

No. 2019- 6017

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

Date: JUL 1 6 2019

Subject Considered:

Damariea Jeroid Thompson
12025 Richmond Ave., Apt. 2208
Houston, Texas 77082

Default Order
SOAH Docket No. 454-19-4188.C
TDI Enforcement File No. 17568

General remarks and official action taken:

This is a default order taken against Damariea Jeroid Thompson (Respondent) because he was convicted of a felony and failed to notify the Texas Department of Insurance. Respondent did not respond to a Notice of Hearing filed by the department. This order revokes Respondent's license.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Hearing

1. On April 24, 2019, the department filed a Notice of Hearing, attached as Exhibit A, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing are incorporated in this order as findings of fact.
3. The department sent the Notice of Hearing to Respondent's last known address provided in writing to the department, 12025 Richmond Ave., Apt. 2208, Houston, Texas 77082. Notice was also sent to one additional address associated with Respondent: 3000 Wilcrest, Ste. 120, Houston, Texas 77042.

4. Respondent failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. 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.

Conclusions of Law

1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101-4005.105, 4054.301, 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, TDI 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 are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

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Order

It is ordered that Damariea Jeroid Thompson's life agent license is revoked. A copy of this order will be provided to law enforcement and/or other appropriate administrative agencies for further investigation as may be warranted.

Kent C. Sullivan
Commissioner of Insurance

By: 
Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

Prepared and reviewed by:


Cassie Tighe, Staff Attorney
Enforcement Section

Affidavit

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

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

"My name is Mariah Cook 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.

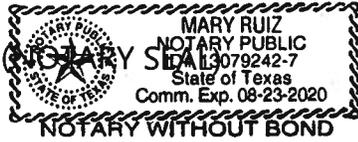
I have reviewed TDI's records concerning Damariea Jeroid Thompson. I have confirmed that:

- a. The last mailing address provided to the department in writing by Damariea Jeroid Thompson is 12025 Richmond Ave., Apt. 2208, Houston, Texas 77082.
- b. The file maintained by the Enforcement Section of the Legal and Enforcement Division contains a Notice of Hearing dated April 24, 2019, which was filed with the State Office of Administrative Hearings.
- c. On April 24, 2019, a Notice of Hearing addressed to Damariea Jeroid Thompson was mailed first class and certified, return receipt requested, to his last known address and one additional address associated with Thompson: 3000 Wilcrest, Ste. 120, Houston, Texas 77042.

Copies of the first class mail log and certified mail log maintained by the Enforcement Section are attached as Exhibit B and Exhibit C, respectively."

Mariah Cook
Affiant

SWORN TO AND SUBSCRIBED before me on May 21, 2019.



Mary Ruiz
Signature of Notary Public
Mary Ruiz
Printed Name of Notary Public

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**SOAH DOCKET NO. 454-19-4188.C
TDI ENFORCEMENT FILE NO. 17568**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

DAMARIEA JEROID THOMPSON,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

Notice of Hearing

The Texas Department of Insurance is seeking disciplinary action against you. A public hearing will be held before an Administrative Law Judge on Thursday, July 18, 2019, at 9:00 a.m. The hearing will take place at the State Office of Administrative Hearings, located in the William P. Clements Building, 300 W. 15th Street, 4th Floor, Austin, Texas, 78701.

The hearing shall be conducted pursuant to 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.

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, OR IN PRINTED FORMAT UPON REQUEST TO SOAH.

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 4054.301, and TEX. GOV'T CODE §§ 2001.051-2001.178.

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 PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.



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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, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, 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, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, 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, MC113-2A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and
- (3) Cassie Tigie
Staff Attorney
Texas Department of Insurance
Enforcement Section, MC110-1A
P.O. Box 149104

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Austin, Texas 78714-9104
(512) 490-1020 (Fax)
Cassie.Tigue@tdi.texas.gov.

Factual Allegations

Licensure

1. Damariea Jeroid Thompson (Thompson), individual identification no. 1843432, holds a life agent license originally issued by the Texas Department of Insurance on January 4, 2018.

Criminal History

2. On October 9, 2018 Thompson pleaded guilty to the state jail felony offense of credit/debit card abuse in Case No. 18-08-10052 in the 435th Judicial District Court of Montgomery County, Texas.
3. The court sentenced Thompson to serve 156 days in county jail for the offense of credit/debit card abuse.
4. On December 11, 2018 Thompson pleaded guilty to the misdemeanor offense of theft greater than \$750 but less than \$2,500 in Case No. 158011001010 in the 178th District Court of Harris County, Texas.
5. The court sentenced Thompson to serve 60 days in county jail for the offense of theft greater than \$750 but less than \$2,500. The court ordered this sentence to run concurrently with the sentence imposed in Case No. 18-08-10052 in the 435th Judicial District Court of Montgomery County, Texas.

Legal Allegations

1. Thompson has committed acts for which a license holder may be disciplined under TEX. INS. CODE § 4005.101, as contemplated in TEX. INS. CODE § 4005.102 and TEX. INS. CODE § 4101.201.
2. Thompson has willfully violated an insurance law of this state, pursuant to TEX. INS. CODE § 4005.101(b)(1).

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3. Thompson has been convicted of a felony, in violation of TEX. INS. CODE § 4005.101(b)(8).
4. Thompson failed to notify the department of a felony conviction, in violation of TEX. INS. CODE § 4005.252(a)(2).

Relief Sought

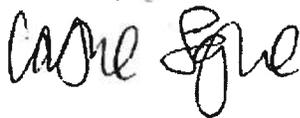
If one or more of the above allegations is found to be true, the commissioner may enter an order revoking your license, ordering you to cease and desist from certain activity, and/or imposing an administrative penalty, restitution, and additional sanctions. You have the right to appear at this hearing and to be represented by an attorney. Please address any questions and correspondence to the undersigned counsel at the address or telephone number below.

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.

Sincerely,



Cassie Tighe
Staff Attorney
State Bar No. 24099994
Texas Department of Insurance
Legal and Enforcement Division - Enforcement Section, MC110-1A

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P.O. Box 149104

Austin, Texas 78714-9104

(512) 676-6356 (Direct)

(512) 490-1020 (Fax)

Cassie.Tigue@tdi.texas.gov

cc: Leah Gillum, Associate Commissioner, Enforcement Section, MC-110-1A
Ginger Loeffler, Director, License Litigation Office, Enforcement Section, MC-110-1A
Administrative Review, MC107-1A

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Certificate of Service

I, Cassie Tigue, certify that a true and correct copy of this *Notice of Hearing* was sent by regular, first-class mail and by certified mail, return receipt requested, on this 24th day of April, 2019 to:

Damariea Jeroid Thompson
12025 Richmond Ave., Apt. 2208
Houston, Texas 77082
Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8382 1745 99

Damariea Jeroid Thompson
3000 Wilcrest, Ste. 120
Houston, Texas 77042
Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8382 1746 43



Cassie Tigue



Firm Mailing Book For Accountable Mail

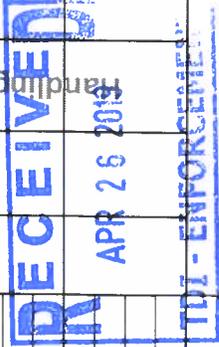
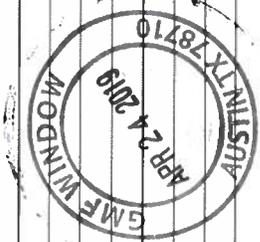
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Name and Address of Sender
MC-110-1A M. Cook
Texas Department of Insurance
333 Guadalupe St
Austin TX 78701

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

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

| 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 | SH Fee |
|---|---|---------|---------------------|-----------------|----------------------------|---------------|-------------------|---------|----------|--------|--------|--------|----------|--------|
| 1. 9214 8901 9403 8382 1745 99 TIGUE/17568 | DAMARIEA JEROID THOMPSON 12025 RICHMOND AVE APT 2208 HOUSTON TX 77082 | 1.15 | 3.50 | | | | | | | | 1.60 | | | |
| 2. 9214 8901 9403 8382 1746 43 | DAMARIEA JEROID THOMPSON 3000 WILCREST STE 120 HOUSTON TX 77042 | 0.70 | 3.50 | | | | | | | | 1.60 | | | |



Total Number of Pieces Listed by Sender: 2

Total Number of Pieces Received at Post Office: 2

Postmaster: Per (Name of receiving employee)

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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: 04/24/2019

Shipped From:

Name: MC-110-1A M COOK

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 | 2 |
| Total | 2 |

*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 0014 0674 87

