OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE

Date: Jan 10 2018

Subject Considered:

MICHAEL ANTONIO MARSHALL
1345 Perimeter Parkway
Virginia Beach, Virginia 23454

DEFAULT ORDER
SOAH DOCKET NO. 454-18-0888.C
TDI ENFORCEMENT FILE NO. 14613

General remarks and official action taken:

The subject of this order is whether disciplinary action should be taken against Michael Antonio Marshall.

FINDINGS OF FACT

1. Michael Antonio Marshall, individual identification number 2005203, holds a non-resident personal lines property and casualty agent license, originally issued by TDI on May 27, 2015.

2. On November 8, 2017, the department sent a notice of hearing to Marshall’s last known address provided in writing to the department, 1345 Perimeter Parkway, Virginia Beach, Virginia 23454.

3. Marshall failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.

4. Marshall has a non-resident license because he lives in Virginia. This license type requires that Marshall have a resident license in good standing in his home state.

5. On January 21, 2016, Marshall surrendered his Virginia Department of Insurance resident insurance agent license.

CONCLUSIONS OF LAW

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4051.401, and 4056.052, 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, Marshall’s last known address is presumed to be 1345 Perimeter Parkway, Virginia Beach, Virginia 23454.

4. TDI sent a notice of hearing to Marshall’s last known address, as required by 28 TEX. ADMIN. CODE §§ 1.28(d) and 1.88(c), 1 TEX. ADMIN. CODE § 155.401, and TEX. GOV'T CODE Ch. 2001.

5. The allegations in the notice of hearing, set out herein as findings of fact nos. 1 and 4-6, are deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

6. Marshall does not hold a license in good standing as an agent in his state of residence, as required by TEX. INS. CODE § 4056.052, and is no longer eligible to hold a non-resident license in Texas.

7. Marshall failed to notify the department of the administrative actions taken against him, in violation of TEX. INS. CODE § 4001.252.

It is ordered that Michael Antonio Marshall’s non-resident personal lines property and casualty agent license is revoked.

[Signature]
Kent C. Sullivan
Commissioner of Insurance
STATE OF TEXAS

COUNTY OF TRAVIS

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

"My name is Mary Ruiz 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 Michael Antonio Marshall. I have confirmed that:

a. The last mailing address provided to the department by Michael Antonio Marshall in writing is 1345 Perimeter Parkway, Virginia Beach, Virginia 23454.

b. The file maintained by the Legal and Enforcement Division, Enforcement Section contains a notice of hearing dated November 8, 2017, filed with the State Office of Administrative Hearings.

c. First class and certified letters, return receipts requested containing a notice of hearing, were sent to Marshall's last known address.

Copies of the first class and certified mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B."

Affiant

SWORN TO AND SUBSCRIBED before me on December 15th, 2017

Signature of Notary Public
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**Affix Stamp Here**

(If issued as an international certificate of mailing or for additional copies of this receipt, postmark with Date of Receipt.)

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