

No. 2024-9020

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

Date: 12/12/2024

Subject Considered:

Monique Yvonne Hill
San Antonio, Texas

Default Order
TDI Enforcement File No. 32709

General remarks and official action taken:

The subject of this default order is whether a general lines license should be issued to Monique Yvonne Hill (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 November 12, 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] San Antonio, Texas 78244.
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.

2024-9020

Commissioner's Order

Monique Yvonne Hill

Page 2 of 4

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, and 4054.051; 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.

2024-9020

Commissioner's Order

Monique Yvonne Hill

Page 3 of 4

Order

It is ordered that Monique Yvonne Hill'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.

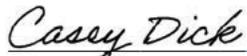
Signed by:

FC5D7EDDFFBB4F8...

Cassie Brown

Commissioner of Insurance

Prepared and reviewed by:



Casey Dick, Staff Attorney
Enforcement

2024-9020

Commissioner's Order

Monique Yvonne Hill

Page 4 of 4

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 Monique Yvonne Hill. I have confirmed that:

- a. The last mailing address provided to the department in writing by Monique Yvonne Hill is [REDACTED], San Antonio, Texas 78244.
- b. The file maintained by Enforcement contains a Notice of Allegations dated November 12, 2024, which was sent to Monique Yvonne Hill.
- c. On November 12, 2024, the Notice of Allegations addressed to Monique Yvonne Hill was mailed first-class and certified, return receipt requested, to her last known address.

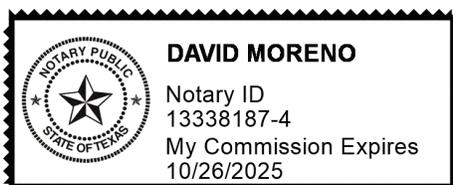
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

Signed by:

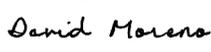
00DEB7A9CEE3454...
Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 12/5/2024. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

455E4109E15D4CD...
Notary Public State of Texas

2024-9020



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

November 12, 2024

Monique Yvonne Hill
[REDACTED]
San Antonio, TX 78244

Via CM/RRR No. 9214 8901 9403 8387 7517 64
Via First Class Mail
Via Email: Via Email: myvonnehill@assurance.com
[REDACTED]

TDI ENFORCEMENT CASE NO. 32709
NOTICE OF ALLEGATIONS AGAINST MONIQUE YVONNE HILL

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

EXHIBIT

A

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 4054.051, 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 June 2, 2023, Monique Yvonne Hill (Hill) applied to TDI for a general lines agent license with a life, accident, health, and HMO qualification.
2. On July 5, 2023, TDI proposed to deny Hill's application based on her criminal history. Hill appealed that decision and made a written request for a hearing.

Criminal History

3. Hill previously held herself out under the aliases Monique Yvonne Ledesma and Monique Yvonne Garcia (the aliases).
4. On August 13, 2009, in the Superior Court of California, County of Riverside (Superior Court), case number RIF149458, under the aliases, Hill was indicted for two felony offenses stemming from a March 27, 2009, shooting.
5. On June 14, 2010, the indictment was amended to add two more felony charges, making a total of four felony charges brought against Hill:
 - a. count one, attempted first degree murder;
 - b. count two, assault with a firearm;
 - c. count three, assault with a deadly weapon; and
 - d. count four, participation in a criminal street gang.

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.

2024-9020

Notice of Allegations

Monique Yvonne Hill

Page 3 of 6

6. On May 12, 2011, following a jury's finding of guilt, Hill was convicted of counts one, two, and three.
7. On May 16, 2011, the Superior Court sentenced Hill to nine years in prison for count one. Counts two and three were stayed under California Penal Code § 654 PC.² The court noted credit for 808 days served.
8. The Superior Court dismissed count four post-verdict and did not include it in its abstract of judgement.
9. The Superior Court added a one-year enhancement to Hill's sentence under California Penal Code § 12022(a) for utilizing a firearm during a felony.
10. The Superior Court further ordered Hill to pay \$1,000 restitution, a \$40 court security fee, and a criminal conviction assessment fee of \$30 per convicted charge.
11. On June 10, 2013, the California Court of Appeal, Fourth District, Division 2 (the Court of Appeal), ruled on appeals submitted by both Hill and The People of California. The Court of Appeal found sufficient evidence to support count four, ruled that the Superior Court's post-verdict dismissal was made in error, and reinstated the verdicts and findings of the Superior Court.
12. On January 24, 2014, the Superior Court modified Hill's sentence in case number RIF149458 as follows, with credit for 2,555 days served:
 - a. seven years of prison incarceration for count one;
 - b. three years of prison for count two, served consecutively with count one;
 - c. three years of prison for count three, served consecutively with count one;
 - d. two years of prison for count four, served consecutively with count one;
 - e. a 10-year sentencing enhancement was added under California Penal Code § 186.22(b) for violent felonies committed for the benefit of, at the direction of, or in association with a criminal street gang, with the specific intent to promote, further, or assist in criminal conduct by gang members, for a total prison sentence of 17 years; and,

² This statute appears to prohibit two or more punishments for the same criminal act or omission.

2024-9020

Notice of Allegations

Monique Yvonne Hill

Page 4 of 6

- f. Hill's financial obligations were updated to show \$200 in outstanding restitution, a \$160 court operation assessment, and a \$120 conviction assessment.
13. On November 14, 2020, Hill was released from prison subject to court supervision of up to three years.
14. On November 15, 2021, Hill was released from court supervision.

Legal Allegations

1. Hill has committed acts for which a license may be denied pursuant to TEX. INS. CODE § 4005.101, because she has been convicted of a felony offense, as contemplated by TEX. INS. CODE § 4005.101(b)(8).
2. Hill committed a felony offense or has 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).
3. Hill committed offenses TDI considers to be of such serious nature that they are of prime importance in determining fitness for licensure or authorization, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e) and TEX. OCC. CODE §§ 53.021-53.023.
4. Hill committed a felony offense involving moral turpitude, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(3).
5. Hill committed an offense with the essential elements of a criminal homicide, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(A).
6. Hill committed an offense with the essential elements of a felony offense of assault, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(4)(B).
7. 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 or has engaged in fraudulent or

- dishonest activity that directly relates to the duties and responsibilities of the licensed occupation;
- c. considers a felony offense involving moral turpitude to be of such a serious nature that it is of prime importance when determining fitness for licensure;
 - d. considers an offense with the essential elements of a criminal homicide to be of such a serious nature that it is of prime importance when determining fitness for licensure; and,
 - e. considers an offense with the essential elements of a felony offense of assault to be of such a serious nature that it is of prime importance when determining fitness for licensure.

Relief Sought

TDI seeks the following relief:

1. denial of your license application; and,
2. 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

2024-9020

Notice of Allegations

Monique Yvonne Hill

Page 6 of 6

CERTIFICATE OF SERVICE

I, Casey Dick, certify that a true and correct copy of this *Notice of Allegations Against Monica Yvonne Hill* was sent by the following methods on this 12th day of November, 2024 to:

Monique Yvonne Hill

[REDACTED]

San Antonio, TX 78244

Via CM/RRR No.: 9214890194038387751764

Via First Class Mail

Via Email: myvonnehill@assurance.com

[REDACTED]

Casey Dick

Casey Dick

2024-9020



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: 11/12/2024

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®	
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 9535 88



Dick/32709

EXHIBIT

C



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

Firm Mailing Book For Accountable Mail

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

USPS Tracking/Article Number

1. 9214 8901 9403 8387 7517 64

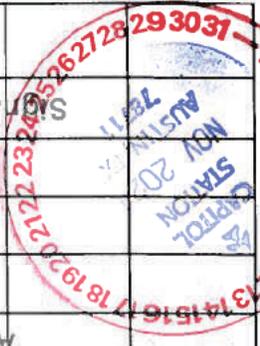
Dick/32709

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

MONIQUE YVONNE HILL
 [REDACTED]
 SAN ANTONIO, TX 78244

Postage	(Extra Service) Fee	Handling Charge - if Registered and over \$50,000 in value	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.69	4.85								2.62			
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
 NOV 13 2024
TDI - ENFORCEMENT



Postmaster, (Print Name of receiving employee)

[Signature]
 Complete in Ink

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