

No. 2025-9409

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

**Date: 07/11/2025**

**Subject Considered:**

Macedonio John Martinez, III  
San Antonio, Texas

TDI Enforcement File No. 35725

**Order on Request for a Rehearing**

**General Remarks and Official Action Taken:**

The subject of this order is Macedonio John Martinez, III's request to set aside Commissioner's Order No. 2025-9304 and allow a rehearing. This order denies Mr. Martinez's request.

**Background**

On May 20, 2025, Commissioner's Order No. 2025-9304 was issued, revoking any licenses held by Mr. Martinez. The order was issued following Mr. Martinez's failure to respond to a notice of allegations the Texas Department of Insurance (TDI) Enforcement staff sent to Mr. Martinez under Tex. Admin. Code § 1.47.

Mr. Martinez sent a request for a rehearing to TDI by email on June 10, 2025. On June 13, 2025, TDI Enforcement staff submitted a reply to Mr. Martinez's request opposing it.

**Discussion**

Under 28 Tex. Admin. Code § 1.47(d)(2), a motion to set aside a default order and reopen the record will be granted if the requesting party establishes that the failure to file a written response to a notice of allegations was neither intentional nor the result of conscious indifference, and that such failure was due to a mistake or accident.

Under Government Code § 2001.146, a motion for rehearing must be filed no later than the 25th day after the date the order is signed unless an extension is granted. The motion must identify with particularity findings of fact or conclusions of law that are the subject of the complaint and any evidentiary or legal ruling claimed to be erroneous. The motion must also state the legal and factual basis for the claimed error.

In his email, Mr. Martinez did not identify any findings of fact or conclusions of law in Order No. 2025-9304 that are the subject of a complaint or any evidentiary or legal rulings that he claims to be erroneous, and he did not state a legal or factual basis for a complained error.

In response to Mr. Martinez's email, TDI Enforcement staff argued that Mr. Martinez provided no evidence to support a motion for rehearing, and that his request for a rehearing should be denied because Mr. Martinez has no meritorious defense and that allowing a rehearing would work injury to TDI and TDI's mission because it would allow Mr. Martinez to disregard the rule requiring a response to the notice of allegations.

Mr. Martinez does not satisfy the requirements of Government Code § 2001.146; he does not identify any findings of fact or conclusions of law in Order No. 2025-9304 that are the subject of a complaint or any evidentiary or legal rulings that he claims to be erroneous, and he does not state a legal or factual basis for a complained error.

**Order**

It is ordered that Macedonio John Martinez, III's request for a rehearing is denied and Commissioner's Order No. 2025-9304 is final.

Signed by:   
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Cassie Brown  
Commissioner of Insurance

Recommended and reviewed by:

Signed by:   
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Jessica Barta, General Counsel

Signed by:   
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Justin Beam, Chief Clerk