

No. 2021-6969

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

Date: 08/26/2021

Subject Considered:

Mandy Allison Pruitt
P.O. Box 5479
Fresno, California 93755

Default Order
SOAH Docket No. 454-21-2558
TDI Enforcement File No. 26806

General remarks and official action taken:

This is a default order taken against Mandy Allison Pruitt (Respondent) because she does not hold a license in good standing as an agent in her home state of residence and did not notify the Texas Department of Insurance of the administrative action taken against her. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. 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 June 8, 2021, 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.

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3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, P.O Box 5479, Fresno, California 93755. The Notice of Hearing and Original Petition were also sent by electronic mail and to two additional addresses associated with Respondent: [REDACTED] [REDACTED] Fresno, California 93277 and [REDACTED] Exeter, California 93221.
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, 84.021-84.022, 4001.002, 4001.252, 4005.101, 4005.102, 4051.051 and 4056.052, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under 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 under 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 under 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 under 28 TEX. ADMIN. CODE § 1.89.

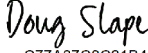
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Order

It is ordered that any licenses held by Mandy Allison Pruitt are 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.

Commissioner of Insurance

DocuSigned by:

By: C77A87C8C21B435...
Doug Slape
Chief Deputy Commissioner
TEX. GOV'T CODE § 601.002
Commissioner's Order No. 2018-5528

Prepared and reviewed by:



Allison J. Anglin, Staff Attorney
Enforcement Division

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

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

"My name is David Moreno 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 Mandy Allison Pruitt. I have confirmed that:

- a. The last mailing address provided to the department in writing by Mandy Allison Pruitt is P.O. Box 5479, Fresno, California 93755.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated June 8, 2021, which were filed with the State Office of Administrative Hearings.
- c. On June 8, 2021, the Notice of Hearing and Original Petition addressed to Mandy Allison Pruitt were mailed certified, return receipt requested, to her last known address and two additional addresses: [REDACTED] Fresno, California 93277 and [REDACTED] California 93221.

Copies of the certified mail log maintained by the Enforcement Division is attached as Exhibit C."

DocuSigned by:
David Moreno
BDFD3BEFF6D8493...

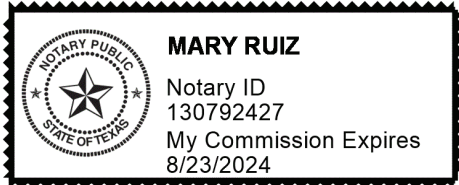
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 8/3/2021. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...
Notary Public State of Texas

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FILED
454-21-2558
6/8/2021 12:10 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

ACCEPTED
454-21-2558
06/08/2021 12:33 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

**SOAH DOCKET NO. 454-21-2558
TDI ENFORCEMENT FILE NO. 26806**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

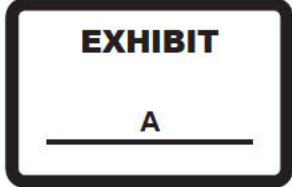
MANDY ALLISON PRUITT,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS



NOTICE OF HEARING

The Texas Department of Insurance seeks to take disciplinary action against you. 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 **Wednesday, September 8, 2021, at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under 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 UNDER 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
P.O. Box 12030, MC GC-CCO
Austin, Texas 78711-2030
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and
- (3) Allison J. Anglin, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030

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Notice of Hearing

Mandy Allison Pruitt

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(512) 490-1020 (Fax)

Allison.Anglin@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 hyperlink "Request Service by Email (only for use by self-represented litigants)," 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

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Respectfully Submitted,



Attorney Name

State Bar No. 24096016

Texas Department of Insurance

Enforcement Division, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6359 (Direct)

(512) 490-1020 (Fax)

Allison.Anglin@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC ENF
Director Name, Litigation Director, Enforcement Division, MC ENF
Administrative Review, MC CO-AAL

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Notice of Hearing
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CERTIFICATE OF SERVICE

I, Allison J. Anglin, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by certified mail, return receipt requested, on this 8th day of June, 2021 to:

Mandy Allison Pruitt
P.O. Box 5479
Fresno, CA 93755
Respondent Pro Se

Via Email [REDACTED]
Via CM/RRR No.:
9214 8901 9403 8341 8085 27

Mandy Allison Pruitt
[REDACTED]
Fresno, CA 93277
Respondent Pro Se

Via CM/RRR No.:
9214 8901 9403 8341 8086 88

Mandy Allison Pruitt
[REDACTED]
Exeter, CA 93221
Respondent Pro Se

Via CM/RRR No.:
9214 8901 9403 8341 8087 56



Allison J. Anglin

SOAH DOCKET NO. 454-_____
TDI ENFORCEMENT FILE NO. 26806

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

MANDY ALLISON PRUITT,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

EXHIBIT

B

ORIGINAL PETITION

The Texas Department of Insurance seeks to take disciplinary action against Mandy Allison Pruitt. 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 – 84.022, 4001.002, 4001.252, 4005.101, 4005.102, 4051.051, and 4056.052, and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

Licensure

1. Mandy Allison Pruitt (Pruitt), individual identification number 2425613, holds a non-resident general lines agent license with a property and casualty qualification, originally issued by the Texas Department of Insurance on July 16, 2019.
2. Pruitt has a Texas non-resident license because she lives in California. This license type requires that Pruitt have a resident license in good standing in her home state.
3. On December 17, 2020, the California Department of Insurance revoked Pruitt's resident insurance agent license. Pruitt did not notify TDI of the revocation.

Legal Allegations

1. Pruitt does not hold a license in good standing as an agent in her home state of residence, as required by TEX. INS. CODE § 4056.052, and is no longer eligible to hold a non-resident license in Texas.
2. Pruitt did not notify TDI of the administrative action taken against her, in violation of TEX. INS. CODE § 4001.252.

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. revoking Pruitt's license;
2. directing Pruitt to pay an administrative penalty under TEX. INS. CODE §§ 84.021 – 84.022; and
3. 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,



Allison J. Anglin
State Bar No. 24096016
Texas Department of Insurance
Enforcement Division, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6359 (Direct)
(512) 490-1020 (Fax)
Allison.Anglin@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

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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: 06/08/2021

Shipped From:

Name: MC 110-1A M RUIZ

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	3
Total	3



*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 0029 4638 16

ANGLIN/26806



Firm Mailing Book For Accountable Mail

Name and Address of Sender

MC 110-1A M RUIZ
TEXAS DEPARTMENT OF INSURANCE
333 GUADALUPE ST
AUSTIN TX 78701

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

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- 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

1. 9214 8901 9403 8341 8085 27
ANGLIN/26806

2. 9214 8901 9403 8341 8086 88

3. 9214 8901 9403 8341 8087 56

Addressee (Name, Street, City, State, & ZIP Code™)

MANDY ALLISON PRUITT P.O. BOX 5479 FRESNO, CA 93755

MANDY ALLISON PRUITT [REDACTED] FRESNO, CA 93277

MANDY ALLISON PRUITT [REDACTED] EXETER, CA 93221

Postage

1.20

1.20

1.20

(Extra Service) Fee

3.60

3.60

3.60

Handling Charge

Actual Value if Registered

Insured Value

Due Sender if COD

ASR Fee

ASRD Fee

RD Fee

RR Fee

1.75

1.75

1.75

SC Fee

Signature Confirmation Restricted Delivery Fee

Special Handling Fee

Total Number of Pieces Listed by Sender: 3

Total Number of Pieces Received at Post Office: 3

Postmaster, Per (Name of receiving employee)

2021-6969

Tracking History



Tracking #: 9214890194038341808527

















Recipient: MANDY ALLISON PRUITT
P.O. BOX 5479
FRESNO, CA 93755

Date & Time	Event Type	Event	Event Location
06/08/2021 12:07		PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	AUSTIN,TX, 78701
06/08/2021 20:38		ORIGIN ACCEPTANCE	AUSTIN,TX, 78701
06/08/2021 21:53		PROCESSED THROUGH USPS FACILITY	AUSTIN,TX, 78710
06/09/2021 02:55		DEPART USPS FACILITY	AUSTIN,TX, 78710
06/10/2021 18:59		PROCESSED THROUGH USPS FACILITY	ANAHEIM,CA, 92899
06/11/2021 09:31		PROCESSED THROUGH USPS FACILITY	FRESNO,CA, 93706
06/14/2021 08:09		DELIVERED PO BOX	FRESNO,CA, 93755

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Tracking #: 9214890194038341808688

Recipient MANDY ALLISON PRUITT
[REDACTED]
FRESNO, CA 93277











Date & Time	Event Type	Event	Event Location
06/08/2021 12:07		PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	AUSTIN,TX, 78701
06/08/2021 20:40		ORIGIN ACCEPTANCE	AUSTIN,TX, 78701
06/08/2021 21:55		PROCESSED THROUGH USPS FACILITY	AUSTIN,TX, 78710
06/09/2021 02:55		DEPART USPS FACILITY	AUSTIN,TX, 78710
06/10/2021 17:09		PROCESSED THROUGH USPS FACILITY	ALBUQUERQUE,NM, 87101
06/10/2021 17:15		DEPART USPS FACILITY	ALBUQUERQUE,NM, 87101
06/12/2021 10:56		PROCESSED THROUGH USPS FACILITY	FRESNO,CA, 93706
06/13/2021 19:21		PROCESSED THROUGH USPS FACILITY	FRESNO,CA, 93706
06/14/2021 08:52		PROCESSED THROUGH USPS FACILITY	FRESNO,CA, 93706
06/15/2021 09:43		INSUFFICIENT ADDRESS	FRESNO,CA, 93711
06/18/2021 12:55		PROCESSED THROUGH USPS FACILITY	SACRAMENTO,CA, 95813
06/22/2021 13:13		PROCESSED THROUGH USPS FACILITY	FRESNO,CA, 93706
06/30/2021 09:32		PROCESSED THROUGH USPS FACILITY	SACRAMENTO,CA, 95813
07/03/2021 23:32		PROCESSED THROUGH USPS FACILITY	SACRAMENTO CA DISTRIBUTION CENT, 95799
07/05/2021 12:13		PROCESSED THROUGH USPS FACILITY	AUSTIN TX DISTRIBUTION CENTER, 78710
07/07/2021 11:24		DELIVERED TO ORIGINAL SENDER	AUSTIN,TX, 78701

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Tracking History

Tracking #: 9214890194038341808756

Recipient: MANDY ALLISON PRUITT
EXETER, CA 93221

Date & Time	Event Type	Event	Event Location
06/08/2021 12:07		PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	AUSTIN, TX, 78701
06/08/2021 20:38		ORIGIN ACCEPTANCE	AUSTIN, TX, 78701
06/08/2021 21:53		PROCESSED THROUGH USPS FACILITY	AUSTIN, TX, 78710
06/09/2021 02:55		DEPART USPS FACILITY	AUSTIN, TX, 78710
06/09/2021 21:39		PROCESSED THROUGH USPS FACILITY	BAKERSFIELD, CA, 93380
06/10/2021 05:23		ARRIVAL AT UNIT	EXETER, CA, 93221
06/10/2021 06:10		OUT FOR DELIVERY	EXETER, CA, 93221
06/10/2021 11:38		NO AUTHORIZED RECIPIENT AVAILABLE	EXETER, CA, 93221
06/10/2021 12:40		DELIVERED LEFT WITH INDIVIDUAL	EXETER, CA, 93221
06/10/2021 14:33		REDELIVERY SCHEDULED	EXETER, CA, 93221