No. 2020-6465

Official Order
of the
Texas Commissioner of Insurance

Date: 09/16/2020

Subject Considered:

Joy Marie Sonnier
564 Georgetown St
Beaumont, Texas 77707-1817

Default Order
SOAH Docket No. 454-20-3922.C
TDI Enforcement File No. 18033

General remarks and official action taken:

The subject of this default order is whether a general lines agent license with a life, accident, and health qualification should be issued to Joy Marie Sonnier (Sonnier). Sonnier did not appear at the hearing on the merits. This order denies Sonnier’s license application.

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

Findings of Fact

Failure to Appear at Hearing on the Merits

1. On June 8, 2020, the Texas Department of Insurance filed a Notice of Hearing, attached as Exhibit A, and on June 5, 2020, 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 Sonnier’s last known address provided in writing to the department, 564 Georgetown St,
Beaumont, Texas 77707-1817. The Notice of Hearing and Original Petition were also sent by electronic mail.

4. After receiving proper notice of the date, time, and location of the hearing on the merits, Sonnier failed to appear for the hearing on August 4, 2020, as shown in the record in SOAH Docket No. 454-20-3922.C.

Conclusions of Law

1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051-82.055, 84.021-84.044, 4001.002, 4005.101, 4005.102, and 4054.051; 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.


4. Based on Sonnier’s failure to appear in person or by legal representative at the 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.
Order

It is ordered that Joy Marie Sonnier’s application for a general lines agent license with a life, accident, and health qualification is denied.

Kent C. Sullivan
Commissioner of Insurance

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

Prepared and reviewed by:

Stephanie Daniels, Staff Attorney
Enforcement Division
STATE OF TEXAS  

COUNTY OF TRAVIS  

Before me, the undersigned authority, personally appeared Mary Ruiz, 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 Sonnier. I have confirmed that:

a. The last mailing address provided to the department in writing by Sonnier is 564 Georgetown St, Beaumont, Texas 77707-1817.

b. The file maintained by the Enforcement Division contains a Notice of Hearing dated June 8, 2020, and an Original Petition dated June 5, 2020, which were filed with the State Office of Administrative Hearings.

c. On June 8, 2020, the Notice of Hearing and Original Petition addressed to Sonnier were mailed certified, return receipt requested, to her last known address and sent by electronic mail.

Copies of the certified mail log maintained by the Enforcement Division is attached as Exhibit C.
SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on August 13, 2020. This notarial act was an online notarization.
TEXAS DEPARTMENT OF INSURANCE,  

Petitioner  

v.  

JOY MARIE SONNIER,  

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 **Tuesday, August 4, 2020, at 9:00 am.** 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, 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) Patrick Quigley, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 490-1020 (Fax)  
Patrick.quigley@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, 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.

Respectfully Submitted,

/s/ Patrick Quigley
Patrick Quigley
State Bar No. 16430320
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas  78714-9104
(512) 676-6335 (Direct)
Patrick.quigley@tdi.texas.gov
ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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

CERTIFICATE OF SERVICE

I, Patrick Quigley, certify that a true and correct copy of the Notice of Hearing and the Original Petition were sent by email, and by certified mail, return receipt requested, on June 8, 2020 to:

Joy Marie Sonnier
564 Georgetown St
Beaumont, Texas 77707-1817
Via email: JMSONNIER1214@GMAIL.COM

/s/ Patrick Quigley
Patrick Quigley
The Texas Department of Insurance seeks to deny Joy Marie Sonnier’s (Sonnier) 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, 84.021-82.044, 4001.002, 4005.101, 4005.102, and 4054.051; 28 TEX. ADMIN. CODE § 1.502; TEX. OCC. CODE §§ 53.021 – 53.023; and TEX. GOV’T CODE §§ 2001.051-2001.178.

Factual Allegations

License Application

1. On November 6, 2018, Sonnier applied for a general lines agent license with a life, accident, and health qualification to the department.

2. The department proposed to deny Sonnier’s application on December 11, 2018, based on her criminal history. Sonnier appealed that decision and made a timely written request for a hearing.
Criminal History

3. On April 21, 2008, Sonnier pled guilty to burglary of a building, a state jail felony, in case number 08-02854 in the Criminal District Court of Jefferson County, Texas. Sonnier was placed on community supervision for five years, ordered to pay a fine of $500.00, supervision fees of $60.00 per month, court costs of $215.00, PSI fee of $350.00, attorney’s fee of $1,000.00, and a crime stoppers fee of $50.00.

4. On August 18, 2008, Sonnier pled guilty to burglary of a vehicle, a class A misdemeanor offense, in the County Court at Law of Jefferson County, Texas in cause number 269148 and was sentenced to 30 days in jail.

5. On June 21, 2013, the Criminal District Court of Jefferson County, Texas entered a judgment adjudicating the guilt of Sonnier in case number 08-02854, based on Sonnier’s pleas of true to counts 1, 2, 3, and 5 of the state’s motion to adjudicate guilt. Sonnier committed the offense of injury to a child on or about January 20, 2012. Sonnier committed the offense of false report to a peace officer on or about January 30, 2012. Sonnier cohabitated with a person on felony probation. Sonnier failed to pay court assessed fees, and as of January 2, 2013, was $4,499.00 in arrears. Sonnier was sentenced to two years incarceration in the State Jail Division of the Texas Department of Criminal Justice (TDCJ).

6. On July 14, 2014, Sonnier pled guilty to the offense of injury to a child, a first-degree felony, in case number 12-15729 in the Criminal District Court of Jefferson County, Texas. Sonnier was sentenced to five years incarceration in the Institutional Division of TDCJ. Sonnier was released from TDCJ on August 2, 2016 and discharged from parole on December 24, 2018.

7. Sonnier was convicted of one or more felonies involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033 and requires written consent from the commissioner of insurance to engage or participate in the business of insurance.

Legal Allegations

1. Sonnier committed acts for which a license may be denied because:

   a. Based on her prior criminal history, she engaged in fraudulent or dishonest acts or practices, as contemplated by Tex. Ins. Code § 4005.101(b)(5).
b. She committed a felony, as contemplated by TEX. INS. CODE § 4005.101(b)(8).

2. In accordance with the requirements of Texas Occupations Code § 53.025, the department has developed guidelines relating to the matters which the department will consider in determining whether to grant, deny, suspend, or revoke any license or authorization under its jurisdiction. 28 TEX. ADMIN. CODE § 1.502.

3. Sonnier committed an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated in 28 TEX. ADMIN. CODE § 1.502(e)(1) and TEX. OCC. CODE §§ 53.021-53.023.

4. Sonnier committed an offense with the essential elements of burglary, as contemplated in 28 TEX. ADMIN. CODE § 1.502(e)(4)(F) and TEX. OCC. CODE §§ 53.021-53.023.

5. 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 an offense that directly relates to the duties and responsibilities of the licensed occupation; and
   c. Considers any offense for which fraud, dishonesty or deceit is an essential element, the offense of burglary, and the offense of injury to a child to be of prime importance when determining fitness for licensure.

6. Sonnier was convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033 and requires written consent from the commissioner of insurance to engage or participate in the business of insurance.

**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 respondent’s license application; and
2. Any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,

/s/ Patrick Quigley
Patrick Quigley, Staff Attorney
State Bar No. 16430320
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6335 (Direct)
(512) 490-1020 (Fax)
Patrick.quigley@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE
A. Mailer Action

2020-6465

UNITED STATES POSTAL SERVICE®

Shipment Confirmation Acceptance Notice

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.

<table>
<thead>
<tr>
<th>Type of Mail</th>
<th>Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority Mail Express®</td>
<td></td>
</tr>
<tr>
<td>Priority Mail®</td>
<td>0</td>
</tr>
<tr>
<td>First-Class Package Service®</td>
<td></td>
</tr>
<tr>
<td>Returns</td>
<td></td>
</tr>
<tr>
<td>International*</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>1</td>
</tr>
</tbody>
</table>

*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 0022 3026 48

quigley/18033

PS Form 5630, September 2016  PSN 7530-06-000-4335
<table>
<thead>
<tr>
<th>Tracking/Article Number</th>
<th>Address Line 1</th>
<th>Address Line 2</th>
<th>Description</th>
<th>Postal Charge Fee</th>
<th>Handling Charge</th>
<th>Actual Value if Registered</th>
<th>Insured Value</th>
<th>Due at Sender if COD</th>
<th>ASR Fee</th>
<th>ASRD Fee</th>
<th>RD Fee</th>
<th>RR Fee</th>
<th>SC Fee</th>
<th>SCRD Fee</th>
<th>SH Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>0214 0001 0003 0213 0000 35</td>
<td>J. MARIE GOLDER 5402 DEERHORN ST SCHUMERT FIS 17730-1817</td>
<td></td>
<td></td>
<td>1.40</td>
<td>3.55</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Affix Stamp Here**

(if issued as an international certificate of mailing or for additional copies of this receipt).

Postmark with Date of Receipt.

---

**PS Form 3877, April 2015**

**Complete in Ink**

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.
Certificate Of Completion

Envelope Id: 1C672870AB8846A79C08D68089C12346  Status: Completed
Subject: Please DocuSign: Default Order_18033_Sonnier.pdf
Source Envelope:
Document Pages: 15  Signatures: 2
Certificate Pages: 5  Initials: 0
AutoNav: Enabled
Envelope Originator:
Franchetta Alexander
Enveloped Stamping: Disabled
IP Address: 204.65.238.70
Time Zone: (UTC-06:00) Central Time (US & Canada)

Record Tracking
Status: Original
8/13/2020 7:51:27 AM
Holder: Franchetta Alexander
Franchetta.Alexander@tdi.texas.gov
Location: DocuSign
Security Appliance Status: Connected
Pool: FedRamp
Storage Appliance Status: Connected
Pool: Texas Department of Insurance
Location: DocuSign

Signer Events
<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Timestamp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mary Ruiz</td>
<td></td>
<td>Sent: 8/13/2020 7:54:29 AM</td>
</tr>
<tr>
<td>Mary <a href="mailto:Ruiz@tdi.texas.gov">Ruiz@tdi.texas.gov</a></td>
<td></td>
<td>Viewed: 8/13/2020 8:12:53 AM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed: 8/13/2020 8:49:58 AM</td>
</tr>
</tbody>
</table>

Electronic Record and Signature Disclosure:
Accepted: 8/13/2020 8:12:53 AM
ID: e4e0c34f-96f6-451d-9479-04384750094a

In Person Signer Events

Editor Delivery Events
Status  Timestamp

Agent Delivery Events
Status  Timestamp

Intermediary Delivery Events
Status  Timestamp

Certified Delivery Events
Status  Timestamp

Carbon Copy Events
Status  Timestamp

Witness Events

Notary Events
<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Timestamp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Franchetta Alexander</td>
<td></td>
<td>Sent: 8/13/2020 7:54:29 AM</td>
</tr>
<tr>
<td><a href="mailto:Franchetta.Alexander@tdi.texas.gov">Franchetta.Alexander@tdi.texas.gov</a></td>
<td></td>
<td>Viewed: 8/13/2020 8:50:40 AM</td>
</tr>
<tr>
<td>Franchetta Alexander</td>
<td></td>
<td>Signed: 8/13/2020 8:50:53 AM</td>
</tr>
</tbody>
</table>

Electronic Record and Signature Disclosure:
Not Offered via DocuSign