

No. 2022-7356

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

Date: 06/29/2022

Subject Considered:

Willie Lavelle Curry
[REDACTED]
Richardson, Texas 75082

Default Order
SOAH Docket No. 454-22-2475
TDI Enforcement File No. 25052

General remarks and official action taken:

The subject of this default order is whether an adjuster all-lines license should be issued to Willie Lavelle Curry (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 April 27, 2022, 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. On April 27, 2022, the department sent the Notice of Hearing and Original Petition via regular, first-class mail to Respondent's last known address provided in writing

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to the department, [REDACTED], Richardson, TX 75082. The Notice of Hearing and Original Petition were also sent by electronic mail at that time.

4. On May 31, 2022, the department also sent the Notice of Hearing and Original Petition via certified mail, return receipt requested to Respondent's last known address provided in writing to the department, [REDACTED], Richardson, TX 75082. The department filed the Certificate of Service, attached as Exhibit C, with the State Office of Administrative Hearings.
5. 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 later mailed on May 31, 2022.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, 4005.102, and 4101.051; 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 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 Willie Lavelle Curry's application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:

FC5D7EDDFFB4F8... _____
Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Kaycee Crisp, Staff Attorney
Enforcement

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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 Willie Lavelle Curry. I have confirmed that:

- a. The last mailing address provided to the department in writing by Willie Lavelle Curry is [REDACTED], Richardson, TX 75082.
- b. The file maintained by Enforcement contains a Notice of Hearing dated April 27, 2022, and an Original Petition dated April 20, 2022, which were filed together with the State Office of Administrative Hearings on April 27, 2022.
- c. On April 27, 2022, the Notice of Hearing and Original Petition addressed to Willie Lavelle Curry were mailed first-class to his last known address.
- d. On May 31, 2022, the Notice of Hearing and Original Petition addressed to Willie Lavelle Curry were mailed via certified mail, return receipt requested to his last known address.

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

DocuSigned by:

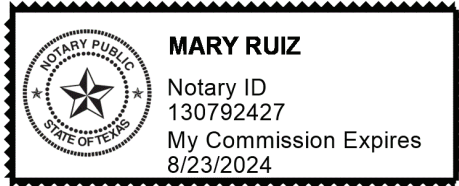
051421B4744F4BE...
Affiant

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Commissioner's Order
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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 6/21/2022. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

2022-7356

FILED
454-22-2475
4/27/2022 9:36 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

**SOAH DOCKET NO. 454-22-2475
TDI ENFORCEMENT FILE NO. 25052**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

WILLIE LAVELLE CURRY,

Respondent

BEFORE THE STATE OFFICE

ACCEPTED
454-22-2475
4/27/2022 10:07:41 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

OF

ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

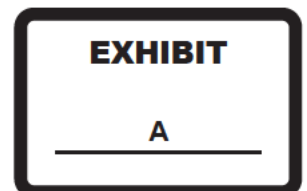
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, September 20, 2022, 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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Notice of Hearing
Willie Lavelle Curry
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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 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) *(by mail, fax, or electronically)*
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);
www.soah.texas.gov/e-filing-soah

- (2) *(by mail, fax, or email)*
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) *(by mail, fax, or email)*
Kaycee Crisp, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC ENF

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Kaycee.Crisp@tdi.texas.gov

Receiving Documents Electronically and Filing Documents with SOAH

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: www.soah.texas.gov.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. You may file documents with SOAH by mail, fax, or electronically. To file electronically, you must use eFileTexas. Instructions on using eFileTexas are on SOAH's website. SOAH's website also includes guidance for representing yourself.

Important Security Notice (for In-Person Hearings ONLY)

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.

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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



Kaycee Crisp
State Bar No. 24057368
Texas Department of Insurance
Enforcement Division, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6327 (Direct)
(512) 490-1020 (Fax)
Kaycee.Crisp@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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

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Notice of Hearing

Willie Lavelle Curry

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CERTIFICATE OF SERVICE

I, Kaycee Crisp, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by the following methods listed on this 27th day of April, 2022 to:

Willie Lavelle Curry

[REDACTED]

Richardson, TX 75082

Respondent Pro Se

Via Regular, First Class Mail

Via Email: [REDACTED]



Kaycee Crisp

2022-7356

FILED
454-22-2475
4/20/2022 8:22 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 454-²²⁻²⁴⁷⁵
TDI ENFORCEMENT FILE NO. 25052

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

WILLIE LAVELLE CURRY,

Respondent

BEFORE THE STATE OFFICE

ACCEPTED
454-22-2475
4/20/2022 11:57:15 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

OF

ADMINISTRATIVE HEARINGS

ORIGINAL PETITION

The Texas Department of Insurance (TDI) seeks to deny Willie Lavelle Curry's license application. In support of this petition, TDI makes the following allegations upon information and belief:

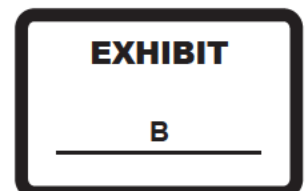
Jurisdiction

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, 4005.102, and 4101.051, 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 February 11, 2020, Willie Lavelle Curry (Curry) applied to TDI for an adjuster all lines license.
2. On May 8, 2020, TDI proposed to deny Curry's application based upon his criminal history.
3. On June 7, 2020, Curry appealed TDI's decision and requested a hearing.



Criminal History

4. Curry was charged on May 4, 2016, by United States Department of the Air Force Court Martial with failure to obey order or regulation, rape and sexual assault, and assault, occurring on or about 2012, in GCMO No.3 HQ 20 AF, F.E. Warren AFB Wyoming.
5. Curry pleaded not guilty to all charges.
6. On November 14, 2013, Curry was found guilty on the charges of failure to obey order or regulation, rape and sexual assault, and assault.
7. Curry was adjudged and sentenced to a forfeiture of all pay and allowances, military confinement for ten years in the Air Force Corrections System beginning on or about May 2016, and a dishonorable discharge from the United States Air Force effective on or about July 2017.
8. On July 30, 2019, Curry was released from confinement to supervised probation with the United States District Court for the Southern District of Texas Probation Office.
9. Curry currently remains on probation and is scheduled to complete his term of supervision on May 13, 2023.
10. Curry is currently listed as a registered sex offender with the Texas Public Sex Offender Registry.

Legal Allegations

1. Curry has been convicted of a sexually violent offense as defined by Article 62.001(5)(A) and(5)(H) of the Code of Criminal Procedure, and as contemplated by TEX. OCC. CODE § 53.021(a)(3).
2. Curry has been convicted of an offense that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by TEX. OCC. CODE § 53.021(a)(1).

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Original Petition
Willie Lavelle Curry
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3. Curry has committed offenses that the department considers to be of such a serious nature that they are of prime importance in determining fitness for licensure, as contemplated by TEX. OCC. CODE §§ 53.021 – 53.023 and 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).
4. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that the department:
 - 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;
 - c. considers these offenses to be of such a serious nature that they are of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE § 1.502(e)(4)(B):
 - i. Sexual Assault
 - ii. Assault.

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 Curry's license application; and
2. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

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Original Petition
Willie Lavelle Curry
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Respectfully Submitted,



Kaycee Crisp, Staff Attorney
State Bar No. 24057368
Enforcement Division, Texas Department
of Insurance
P.O. Box 12030 MC ENF
Austin, Texas 78711-2030
(512) 676-6327 | Fax (512) 490-1020
kaycee.crisp@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2022-7356

FILED
454-22-2475
5/31/2022 10:12 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Giselle Quintero, CLERK

ACCEPTED
454-22-2475
6/2/2022 9:12:44 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Giselle Quintero, CLERK

**SOAH DOCKET NO. 454-22-2475
TDI ENFORCEMENT FILE NO. 25052**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

WILLIE LAVELLE CURRY,

ADMINISTRATIVE HEARINGS

Respondent

CERTIFICATE OF SERVICE

I, Kaycee Crisp, certify that a true and correct copy of the *Notice of Hearing dated April 27, 2022, and the Original Petition* were sent by certified mail, return receipt requested, on this 31st day of May, 2022 to:

Willie Lavelle Curry
[REDACTED]
Richardson, TX 75082
Respondent Pro Se

Via CM/RRR: 9214 8901 9403 8378 0577 52



Kaycee Crisp
State Bar No. 24057368
Texas Department of Insurance
Enforcement Division, MC110-1A
P.O. Box 149104
Austin, Texas 78714-9104
(512) 676-6327 (Direct)
(512) 490-1020 (Fax)
Kaycee.Crisp@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

EXHIBIT

C

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 333 Guadalupe St
 Austin TX 78701

Mary Ruiz
 April 25, 2022 April 27, 2022

- 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

Firm Mailing Book For Account

EXHIBIT
D

USPS Tracking/Article Number	Address (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
crisp/25052	WILLIE LABELLE CURRY [REDACTED] RICHARDSON, TX 75082	53		\$50,000 in value										
				Handling Charge if Restricted Delivery				Adult Signature Restricted Delivery	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

neopost[®]
04/25/2022

US POSTAGE \$001.65⁰

ZIP 78701
041M12252405

OFFICIAL BUSINESS
STATE OF TEXAS
PENALTY FOR PRIVATE USE

2022-7356



**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: 05/31/2022
 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	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

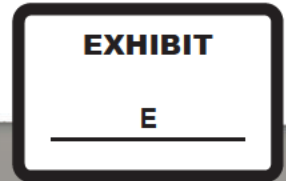
USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
 Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0037 0623 84

CRISP/25052





2022-7356

Name and Address of Sender
 MC 110-1A M RUIZ
 TEXAS DEPARTMENT OF INSURANCE
 333 GUADALUPE ST
 AUSTIN TX 78701

Check type of mail or service
 Adult Signature Required Priority Mail Express
 Adult Signature Restricted Delivery Registered Mail
 Certified Mail Return Receipt for Merchandise
 Certified Mail Restricted Delivery Signature Confirmation
 Collect on Delivery (COD) Signature Confirmation Restricted Delivery
 Insured Mail
 Priority Mail

Affix Stamp Here
 (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 9403 8378 0577 52 CRISP/25052	WILLIE LAVELLE CURRY [REDACTED] RICHARDSON, TX 75082	1.56	3.75	Handling Charge - if Registered and over \$50,000 in value							1.85				

RECEIVED
 JUN 01 2022
 TDI - ENFORCEMENT

GASP WINDOW
 JUN 1 11 11 AM '22
 78710

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: []

Postmaster, Per (Name of receiving employee): []