

No. 2024-8877

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

Date: 10/03/2024

Subject Considered:

Javonte Richard
Plano, Texas 75074

Default Order
SOAH Docket No. 454-24-17921.C
TDI Enforcement File No. 30987

General remarks and official action taken:

This is a default order taken against Javonte Richard (Richard) because she was convicted of the felony offense of mail theft. Richard did not respond to a Notice of Hearing filed by the Texas Department of Insurance (TDI) or appear at the hearing on the merits. This order revokes Richard'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 May 8, 2024, TDI filed a Notice of Hearing, attached as Exhibit A, together with a previously filed Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. TDI's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
3. TDI sent the Notice of Hearing and Original Petition together to Richard's last known address provided in writing to TDI, [REDACTED], Plano, Texas

2024-8877

Commissioner's Order

Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 2 of 5

75074. The Notice of Hearing and Original Petition were also sent by electronic mail.

4. Richard failed to file a written response to the Notice of Hearing within 20 days from the date the Notice of Hearing and Original Petition were mailed.

Failure to Appear at Hearing on the Merits

5. After receiving proper notice of the date, time, and location of the hearing on the merits, Richard failed to appear for the hearing on August 27, 2024, as shown in the record of SOAH Docket No. 454-24-17921.C.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 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. TDI 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 Richard's failure to file a written response to the Notice of Hearing and failure to appear in person or by legal representative at the hearing, TDI is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. TDI'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.

2024-8877

Commissioner's Order

Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 3 of 5

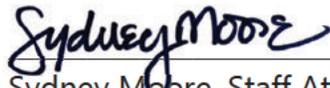
Order

It is ordered that any licenses held by Javonte Richard are revoked. A copy of this order will be provided to law enforcement and other appropriate administrative agencies for further investigation as may be warranted.

Signed by:

FC5D7EDDFFB84F8... _____
Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Sydney Moore, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

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

"My name is Roxanne Rodriguez, 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 Javonte Richard. I have confirmed that:

- a. The last mailing address provided to the department in writing by Javonte Richard is [REDACTED] Plano, Texas 75074.
- b. The file maintained by Enforcement contains a Notice of Hearing, dated May 8, 2024, and an Original Petition dated May 7, 2024, which were filed together with the State Office of Administrative Hearings on May 8, 2024.
- c. On May 8, 2024, the Notice of Hearing and Original Petition addressed to Javonte Richard were mailed first-class and certified, return receipt requested, to her 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."

Signed by:

 704270860D4E424...
 Affiant

2024-8877

Commissioner's Order

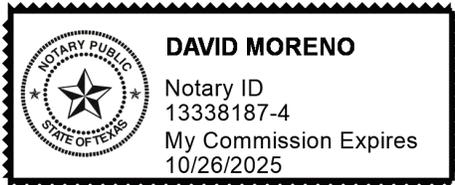
Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 5 of 5

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 9/16/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
David Moreno
455E4109E15D4CD...
Notary Public State of Texas

FILED **2024-8877**
454-24-17921
5/8/2024 11:57 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
454-24-17921
5/8/2024 12:01:52 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

SOAH DOCKET NO. 454-24-17921.C
TDI ENFORCEMENT FILE NO. 30987

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

JAVONTE RICHARD,

Respondent

BEFORE THE STATE OFFICE

EXHIBIT

A

OF

ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

The Texas Department of Insurance (TDI) 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 TDI.

A public hearing will be held before an Administrative Law Judge on **Tuesday, August 27, 2024, at 9:30 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings (SOAH), unless otherwise ordered to proceed in another manner by the Administrative Law Judge. The attached SOAH scheduling order includes the hyperlink and telephone contact information to attend the videoconference hearing.

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 SOAH 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.

2024-8877

Notice of Hearing

Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 2 of 5

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) *(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)*

2024-8877

Notice of Hearing

Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 3 of 5

Sydney Moore, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Sydney.moore@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.

2024-8877

Notice of Hearing

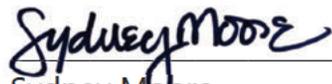
Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 4 of 5

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

Respectfully Submitted,



Sydney Moore

State Bar No. 24056052

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6339 (Direct)

(512) 490-1020 (Fax)

Sydney.moore@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosures: Original Petition and SOAH Scheduling Order

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

2024-8877

Notice of Hearing

Javonte Richard

SOAH Docket No. 454-24-17921.C

Page 5 of 5

CERTIFICATE OF SERVICE

I, Sydney Moore, certify that a true and correct copy of the *Notice of Hearing, the Original Petition, and the SOAH Scheduling Order* were sent by the following methods shown, on this 8th day of May, 2024 to:

Javonte Richard

[REDACTED]

Plano, Texas 75074

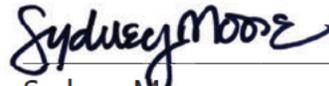
Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8360 8983 70

Via First Class Mail

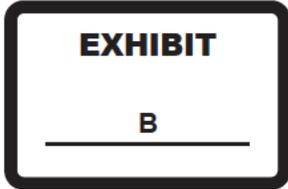
Via Email: [REDACTED]

and [REDACTED]



Sydney Moore

2024-8877



SOAH Docket No. 454-24-17921

SOAH DOCKET NO. 454-_____
TDI ENFORCEMENT FILE NO. 30987

ACCEPTED
454-24-17921
5/7/2024 3:40:02 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

JAVONTE RICHARD,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance (TDI) seeks to take disciplinary action against Javonte Richard. In support of this petition, the 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; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502;¹ and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

1. Javonte Richard (Richard), individual identification number 2495313, holds an adjuster all lines license issued by TDI on January 18, 2022.
2. Richard was convicted of the felony offense of Theft of Mail Package by United States Postal Service officer or employee in Case no. 21-cr-1 in the United States District Court, Eastern District of Louisiana on July 21, 2022. Richard was sentenced to one year probation with 100 hours of community service. Richard was released from probation on July 20, 2023.
3. Richard failed to notify TDI of her felony conviction as required by TEX. INS. CODE § 4001.252(a)(2).

¹ All references to 28 TEX. ADMIN. CODE § 1.502 herein, are to the version of that rule pre-dating amendments adopted in Order 2023-8185, effective on and after September 26, 2023.

Legal Allegations

1. Richard has been convicted of a felony as contemplated by TEX. INS. CODE § 4005.101(b)(8), 28 TEX. ADMIN. CODE § 1.502, and TEX. OCC. CODE §§ 53.021-53.023.
2. Richard has been convicted of a felony that directly relates to the business of insurance, as contemplated in Tex. Occ. Code §§ 53.021 – 53.023 and 28 TEX. ADMIN. CODE § 1.502(d).
3. Richard has been convicted of an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated in TEX. OCC. CODE §§ 53.021 – 53.023 and 28 TEX. ADMIN. CODE § 1.502(e)(1).
4. Richard has been convicted of a theft offense as contemplated in 28 TEX. ADMIN. CODE § 1.02(e)(4)(F) and TEX. OCC. CODE §§ 53.021 -53.023.
5. Richard has been convicted of a criminal felony involving dishonesty or breach of trust, as contemplated in 18 U.S.C. § 1033.
6. Richard has not obtained the written consent of the commissioner of insurance to engage in the business of insurance following her conviction for a criminal felony involving dishonesty or a breach of trust, as contemplated in 18 U.S.C. § 1033.
7. Richard has failed to notify TDI of a felony conviction as required by TEX. INS. CODE § 4001.252(a)(2).

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. revoking Javonte Richard’s license, 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.

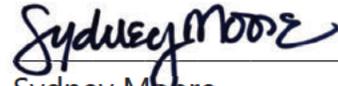
2024-8877

Original Petition

Javonte Richard

Page 3 of 3

Respectfully Submitted,

A handwritten signature in black ink that reads "Sydney Moore". The signature is written in a cursive style with a horizontal line extending to the right from the end of the name.

Sydney Moore

State Bar No. 24056052

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6339 (Direct)

(512) 490-1020 (Fax)

Sydney.moore@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

2024-8877

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing 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 Sydney Moore
Bar No. 24056052
Enforcementgeneral@tdi.texas.gov
Envelope ID: 87475910
Filing Code Description: Request to Docket
Filing Description: Richard Request to Docket
Status as of 5/7/2024 3:43 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	5/7/2024 2:58:54 PM	SENT

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Sydney Moore		Sydney.Moore@tdi.texas.gov	5/7/2024 2:58:54 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	5/7/2024 2:58:54 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	5/7/2024 2:58:54 PM	SENT

Associated Case Party: Javonte Richard

Name	BarNumber	Email	TimestampSubmitted	Status
Javonte Richard		[REDACTED]	5/7/2024 2:58:54 PM	ERROR

2024-8877

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing 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 Sydney Moore
Bar No. 24056052
Enforcementgeneral@tdi.texas.gov
Envelope ID: 87511603
Filing Code Description: Notice of Hearing
Filing Description: NOH OP Order 30987
Status as of 5/8/2024 12:06 PM CST

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT
Sydney Moore		Sydney.Moore@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	5/8/2024 11:57:15 AM	SENT

Associated Case Party: Javonte Richard

Name	BarNumber	Email	TimestampSubmitted	Status
Javonte Richard		[REDACTED]	5/8/2024 11:57:15 AM	SENT
Javonte Richard		[REDACTED]	5/8/2024 11:57:15 AM	ERROR

2024-8877



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: 05/08/2024

Shipped From:

Name: MC ENF D MORENO

Address: 1601 CONGRESS AVENUE SUITE 6 900

City: AUSTIN

State: TX ZIP+4® 78701



Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	
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:

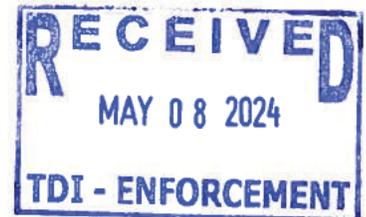
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

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 0052 5716 63



Moore/30987



Firm Mailing Book For Accountable Mail

Name and Address of Sender
MC ENF D MORENO
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 6 900
AUSTIN TX 78701

- 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

9214 8901 9403 8360 8983 70

Moore/30987

JAVONTE RICHARD
PLANO, TEXAS 75074

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
1.87	4.40								2.32			

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



2024-8877

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.

2024-8877

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 David Moreno
 May 8, 2024

Check type of mail or service
 Adult Signature Required
 Adult Signature Restricted Delivery
 Certified Mail
 Certified Mail Restricted
 Collect on Delivery (COD)
 Insured Mail
 Priority Mail
 First-Class 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 Accountable Mail

EXHIBIT

D

USPS Tracking/Article Number
 Moore/20987

Address (Name, Street, City, State, & Zip Code)
 Javonte Richard
 Plano, Texas 75074

Postage

1163

Part Number of Pieces Sent by Sender

Total Number of Pieces Received at Post Office

Postmaster: Per (Name of receiving employee)

Completed in Ink

Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.

1

Moreno

Handling Charge-if R...

000 in value

Adult Signature Req.
 Adult Signature Restricted D.
 Restricted Delivery
 Return Receipt
 Signature Confirmation
 Signature Confirmation Restricted Delivery
 Special Handling

quadrant
 IMI CORRECTION
 \$002.00
 05/08/2024 ZIP 75074
 043M62208395
 US POSTAGE

RECEIVED
 MAY 08 2024
 TDI - ENFORCEMENT
 Austin Station
 MAY 2024
 78711