: The amount of illegally withheld insurance premiums that Edward M. Morris failed to forward to Affirmative was \$2,143.71.
6. In commissioner's order no. 3685, Edward M. Morris additionally consented to the following conclusion of law: Edward M. Morris has illegally withheld money belonging to an insurer, as contemplated in TEX. INS. CODE § 4005.101(b)(4)(A).

7. In commissioner's order no. 3685, the commissioner ordered Edward M. Morris to pay \$2,143.71 in restitution to Affirmative Insurance Services, Inc. within 60 days from the date of the order. The commissioner further ordered Edward M. Morris to pay a \$1,000 administrative penalty within 90 days from the date of the order.
8. Edward M. Morris subsequently failed to pay the required \$2,143.71 in restitution or the \$1,000 administrative penalty.
9. On April 13, 2015, TDI sent a warning letter to Edward M. Morris which notified him that he violated the terms of commissioner's order no. 3685 when he failed to provide payment of either the \$2,143.71 restitution to Affirmative Insurance Services, Inc., or the \$1,000 administrative penalty to TDI. Edward M. Morris personally signed the certified mail return receipt on April 16, 2015. Despite his receipt of the April 13, 2015, warning letter, Edward M. Morris subsequently failed to comply with any of the agreed to and required terms contained within commissioner's order no. 3685.
10. On April 29, 2015, TDI sent a second warning letter to Edward M. Morris which again notified him that he violated the terms of commissioner's order no. 3685 when he failed to provide payment of either the \$2,143.71 restitution to Affirmative Insurance Services, Inc., or the \$1,000 administrative penalty to TDI. Edward M. Morris again personally signed the certified mail return receipt on May 1, 2015. Despite his receipt of the April 29, 2015, warning letter, Edward M. Morris again failed to comply with any of the agreed to and required terms contained within commissioner's order no. 3685.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051 – 82.056, 4005.101, 4005.102, and 4051.101; and TEX. GOV'T CODE §§ 2001.051–2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to dispose of this case informally.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Edward M. Morris' last known address is presumed to be 2602 Fieldstone Drive, Killeen, Texas 76549–3489.
4. TDI mailed a notice of hearing to Edward M. Morris' last known mailing address on file with TDI, as required by 28 TEX. ADMIN. CODE §§ 1.28(c) and 1.88(c); 1 TEX. ADMIN. CODE § 155.401; and TEX. GOV'T CODE Ch. 2001.

5. TDI's allegations in the notice of hearing, as set out in finding of fact nos. 5–10, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Edward M. Morris illegally withheld money belonging to an insurer, as contemplated in TEX. INS. CODE § 4005.101(b)(4)(A).
7. Edward M. Morris failed to comply with the requirements of a commissioner's order, as contemplated in TEX. INS. CODE § 82.054.

The commissioner revokes Edward M. Morris' limited lines license.



David C. Mattax
Commissioner of Insurance

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Affidavit

Before me the undersigned authority personally appeared the affiant, who, being by me duly sworn, deposed as follows:

“My name is Judy Lopez 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 Edward M. Morris and I have confirmed that:

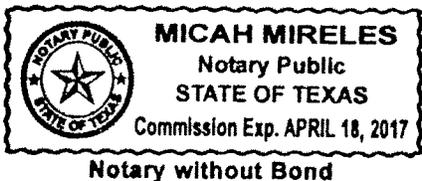
- (1) The last mailing address provided to the department by Edward M. Morris in writing was 2602 Fieldstone Drive, Killeen, Texas 76549–3489.
- (2) The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated June 25, 2015, filed with the State Office of Administrative Hearings.
- (3) A certified letter, return receipt requested, and a first class mailing, both containing a notice of hearing addressed to Edward M. Morris’ last known address, were deposited in the United States mails.

Copies of the certified and first class mail logs are attached as exhibits A and B.”

Judy Lopez
Affiant

SWORN TO AND SUBSCRIBED before me on July 17, 2015.

(NOTARY STAMP)



Micah Mireles
Notary Public, State of Texas

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 333 Guadalupe St
 Austin TX 78701
 June 25 2015
 Judy Lopez

Check type of mail or service
 Add Signature Required
 Add Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted
 Collect on Delivery (COD)
 Insured Mail
 Priority Mail
 Priority Mail Express
 Registered Mail
 Return Receipt for Merchandise
 Signature Confirmation
 Signature Confirmation Restricted

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

Firm Mailing Book For Accountable Mail

USPS Tracking/Article Number

Dwyer

Address (Name, Street, City, State, & Zip Code)

Edward M. Morris
 2602 Fieldstone Drive
 Killeen, Texas 76549-3489

Edward M. Morris
 500 North Fort Hood Street Suite 504
 Killeen, Texas 76541

Postage

345

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

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Total Number of Pieces Listed By Sender

Total Number of Pieces Received at Post Office

Postmaster: Per (Name of receiving employee)

Completed in Ink

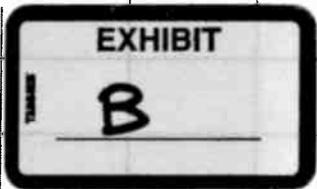
Handling Charge-if Registered and over \$500

OFFICIAL BUSINESS
 STATE OF TEXAS
 PENALTY FOR PRIVATE USE



Response # 041712203074 ZIP 78701

US POSTAGE \$002.700



Adult Signature Rec

Adult Signature Restrict

Restricted Del

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.

