

No. 2025-9154

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

Date: 02/25/2025

Subject Considered:

Stewart Davis Rivera
Houston, Texas

Default Order
TDI Enforcement File No. 30340

General Remarks and Official Action Taken:

The subject of this default order is whether a life agent license should be issued to Stewart Davis Rivera (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 December 19, 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], Houston, Texas 77009.
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.
4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

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Commissioner's Order

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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 4054.301; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502¹; 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, 1.47, and 19.906.
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.

Order

It is ordered that Stewart Davis Rivera'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:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

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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Commissioner's Order

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Prepared and reviewed by:

A handwritten signature in black ink that reads "Stephanie Andrews". The signature is written in a cursive style with a large initial "S".

Stephanie Andrews, 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 Stewart Davis Rivera. I have confirmed that:

- a. The last mailing address provided to the department in writing by Stewart Davis Rivera is [REDACTED], Houston, Texas, 77009.
- b. The file maintained by Enforcement contains a Notice of Allegations dated December 19, 2024, which was sent to Stewart Davis Rivera.
- c. On December 19, 2024, the Notice of Allegations addressed to Stewart Davis Rivera was mailed certified, return receipt requested, to his last known address and to one additional address: [REDACTED], Olla, Louisiana, 71465.

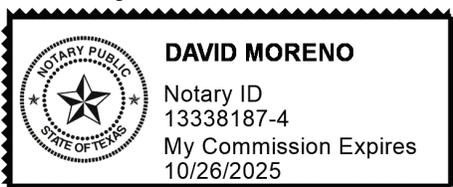
Copies of the first-class mail log and certified mail log maintained by Enforcement is attached as Exhibit B."

Signed by:

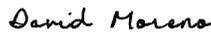
 7287D04EDEB9427...
 Affiant

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 1/24/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:

 455E4109E15D4CD...
 Notary Public State of Texas

2025-9154



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

December 19th, 2024

Stewart Davis Rivera
[REDACTED]
Houston, Texas 77009

Via CM/RRR No.:9214 8901 9403 8392 6141 60
Via First Class Mail

[REDACTED]
Respondent Pro Se

Via Email

Stewart Davis Rivera
[REDACTED]
[REDACTED]
Olla, Louisiana 71465

Via CM/RRR No.:9214 8901 9403 8392 6144 36

**TDI ENFORCEMENT CASE NO. 30340
NOTICE OF ALLEGATIONS AGAINST STEWART DAVIS RIVERA**

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.

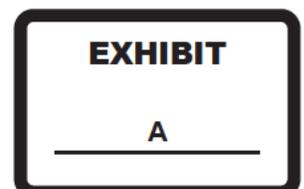
YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

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:



Stephanie Andrews, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
stephanie.andrews@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, and 4054.301, TEX. OCC. CODE §§ 53.021–53.023, 28 TEX. ADMIN. CODE § 1.502,¹ and TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

Factual Allegations

License Application

1. On June 1, 2021, Stewart Davis Rivera (Rivera), individual identification no. 2374812, submitted an application to TDI for a life agent license.
2. On July 5, 2022, TDI proposed to deny Rivera's license application due to his criminal history. Rivera appealed that decision and made a written request for a hearing.

Criminal History

3. On April 12, 2022, Rivera pleaded guilty to the offense of Assault Police Officer, a felony, in case no. 168648301010 in the 232nd District Court of Harris County, Texas. He was sentenced to five years deferred adjudication probation.
4. Rivera is currently on deferred adjudication probation until approximately 2027. However, on November 22, 2024, the Harris County District Attorney's Office filed a Motion to Adjudicate Rivera's guilt in case no. 168648301010.

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.

5. On November 19, 2024, Rivera was charged by Information for the misdemeanor offense of Assault-Family Member in cause no. 253933901010 in the County Criminal Court at Law No. 13 of Harris County, Texas.
6. Rivera is currently in the Harris County Jail without bond, awaiting future court settings for his felony and misdemeanor offenses.

Legal Allegations

1. Rivera committed acts for which a license may be denied pursuant to TEX. INS. CODE § 4005.101, as contemplated by TEX. INS. CODE § 4005.102.
2. Rivera willfully violated an insurance law of this state, in violation of TEX. INS. CODE § 4005.101(b)(1).
3. Pursuant to TEX. OCC. CODE §§ 53.021 (c)-(d), the commissioner may deny Rivera's application and consider him to have been convicted of an offense for which he received deferred adjudication, if after consideration of the factors in TEX. OCC. CODE §§ 53.022 and 53.023(a), the commissioner determines that:
 - a. Rivera has not completed his period of supervision; and
 - b. Rivera's employment in the business of insurance would give him the opportunity to repeat the prohibited conduct.
4. Rivera committed an offense that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by 28 TEX. ADMIN. CODE § 1.502(d) and TEX. OCC. CODE §§ 53.021-53.023.
5. Rivera committed an offense that the department considers to be of such a serious nature that it is of prime importance in determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE. §§ 1.502(e)(3) and 1.502(e)(4)(B), and TEX. OCC. CODE §§ 53.021-53.023.
6. Department 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 the department determines that the applicant has committed an offense that directly relates to the duties and responsibilities of the licensed occupation;
- c. considers any felony involving moral turpitude or breach of fiduciary duty, to be of such serious nature that it is of prime importance when determining fitness for licensure, 28 TEX. ADMIN. CODE § 1.502(e)(3); and
- d. considers the offense of Assault Police Officer to be of such a serious nature that it is of prime importance when determining fitness for licensure. 28 TEX. ADMIN. CODE §§ 1.502(e)(3) and 1.502(e)(4)(B).

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,



Stephanie Andrews
State Bar No. 24063672
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6346 (Direct)
(512) 490-1020 (Fax)
stephanie.andrews@tdi.texas.gov

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

CERTIFICATE OF SERVICE

I, Stephanie Andrews, certify that a true and correct copy of this *Notice of Allegations Against Stewart Davis Rivera* was sent by the following methods on this 19th day of December, 2024 to:

Stewart Davis Rivera
[REDACTED]
Houston, TX 77009

Via CM/RRR No.: 9214 8901 9403 8392 6141 60
Via First Class Mail

[REDACTED]

Via Email

Stewart Davis Rivera
[REDACTED]
Olla, Louisiana 71465

Via CM/RRR No.: 9214 8901 9403 8392 6144 36



Stephanie Andrews

2025-9154

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: 12/19/2024

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	2
Total	2

*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

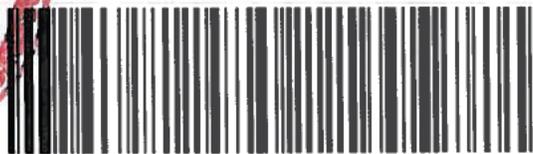
Note to RSS Clerk:

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

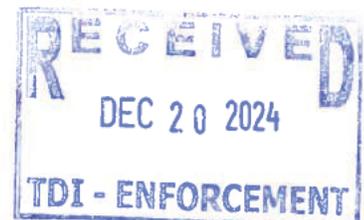
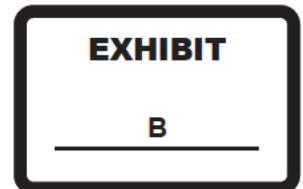
USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.



USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 8390 41



Andrews/30340



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

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

USPS Tracking/Article Number

1. 9214 8901 9403 8392 6141 50

Andrews/30340

Addresssee (Name, Street, City, State, & ZIP Code™)
STEWART DAVIS RIVERA
HOUSTON, TEXAS 77009

2. 9214 8901 9403 8392 6144 36

Addresssee (Name, Street, City, State, & ZIP Code™)
STEWART DAVIS RIVERA
DALLA, LOUISIANA 71465

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due if Sender COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.97	4.85	Handling Charge - if Registered and over \$50,000 in value							2.62			
						Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
DEC 20 2024
TDI - ENFORCEMENT



2025-9154

Total Number of Pieces Listed by Sender: 2

Total Number of Pieces Received at Post Office: 2

Postmaster, Per (Name of receiving employee)
Lynnie

