

No. _____

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

Date: _____

Subject Considered:

Gerome Randle Jr.
4108 Green Oaks Blvd 174021
Arlington, TX 76017

Default Order
SOAH Docket No. 454-23-23187
TDI Enforcement File No. 31712

General remarks and official action taken:

The subject of this default order is whether an adjuster all lines license should be issued to Gerome Randle Jr. (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 July 13, 2023, 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.

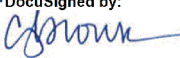
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, 4108 Green Oaks Blvd 174021, Arlington, TX 76017.
4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101-4005.105, 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.

Order

It is ordered that Gerome Randle Jr.'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:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:

/s/ Erik Huhn

Erik Huhn, Staff Attorney
Enforcement

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 Gerome Randle Jr. I have confirmed that:

- a. The last mailing address provided to the department in writing by Gerome Randle Jr. is 4108 Green Oaks Blvd 174021, Arlington, TX 76017.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated July 13, 2023, which were filed with the State Office of Administrative Hearings.
- c. On July 13, 2023, the Notice of Hearing and Original Petition addressed to Gerome Randle Jr. were mailed first-class and certified, 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 C and Exhibit D, respectively."

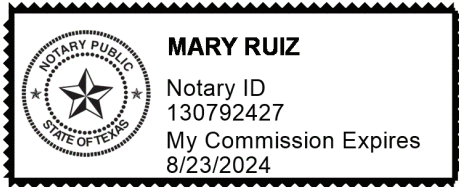
DocuSigned by:

FF99F78278904A5...

Affiant

Commissioner's Order
Gerome Randle Jr.
SOAH Docket No. 454-23-23187
Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 8/7/2023. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

ACCEPTED
454-23-23187
7/13/2023 9:18:37 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Kevin Garza, CLERK

FILED
454-23-23187
7/13/2023 9:17 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Kevin Garza, CLERK

**SOAH DOCKET NO. 454-23-23187
TDI ENFORCEMENT FILE NO. 31712**

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

GEROME RANDLE JR.,

ADMINISTRATIVE HEARINGS

Respondent

NOTICE OF HEARING

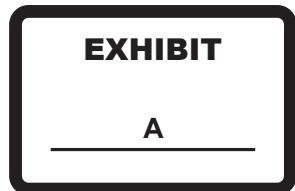
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **December 5, 2023, at 9:30 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.



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

- (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)*
Erik Huhn, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF

P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Erik.Huhn@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 or exhibits with SOAH. Instructions on how to file documents and exhibits 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.

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

Respectfully Submitted,

/s/Erik Huhn

Erik Huhn
State Bar No. 24132806
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6355 (Direct)
(512) 490-1020 (Fax)
Erik.Huhn@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC ENF
Whitney Fraser, Litigation Director, Enforcement, MC ENF
Administrative Review, MC CO-AAL

CERTIFICATE OF SERVICE

I, Erik Huhn, 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 13th day of July, 2023 to:

Gerome Randle Jr.
4108 Green Oaks Blvd 174021
Arlington, TX 76017
Respondent Pro Se

Via CM/RRR No:
9214890194038322347847

/s/Erik Huhn

Erik Huhn

SOAH DOCKET No. 454-23-23187

FILED
454-23-23187
7/11/2023 10:48 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 454-_____
TDI ENFORCEMENT FILE NO. 31712

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

ACCEPTED
454-23-23187
7/11/2023 12:44:36 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

v.

OF

GEROME RANDLE JR.,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

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

Jurisdiction

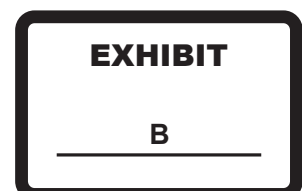
The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

1. On October 14, 2022, Randle applied for an adjuster all lines license.
2. On January 3, 2023, TDI sent a proposed summary denial letter to Randle denying his application based on his criminal history.
3. On March 13, 2023, TDI acknowledged receipt of Randle's request for a hearing on the denial.

Criminal History:

Case no. 16-2003-CF-12419-AXXX-MA – Child Abuse and Child Neglect



4. On March 31, 2005, in the Circuit Court, Fourth Judicial Circuit, in and for Duval County, Florida, Randle was tried and convicted by a jury of two counts: (1) Child Abuse- a lesser included offense, a first-degree felony; and (2) Child Neglect- Great Bodily Harm, a second-degree felony.
5. The court sentenced Randle to serve a term of five years in the Florida Department of Corrections for count 1 and a term of nine years and six months in the Florida Department of Corrections for count 2. Both sentences were set to run concurrently.
6. On November 2, 2011, Randle was released from the custody of the Florida Department of Corrections.

Legal Allegations

1. TDI may deny Randle's license application because he has been convicted of a felony, as contemplated under TEX. INS. CODE § 4005.101(b)(8).
2. TDI may deny Randle's license application because he has committed an offense of such serious nature that it is of prime importance in determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(3) and (e)(4)(B).
3. The factors listed in 28 TEX. ADMIN. CODE § 1.502(h) do not outweigh the serious nature of Randle's criminal history, as contemplated by 28 TEX. ADMIN. CODE § 1.502(f).

Relief Sought

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

1. denying Gerome Randle Jr.'s license application, and
2. granting any other just and appropriate relief to which TDI may be entitled to by law.

Respectfully Submitted,

/s/Erik Huhn

Erik Huhn
State Bar No. 24132806
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6355 (Direct)
(512) 490-1020 (Fax)
Erik.Huhn@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Erik Huhn
Bar No. 24132806
Enforcementgeneral@tdi.texas.gov
Envelope ID: 77390198
Filing Code Description: Request to Docket
Filing Description: Request to Docket Randle
Status as of 7/11/2023 12:46 PM CST

Associated Case Party: Chief Clerk

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------|-----------|--------------------------|-----------------------|--------|
| Chief Clerk | | ChiefClerk@tdi.texas.gov | 7/11/2023 10:48:10 AM | SENT |

Associated Case Party: TDI

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------------------------|-----------|----------------------------------|-----------------------|--------|
| Erik Huhn | | Erik.Huhn@tdi.texas.gov | 7/11/2023 10:48:10 AM | SENT |
| Texas Department of Insurance | | Enforcementgeneral@tdi.texas.gov | 7/11/2023 10:48:10 AM | SENT |
| Whitney Fraser | | Whitney.Fraser@tdi.texas.gov | 7/11/2023 10:48:10 AM | SENT |

Associated Case Party: Gerome Randle Jr.

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------------|-----------|--------------------------|-----------------------|--------|
| Gerome Randle Jr. | | GEROMERANDLE25@gmail.com | 7/11/2023 10:48:10 AM | SENT |

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Erik Huhn
Bar No. 24132806
Enforcementgeneral@tdi.texas.gov
Envelope ID: 77475438
Filing Code Description: Notice of Hearing
Filing Description: NOH_OP
Status as of 7/13/2023 9:19 AM CST

Associated Case Party: TDI

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------------------------|-----------|----------------------------------|----------------------|--------|
| Whitney Fraser | | Whitney.Fraser@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |
| Texas Department of Insurance | | Enforcementgeneral@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |
| Erik Huhn | | Erik.Huhn@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |
| Leah Gillum | | Leah.Gillum@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |
| Jodie Delgado | | jodie.delgado@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |

Associated Case Party: Chief Clerk

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------|-----------|--------------------------|----------------------|--------|
| Chief Clerk | | ChiefClerk@tdi.texas.gov | 7/13/2023 9:17:41 AM | SENT |

Associated Case Party: Gerome Randle Jr.

| Name | BarNumber | Email | TimestampSubmitted | Status |
|-------------------|-----------|--------------------------|----------------------|--------|
| Gerome Randle Jr. | | GEROMERANDLE25@gmail.com | 7/13/2023 9:17:41 AM | SENT |



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: 07/13/2023

Shipped From:

Name: ENF R RODRIGUEZ

Address: 1601 CONGRESS AVE

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.

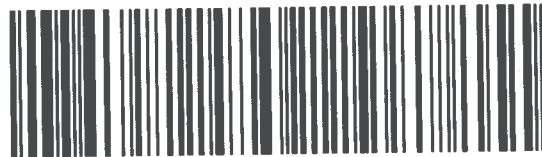
B. USPS Action

Note to RSS Clerk:

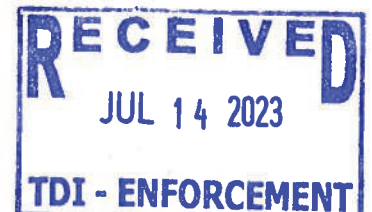
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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 0045 6911 63



HUHN/31712

EXHIBIT

D



Firm Mailing Book For Accountable Mail

Name and Address of Sender
ENF R. RODRIGUEZ
1601 CONGRESS AVE
STE 6.900
AUSTIN TX 78701

ENF

USPS Tracking/Article Number

1. 9214 8901 9403 8322 3478 47

HUHN/31712

GEROME RANDLE JR.
4108 GREEN OAKS BLVD 174021
ARLINGTON, TX 76017

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

- 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
 - Signature Confirmation Restricted Delivery (TM)

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

| 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 |
|---------|---------------------|--|----------------------------|---------------|-------------------|--------------------------|-------------------------------------|---------------------|----------------|------------------------|--|------------------|
| 0.63 | 4.35 | Handling Charge - if Registered and over \$50,000 in value | | | | Adult Signature Required | Adult Signature Restricted Delivery | Restricted Delivery | Return Receipt | Signature Confirmation | Signature Confirmation Restricted Delivery | Special Handling |

RECEIVED
JUL 14 2023
TDI - ENFORCEMENT



Postmaster, Per (Name of receiving employee)

[Signature]

Total Number of Pieces Listed by Sender: 1
Total Number of Pieces Received at Post Office: 1