

No. 2017- 4985

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: MAR 1 0 2017

Subject Considered:

JOE LOUIS GORDWIN, JR.
20602 Delta Lake Drive
Richmond, Texas 77406

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 11936

General remarks and official action taken:

The commissioner of insurance considers whether an adjuster all lines license should be issued to Joe Louis Gordwin, Jr.

WAIVER

Gordwin acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Gordwin waives all of these rights in consideration of the entry of this consent order.

FINDINGS OF FACT

The commissioner makes the following findings of fact:

1. On July 31, 2009, Gordwin was convicted of wire fraud involving a scheme to deprive others of the intangible rights of honest services, a federal felony. The three counts occurred on July 14, 2005, October 7, 2005, and February 7, 2006. Gordwin was sentenced to four years of probation and ordered to pay a \$5,000 fine. Gordwin successfully completed his probation and was discharged from probation one year early on April 19, 2012.
2. On July 24, 2015, Gordwin submitted an application for a general lines agent license with a life, accident, and health qualification to be issued by the Texas Department of Insurance.
3. Gordwin cooperated with TDI in its investigation of his criminal background. Gordwin provided mitigating evidence to support his fitness for licensure as follows:
 - a. he has paid the fine ordered by his criminal prosecution;
 - b. he has held steady employment during and after his probation;

- c. he has been employed since May 2015 at World Financial Group, as an independent associate and his two mentors are training him to run an office and to become a producer;
 - d. he has submitted six letters of recommendation, including letters from his current employer and former employer, who are aware of his past conduct and consistently refer to him as honest, hardworking, and loyal;
 - e. his probation officer attested to Gordwin's successful early completion of his probation and that Gordwin had no violations while on probation; and
 - f. he has accepted responsibility and expressed remorse for his criminal conduct.
4. On June 21, 2016, the commissioner issued Official Order No. 4526, granting Gordwin a general lines agent license with a life, accident, and health qualification. The commissioner further ordered that the general lines agent license with a life, accident, and health qualification was suspended for five years, probated, and required Gordwin to comply with the terms of Official Order No. 4526 for the duration of the probation period.
 5. The terms of Official Order No. 4526 allows the department to monitor Gordwin's insurance activities to ensure he demonstrates the ability, capacity, and fitness required to perform and discharge the responsibilities of a licensed insurance agent.
 6. In Official Order No. 4526, the commissioner granted written consent, as contemplated by 18 U.S.C. § 1033(e)(2), for Gordwin to perform the acts of a general lines agent with respect to persons who are domiciled in and risks and subjects of insurance that are resident, located, or to be performed in Texas.
 7. On August 24, 2016, Gordwin submitted an application for an adjuster all lines license to be issued by the department. Gordwin has agreed that, due to his criminal background, he must comply with the probation terms of Official Order No. 4526 for all licenses subsequently issued to him during the probation period imposed by Official Order No. 4526.

CONCLUSIONS OF LAW

The commissioner makes the following conclusions of law:

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4005.101, 4005.102, and 4101.051; TEX. GOV'T CODE §§ 2001.051-2001.178; TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021-53.023.
2. The commissioner has the authority to dispose of this case informally pursuant to the provisions of TEX. GOV'T CODE § 2001.056, 28 TEX. ADMIN. CODE § 1.47, and TEX. INS. CODE § 82.055.
3. Gordwin committed an act for which the department may deny a license under TEX. INS. CODE §§ 4001.105 and 4005.101(b)(8).

COMMISSIONER'S ORDER

Joe Louis Gordwin Jr.

Page 3 of 4

4. Pursuant to 28 TEX. ADMIN. CODE § 1.502(f), the commissioner has determined that the factors in TEX. OCC. CODE §§ 53.022-53.023 outweigh the serious nature of Gordwin's criminal conviction.
5. The commissioner is an insurance regulatory official authorized to regulate Gordwin's activities in the business of insurance. The commissioner has primary jurisdiction to grant Gordwin written consent to engage or participate in the business of insurance, pursuant to 18 U.S.C. § 1033.

The commissioner of insurance orders that an adjuster all lines license is granted to Joe Louis Gordwin, Jr. The commissioner further orders that the adjuster all lines license is suspended for the remainder of the probation period imposed by Official Order No. 4526, probated. Gordwin must comply with the probation terms of Official Order No. 4526 for his general lines agent license, adjuster all lines license, and all licenses subsequently issued to him during the probation period imposed by Official Order No. 4526.

The commissioner's written consent, as contemplated by 18 U.S.C. § 1033(e)(2), granted to Gordwin in Official Order No. 4526 permits him to engage in the business of insurance but will terminate immediately if any insurance license or authorization held by Gordwin is suspended or revoked.



David C. Mattax

Commissioner of Insurance

~~By: Kevin Brady, Deputy Commissioner~~
~~Delegation Order 4506~~

APPROVED AS TO FORM AND CONTENT:



Sarah White

Staff Attorney

Compliance Division, Enforcement Section

Texas Department of Insurance

Affidavit

STATE OF TEXAS

§

COUNTY OF Fort Bend

§

§

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

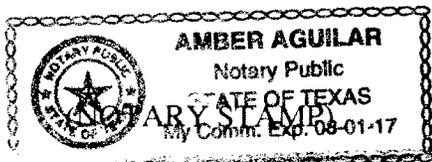
"My name is Joe Louis Gordwin, Jr. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I waive rights provided by the Texas Insurance Code and other applicable law and acknowledge the jurisdiction of the commissioner.

I have knowingly and voluntarily entered into this consent order and agree with and consent to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Joe L. Gordwin Jr.
Affiant

SWORN TO AND SUBSCRIBED before me on this 22 day of Feb., 2017.



Amber Aguilar
Signature of Notary of Public