

No. **2024-9033**

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

**Date: 12/18/2024**

**Subject Considered:**

Hermes Briceno Hernandez  
Lewisville, TX 75056

Default Order  
TDI Enforcement File No. 33717

**General remarks and official action taken:**

This is a default order taken against Hermes Briceno Hernandez (Respondent) because he engaged in dishonest conduct by submitting fictitious information to an insurance company and failed to respond to a Texas Department of Insurance (TDI) inquiry. Respondent did not respond to a Notice of Allegations mailed by TDI. This order revokes Respondent's license.

The following findings of fact and conclusions of law are adopted.

**Findings of Fact**

**Failure to Respond to Notice of Allegations**

1. On November 18, 2024, TDI sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. TDI sent the Notice of Allegations to Respondent's last known address provided in writing to the department, [REDACTED], Lewisville, TX 75056.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send TDI 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. TDI'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, 4001.102, 4001.105, 4005.101-4005.105, 4054.051; 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. TDI 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, 1.47, and 19.906.
4. Based on Respondent's failure to send TDI 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. TDI'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.

## Order

It is ordered that any licenses held by Hermes Briceno Hernandez are revoked. 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

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Prepared and reviewed by:



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Nancy Williams, Staff Attorney  
Enforcement

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## 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 Hermes Briceno Hernandez. I have confirmed that:

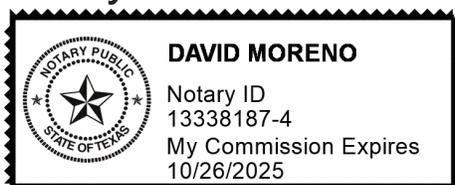
- a. The last mailing address provided to the department in writing by Hermes Briceno Hernandez is [REDACTED], Lewisville, TX 75056.
- b. The file maintained by Enforcement contains a Notice of Allegations dated November 18, 2024, which was sent to Hermes Briceno Hernandez.
- c. On November 18, 2024, the Notice of Allegations addressed to Hermes Briceno Hernandez 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."

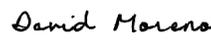
Signed by:  
  
62BB92345C8F491...  
Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 12/11/2024. This notarial act was an online notarization.

### Notary Seal



### Digital Certificate

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

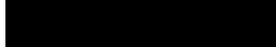
2024-9033



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

November 18, 2024

Hermes Briceno Hernandez

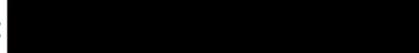


Lewisville, TX 75056

Via CM/RRR No. 9214 8901 9403 8388 5489 29

Via USPS First Class Mail

Via Email:



**TDI ENFORCEMENT CASE NO. 33717  
NOTICE OF ALLEGATIONS AGAINST HERMES BRICENO HERNANDEZ**

The Texas Department of Insurance (TDI) seeks to take disciplinary action against you. This Notice states the allegations against you and the relief sought by TDI.

***YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS***

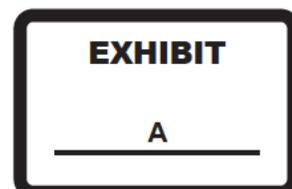
**YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW.** To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

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:

Nancy Williams, Staff Attorney  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
nancy.williams@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, 4054.051; and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

## Factual Allegations

1. Hermes Briceno Hernandez (Hernandez), individual identification number 2363602, holds a general lines agent license with a qualification in life, accident, health & HMO issued by the Texas Department of Insurance (TDI) on February 8, 2023.
2. On October 30, 2023, Hernandez was appointed as a life agent producer for Columbian Life Insurance Company (Columbian).
3. Hernandez was one of nine agents appointed by Columbian who were part of an investigation which revealed that the agents operated from the same IP address and submitted fictitious applications containing nearly identical information (age, occupation, tobacco use, and income), with many using the same bank account information for electronic fund transfer (EFT) payments. During an estimated two month period, the agents derived combined advanced commissions of over \$50,000.
4. Hernandez submitted one of the 55 fictitious life policy applications discovered in the investigation.
5. On December 12, 2023, Hernandez's appointment was canceled by Columbian.
6. On March 14, 2024, TDI sent an inquiry letter about the allegations to Hernandez's address of record via certified mail. No response was received.

## Legal Allegations

1. Hernandez committed acts for which he may be disciplined under Tex. Ins. Code § 4005.101(b), including revocation of his license, as contemplated under Tex. Ins. Code § 82.051.
2. Hernandez engaged in fraudulent or dishonest acts or practices, as contemplated under Tex. Ins. Code § 4005.101(b)(5).

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3. Hernandez failed to submit a required response to TDI's inquiry, as contemplated under TEX. INS. CODE § 38.001.

## Relief Sought

TDI seeks the following relief:

1. revocation of your license, 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,



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Nancy Williams  
State Bar No. 24058175  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6338 (Direct)  
(512) 490-1020 (Fax)  
nancy.williams@tdi.texas.gov

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

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## CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of this *Notice of Allegations Against Hermes Briceno Hernandez* was sent by the following methods on November 18, 2024:

Hermes Briceno Hernandez  
[REDACTED]  
Lewisville, TX 75056

Via CM/RRR No. 9214 8901 9403 8388 5489 29  
Via USPS First Class Mail  
Via Email: [REDACTED]



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Nancy Williams





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: 11/18/2024  
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:

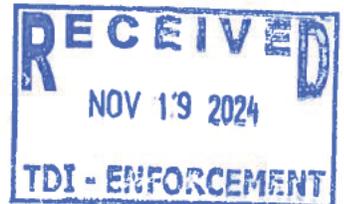
- Home screen > Mailing/Shipping > More
- Select Shipment Confirm
- Scan or enter the barcode/label number from PS Form 5630
- Confirm the volume count message by selecting Yes or No
- Select Pay and End Visit to complete transaction

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 0057 1025 10



WILLIAMS/33717

EXHIBIT

C

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

USPS Tracking/Article Number

1. 9214 8901 9403 8388 6489 28

WILLIAMS/33717

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

HERMES BRICENO HERNANDEZ  
[REDACTED]  
LEWISVILLE, TX 75056

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

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
0.69	4.85	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



Postmaster, Per (Name of receiving employee)

*(Handwritten signature)*

Total Number of Pieces Received at Post Office

1

PS Form 3877, January 2017 (Page 1 of 1)

PSN 7530-02-000-9098

Complete in Ink

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