

No. 2023-8079

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

**Date: 7/12/2023**

**Subject Considered:**

Texas Department of Insurance  
v.  
Thi Hong Duyen Nguyen

SOAH Docket No. 454-21-2475.C

**ORDER ON MOTION FOR REHEARING**

**General Remarks and Official Action Taken:**

The subject of this order is the motion for rehearing filed by Thi Hong Duyen Nguyen. This order denies the motion.

**Background**

On May 19, 2023, Commissioner's Order No. 2023-7977 was issued. The order revoked Ms. Nguyen's general lines agent license for engaging in fraudulent or dishonest acts or practices. The order was issued following a hearing on the merits at the State Office of Administrative Hearings and the issuance of a proposal for decision by the presiding administrative law judge.

Ms. Nguyen submitted a motion for rehearing on June 13, 2023. In her motion, Ms. Nguyen asserts that Commissioner's Order No. 2023-7977 is not supported by substantial evidence and that the Texas Department of Insurance (TDI) acted arbitrarily or capriciously and denied her due process rights. However, Ms. Nguyen also explains in her motion that these arguments would be highly unlikely to persuade a court to overturn the order and would most likely fail.

On June 21, 2023, Enforcement staff for TDI submitted a reply to the motion for rehearing. In the reply, Enforcement says that Ms. Nguyen has failed to articulate or identify any errors or particular findings of fact or conclusions of law to merit a

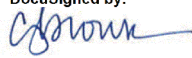
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rehearing. Enforcement also notes that Ms. Nguyen's motion contains arguments in support of the order.

Texas Government Code § 2001.146(g) requires that a motion for rehearing "identify with particularity findings of fact and conclusions of law that are the subject of the complaint and any evidentiary or legal ruling claimed to be erroneous. The motion must also state the legal and factual basis for the claimed error." Ms. Nguyen's motion is vague, fails to contest any specific finding of fact or conclusion of law, and fails to provide a factual or legal basis upon which it might be granted. Therefore, Ms. Nguyen's motion for rehearing should not be granted.

**Order**

It is ordered that the motion for rehearing filed by Thi Hong Duyen Nguyen is denied.

DocuSigned by:  
  
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Cassie Brown  
Commissioner of Insurance

Recommended and reviewed by:

DocuSigned by:  
  
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Allison Eberhart, Deputy General Counsel

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Kara Salmanson, Attorney