

No. 2020-6299

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

Date: MAR 25 2020

**Subject Considered:**

Cherrelle Dionne Jones  
632 15<sup>th</sup> ST  
Port Arthur, TX 77640-4258

Default Order  
SOAH Docket No. 454-20-1840.C  
TDI Enforcement File No. 17134

**General remarks and official action taken:**

The subject of this default order is whether a general lines life accident and health license should be issued to Cherrelle Dionne Jones (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order denies Respondent's license application.

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

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On January 7, 2020, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.

3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, 632 15<sup>th</sup> ST, Port Arthur, TX 77640-4258.
4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

### **Conclusions of Law**

1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, and 4005.101-4005.105; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; 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, the department 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 and Original Petition are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

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Commissioner's Order  
Cherrelle Dionne Jones  
SOAH Docket No. 454-20-1840.C  
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**Order**

It is ordered that Cherrelle Dionne Jones' application for a general lines life accident and health license is denied. 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:



\_\_\_\_\_  
Nancy Williams, Staff Attorney  
Enforcement Division

**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 Cherrelle Dionne Jones. I have confirmed that:

- a. The last mailing address provided to the department in writing by Cherrelle Dionne Jones is 632 15<sup>th</sup> ST, Port Arthur, TX 77640-4258.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated January 7, 2020, which were filed with the State Office of Administrative Hearings.
- c. On January 7, 2020, the Notice of Hearing and Original Petition addressed to Cherrelle Dionne Jones were mailed first-class and certified, return receipt requested, to her last known address.

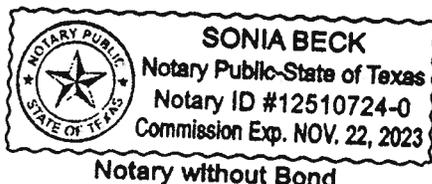
Copies of the first-class mail log and certified mail log maintained by the Enforcement Division are attached as Exhibit C and Exhibit D, respectively."

*Mariah Cook*  
Affiant

SWORN TO AND SUBSCRIBED before me on February 11, 2020.

(NOTARY SEAL)

*[Signature]*  
Signature of Notary Public  
SONIA BECK  
Printed Name of Notary Public



2020-6299

SOAH DOCKET NO. 454-20-1840.C  
TDI ENFORCEMENT FILE NO. 17134

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

CHERRELLE DIONNE JONES,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

**NOTICE OF HEARING**

The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Monday, April 6, 2020, 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. You have the right to appear at this hearing and to be represented by an attorney.

**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](http://www.soah.texas.gov), or in printed format upon request to SOAH.**

**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.**



**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 DENIAL OF YOUR LICENSE APPLICATION, 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 DENIAL OF YOUR LICENSE APPLICATION, 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  
P.O. Box 149104, MC112-2A  
Austin, Texas 78714-9104  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Nancy Williams, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 490-1020 (Fax)  
nancy.williams@tdi.texas.gov

### **Receiving Documents**

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, [www.soah.texas.gov](http://www.soah.texas.gov), click on the "E-Services" tab, then click the "Email Service" hyperlink, and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

### **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.

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Notice of Hearing  
Cherrelle Dionne Jones  
SOAH Docket No. 454-20-1840.C  
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Respectfully Submitted,



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Nancy Williams  
State Bar No. 24058175  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6338 (Direct)  
(512) 490-1020 (Fax)  
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A  
Mandy Meesey, Litigation Director, Enforcement Division, MC-110-1A  
Administrative Review, MC107-1A

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Notice of Hearing

Cherelle Dionne Jones

SOAH Docket No. 454-20-1840.C

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**CERTIFICATE OF SERVICE**

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by regular, first-class mail and by certified mail, return receipt requested, on this 7th day of January, 2020 to:

Cherelle Dionne Jones  
632 15<sup>th</sup> St  
Port Arthur, TX 77640-4258  
*Respondent Pro Se*

Via CM/RRR No.: 9214 8901 9403 8303 6416 74



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Nancy Williams

**SOAH DOCKET NO. 454-20-1840.C**  
**TDI ENFORCEMENT FILE NO. 17134**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**CHERRELLE DIONNE JONES,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance (department) seeks to deny Cherrelle Dionne Jones' (Jones) license application. In support of this petition, the Department makes the following allegations upon information and belief.

**Jurisdiction**

The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4054.051; TEX. GOV'T CODE §§ 2001.051-2001.178; and 28 TEX. ADMIN. CODE § 1.502; and TEX. OCC. CODE §§ 53.021 – 53.023.

**Factual Allegations**

Licensing Application

1. Jones submitted an application for a general lines life accident and health license to the department on May 16, 2018, in which she failed to disclose her criminal history.
2. The department proposed to deny Jones' license on August 21, 2018, based on her criminal history and her failure to disclose said criminal history. The department received Jones request for a hearing on September 5, 2018.



Misrepresentation on Application

3. On Jones' license application, when asked if she had ever been convicted of a felony crime, Jones failed to disclose her criminal history. Jones falsely stated that she had never been convicted of a felony.

Criminal History

4. On November 4, 2010, a jury found Jones guilty of Felony Neglect of a Child and sentenced her to a term of ten years with the Mississippi State Department of Corrections, to serve four years with the remainder on probation, in the 22<sup>nd</sup> Circuit District Court of Jefferson County, Mississippi, in cause number 2010-30KRB.
5. Jones was released from felony probation on May 31, 2017.

Texas Criminal Equivalent

6. The offense in Jones' Mississippi conviction, contains the essential elements of TEX. PENAL CODE § 22.041, which criminalizes abandoning or endangering a child.

**Legal Allegations**

7. Jones has attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.101(b)(3).
8. Jones has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
9. Jones has been convicted of a felony as contemplated by TEX. INS. CODE § 4005.101(b)(8).
10. Jones committed an offense that the department considers to be of such a serious nature that it is of prime importance in determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).
11. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
  - a. considers it very important that applicants be honest, trustworthy, and reliable;

- b. may refuse to issue an original license if the department determines that the applicant has committed a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation; and
- c. considers the offense of endangering a child/felony neglect of a child to be of such a serious nature that it is of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).

### Relief Sought

If one or more of the above allegations is found to be true, the Department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

1. denying Jones' license application; and
2. any other just and appropriate relief to which the Department may be entitled to by law.

Respectfully Submitted,



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Nancy Williams  
State Bar No. 24058175  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6338 (Direct)  
(512) 490-1020 (Fax)  
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

2020- 6299



# 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: 01/07/2020

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	1
Total	1

\*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 0019 3894 16





Firm Mailing Book For Accountable Mail

2020 - 6629

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

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

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 8403 8303 6416 74	CHERELLE DIONNE JONES 632 15TH ST PORT ARTHUR TX 77640-4258	1.30	3.50	Handling Charge - if Registered and over \$50,000 in value					Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
WILLIAMS /17134														



Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)

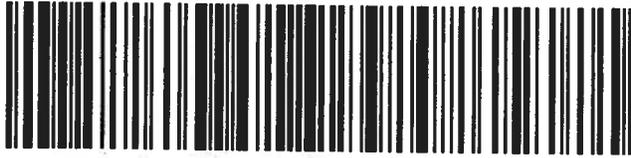
2020- 6299



Texas Department  
of Insurance  
MC110-1A  
333 Guadalupe  
Austin, TX 78701

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USPS CERTIFIED MAIL



9214 8901 9403 8303 6416 74

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CHERRELLE DIONNE JONES  
632 15TH ST  
PORT ARTHUR TX 77640-4258

Return Ref#: WILLIAMS/17134

Postage \$6.4000