

No. 2024-8991

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

Date: 12/04/2024

Subject Considered:

Michael Adams
Bergenfield, New Jersey

Default Order
TDI Enforcement File No. 32685

General remarks and official action taken:

The subject of this default order is whether an adjuster all-lines, designated home state license should be issued to Michael Adams (Respondent). Respondent did not respond to a Notice of Allegations mailed 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 Allegations

1. On October 24, 2024, the department sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. The department sent the Notice of Allegations to Respondent's last known address provided in writing to the department, [REDACTED], Bergenfield, NJ 07621.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send the department a written response to the Notice of Allegations within 20 days after the date the Notice of Allegations was mailed.

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4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

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, 4101.051, and 4101.201; 28 TEX. ADMIN. CODE § 1.502¹; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 2001.003(1) and 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.
3. The department provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, and 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28, and 1.47.
4. Based on Respondent's failure to send the department a written response to the Notice of Allegations, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. The department's factual and legal allegations set out in the attached Notice of Allegations are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.47.

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.

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Order

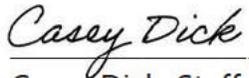
It is ordered that Michael Adams' application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

Signed by:

FC5D7EDDFFBB4F8...

Cassie Brown
Commissioner of Insurance

Prepared and reviewed by:



Casey Dick, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

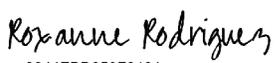
Before me, the undersigned authority, personally appeared Roxanne Rodriguez, who, being by me duly sworn, deposed as follows:

"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 Michael Adams. I have confirmed that:

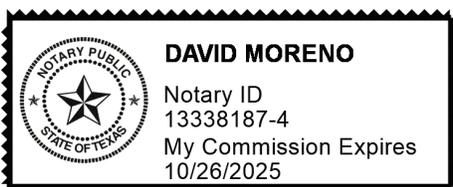
- a. The last mailing address provided to the department in writing by Michael Adams is [REDACTED] Bergenfield, NJ 07621.
- b. The file maintained by Enforcement contains a Notice of Allegations dated October 24, 2024, which was sent to Michael Adams.
- c. On October 24, 2024, the Notice of Allegations addressed to Michael Adams was 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 B and Exhibit C, respectively."

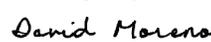
Signed by:

 3944EBD058F2464...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 11/14/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

 455E4109E15D4CD...
 Notary Public State of Texas

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PO Box 12030 | Austin, TX 78711 | 800-578-4677 | tdi.texas.gov

October 24, 2024

Michael Adams
[REDACTED]
Bergenfield, NJ 07621

Via CM/RRR No.9214 8901 9403 8384 3868 08
Via First Class Mail
and Via Email: [REDACTED]

**TDI ENFORCEMENT CASE NO. 32685
NOTICE OF ALLEGATIONS AGAINST MICHAEL ADAMS**

The Texas Department of Insurance (TDI) seeks to deny your license application. This Notice states the allegations against you and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

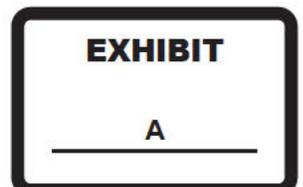
YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

If you fail to send a written response by the deadline, *you waive your right to a hearing*, and TDI may seek disposition by default under 28 TEX. ADMIN. CODE § 1.47, TEX. INS. CODE § 82.055, and TEX. GOV'T. CODE § 2001.056.

If you fail to send a written response by the deadline, without further notice to you, the commissioner of insurance may issue a default order that admits the factual matters asserted, deems all allegations as true, and orders the relief recommended in this Notice.

You must send your written response by mail, fax, or email to:

Casey Dick, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
casey.dick@tdi.texas.gov



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, and 4101.201; 28 TEX. ADMIN. CODE § 1.502¹; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051-2001.178.

Factual Allegations

License Application

1. On April 22, 2022, Michael Adams (Adams) submitted an application to TDI for an adjuster all-lines designated home state (DHS) license.
2. TDI proposed to deny Adams's application on July 11, 2023, based on his criminal history. Adams made a written request for a hearing to appeal that decision.

Criminal History

3. As identified in various court records, Adams has used multiple aliases and names during his lengthy criminal history. Those aliases include Michael Williams, Paul Rice, Richard Butchir, Neil Taylor, and the singular name, "Black." Upon information and belief, Adams has used other aliases.
4. On February 10, 1981, in the New York County Supreme Court, New York, case number 4320-80, Adams, under the name Michael Williams, pleaded guilty to and was convicted of felony grand larceny. Adams was sentenced to 1-3 years imprisonment.
5. On July 25, 1983, in the Criminal Court of the City of New York, County of New York, case number 3N036273, Adams, under the name Michael Williams, pleaded guilty to and was convicted of theft of services, a misdemeanor, and was sentenced to seven days imprisonment.

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.

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6. On July 25, 1983, in the Criminal Court of the City of New York, County of New York, case number 3N062318, Adams, under the name Michael Williams, pleaded guilty to and was convicted of petit larceny, a misdemeanor, and was sentenced to seven days imprisonment to be served concurrently with his theft of services conviction.
7. On October 6, 1983, in the Criminal Court of the City of New York, County of Kings, case number 3K009507, Adams, under the name Michael Williams, was convicted of misdemeanor possession of burglar tools and conditionally discharged subject to a one-year period.
8. On May 15, 1985, in the New York County Supreme Court, New York, case number 07212-84, Adams, under the name Michael Williams, was convicted and sentenced to 2-4 years imprisonment for felony criminal possession of a weapon and six months for misdemeanor petit larceny.
9. Following a March 28, 1991, arrest and felony conviction for possession of a counterfeit/altered credit card in case number 1576969153, Adams was sentenced to 21 months incarceration and 18 months of probation. Upon information and belief, the conviction occurred in Washington, DC, in a federal forum.
10. On May 11, 1995, Adams was convicted of felony criminal possession of a controlled drug with intent to sell and was sentenced to five years of probation. Upon information and belief, the case number for this matter is 1730-94 in an unidentified state court of New York.
11. On August 4, 1995, in the State of Ohio, Hamilton County Court of Common Pleas, in the case of the State of Ohio v. Paul Rice aka Richard Butchir, case number B 949613, Adams entered a plea of no contest, was convicted of misdemeanor theft, value over \$300, and sentenced to six months of prison and two years of probation.
12. On August 13, 2008, in the Criminal Court of the City of New York County of New York, docket number 2008NY059927, Adams pled guilty to and was convicted of misdemeanor possession of marijuana in the fifth-degree. Adams was sentenced to time served, and had his driver's license suspended for six months.

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13. On March 12, 2009, in the New York County Criminal Court of New York, docket number 2007KN074356, Adams pled guilty to and was convicted of operating a motor vehicle under the influence of alcohol or drugs. Adams was ordered to pay a \$300 fine, had his driver's license suspended for 90 days, and was conditionally discharged for one year.
14. On May 2, 2012, in the United States District Court Eastern District of New York (Brooklyn), in the case of USA v. Adams *et al*, case number 1:11-cr-00535-SJ-1, Adams, noted by the court as using aliases Neil Taylor and the singular name, "Black," pleaded guilty to and was convicted of the felony offense of conspiracy to distribute marijuana and was sentenced to five years of probation with special conditions, a \$100 special assessment, and a consent order of asset forfeiture.
15. On August 21, 2012, in the State of New York Yonkers City Court, Criminal Division, docket number 12-1456, Adams pleaded guilty to and was convicted of misdemeanor trademark counterfeiting. Adams was conditionally discharged subject to a one-year period.
16. On September 18, 2013, in the State of New York Yonkers City Court, Criminal Division, docket number 13-3640, Adams pleaded guilty to and was convicted of a subsequent misdemeanor trademark counterfeiting charge. Adams was conditionally discharged subject to a one-year period.
17. On February 28, 2019, in the General District Court of Spotsylvania, Virginia, case number C19-124, Adams pleaded to guilty and was convicted of a misdemeanor of illegally dumping trash and was fined \$1,000.

Legal Allegations

1. Adams has committed acts for which a license may be denied under TEX INS. CODE § 4005.101 because he has:
 - a. engaged in fraudulent or dishonest acts or practices, as contemplated by TEX INS. CODE § 4005.101(b)(5), and,
 - b. been convicted of a felony, as contemplated by TEX INS. CODE § 4005.101(b)(8).

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2. Adams committed felony offenses and engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation, as contemplated in 28 TEX ADMIN. CODE § 1.502(d) and (f) and TEX OCC. CODE § 53.021.
3. Adams committed multiple offenses that TDI considers to be of such a serious nature that they are of prime importance in determining fitness for licensure, as contemplated by 28 TEX ADMIN. CODE § 1.502(e) and TEX OCC. CODE §§ 53.021–53.023.
4. Adams committed an offense for which fraud, dishonesty, or deceit is an essential element, as contemplated by 28 TEX ADMIN. CODE § 1.502(e)(1).
5. Adams committed a felony involving moral turpitude, as contemplated by 28 TEX ADMIN. CODE § 1.502(e)(3).
6. Adams committed an offense with the essential elements of a theft, as contemplated by 28 TEX ADMIN. CODE § 1.502(e)(4)(F).
7. Adams committed an offense with the essential elements of delivery, or possession with intent to deliver, a controlled substance or dangerous drug, as contemplated by 28 TEX ADMIN. CODE § 1.502(e)(4)(G).
8. TDI guidelines, 28 TEX ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. considers it very important that applicants be honest, trustworthy, and reliable;
 - b. may refuse to issue an original license if TDI determines that the applicant has committed a felony or misdemeanor that directly relates to the duties and responsibilities of the licensed occupation; and
 - c. considers any offense for which fraud, dishonesty, or deceit is an essential element to be of such a serious nature that it is of prime importance when determining fitness for licensure;
 - d. considers any felony offense involving moral turpitude to be of such a serious nature that it is of prime importance when determining fitness for licensure;

- e. considers any offense with the essential elements of a theft to be of such a serious nature that it is of prime importance when determining fitness for licensure; and
 - f. considers any offense with the essential elements of delivery, or possession with intent to deliver, a controlled substance or dangerous drug to be of such a serious nature that it is of prime importance when determining fitness for licensure.
9. Adams has been convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033, and requiring written consent from the commissioner of insurance to engage or participate in the business of insurance.

Relief Sought

TDI seeks the following relief:

- 1. denial of your license application;
- 2. denial of consent to allow you to engage or participate in the business of insurance under 18 U.S.C. § 1033; and,
- 3. imposition of any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,

Casey Dick

Casey Dick

State Bar No. 24132039

Texas Department of Insurance

Enforcement Division, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6328 (Direct)

(512) 490-1020 (Fax)

casey.dick@tdi.texas.gov

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

CERTIFICATE OF SERVICE

I, Casey Dick, certify that a true and correct copy of this *Notice of Allegations Against Michael Adams* was sent by the following methods on this 24th day of October, 2024 to:

Michael Adams
[REDACTED]
Bergenfield, NJ 07621

Via CM/RRR No.: 9214 8901 9403 8384 3868 08
Via First Class Mail
Via Email: [REDACTED]

Respondent Pro Se

Casey Dick

Casey Dick

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Mary Ruiz, October 24, 2024

- Check type of mail or service**
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collection Delivery (COD)
 - Insured Mail
 - Priority Mail
 - First-Class Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Address (Name, Street, City, State, A ZIP Code)
MICHAEL ADAMS
 BERGENFIELD, NJ 07621

Affix Stamp Here
 (If issued as an international certificate of mailing or for additional copies of this receipt), Postmark with Date of Receipt

EXHIBIT

Firm Mailing Book For Accountable Mail

2024-8991



Mary Ruiz

PS Form 3877, June 2015

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

Handling Charge-if Registered and (

- Adult Signature Require
- Adult Signature Restricted Deliv
- Restricted Delivery
- Return Receipt
- Signature Confirmation
- Signature Confirmation Restricted Delivery
- Special Handling

quadrant
 CORRECTION
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\$002.00⁹
 10/24/2024 ZIP 78701
 043M32206395
 US POSTAGE

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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: 10/24/2024

Shipped From:

Name: ENF M RUIZ

Address: 1601 CONGRESS AVENUE

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.

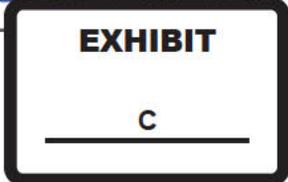
USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0056 5439 25



Dick/32685





Firm Mailing Book For Accountable Mail

Name and Address of Sender
 ENF M RUIZ
 1601 CONGRESS AVENUE
 STE 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

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

USPS Tracking/Article Number

1. 9214 8901 9403 8384 3888 08

Dick/32685

Addresssee (Name, Street, City, State, & ZIP Code™)
 MICHAEL ADAMS
 BERGENFIELD, NJ 07621

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
0.97	4.65	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



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Total Number of Pieces Listed by Sender: 1
 Total Number of Pieces Received at Post Office: 1
 Postmaster, Per (Name of receiving employee):
 PS Form 3877, January 2017 (Page 1 of 1) Complete in Ink
 PSN 7530-02-000-9098 Jobid 5405599

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