

No. 2023-8250

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

Date: 9/29/2023

Subject Considered:

Texas Department of Insurance v.
Errol Lawrence Sidney, Jr.

SOAH Docket No. 454-23-19080.C

Order Denying Request to Reinstate Hearing Date

General Remarks and Official Action Taken:

The subject of this order is Errol Lawrence Sidney, Jr.'s request to reinstate his hearing date. This order denies the request.

Background

On July 6, 2023, Commissioner's Order No. 2023-8069 was issued, revoking any licenses held by Mr. Sidney. The order was issued following Mr. Sidney's failure to respond to a notice of hearing.

Mr. Sidney submitted a request to reinstate his hearing date on July 24, 2023. On July 31, 2023, Texas Department of Insurance (TDI) Enforcement staff submitted a reply to Mr. Sidney's request.

Discussion

In his request to reinstate his hearing date, Mr. Sidney asserted that on May 4, 2023, he had a conversation with a TDI Enforcement attorney who confirmed the hearing date was set for August 29, 2023, and told Mr. Sidney that he did not have to do anything further.

Enforcement responded to Mr. Sidney's request, contesting his claim that an attorney spoke to him and told him there was nothing he needed to do. Enforcement's response

COMMISSIONER'S ORDER DENYING REQUEST TO REINSTATE HEARING DATE
TDI v. ERROL LAWRENCE SIDNEY, JR.
SOAH Docket No. 454-23-19080.C
Page 2 of 2

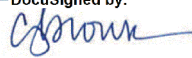
also included an email received from Mr. Sidney on March 22, 2023, in which Mr. Sidney confirmed his email address and mailing address. Enforcement noted that these were the addresses the notice of hearing was sent to and argued that had Mr. Sidney read the notice of hearing, he would have been aware of the necessity to respond.

Mr. Sidney replied to Enforcement's response with a second email alleging that he did not receive the notice of hearing because it was sent to the wrong address. However, this assertion conflicts with Mr. Sidney's statement in his first email that he was aware of the hearing date and contradicts the email Enforcement provided in which Mr. Sidney confirmed Enforcement had the correct email address and mailing address for him.

Based on this, Mr. Sidney did not show that his failure to respond to the notice of hearing was due to accident or mistake and his request to reinstate his hearing date should be denied.

Order

It is ordered that Errol Lawrence Sidney, Jr.'s request to reinstate his hearing date is denied.

DocuSigned by:

FC5D7EDDFFB4F8...
Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:

DocuSigned by:

5DAC5618BBC74D4...
Jessica Barta, General Counsel

DocuSigned by:

27ADF3DA5BAF4B7...
Justin Beam, Assistant General Counsel