

No. 2025-9474

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

**Date:** 08/18/2025

**Subject Considered:**

Clayton Phillip John  
Lacoste, Texas

Default Order  
TDI Enforcement File No. 34326

**General remarks and official action taken:**

The subject of this default order is whether a general lines agent license with a life, accident, health, & HMO qualification should be issued to Clayton Phillip John (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 July 7, 2025, 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], Lacoste, Texas 78039.
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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Commissioner's Order

Clayton Phillip John

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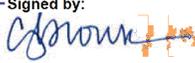
4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

## Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, and 4054.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; 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 Clayton Phillip John'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

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Cassie Brown  
Commissioner of Insurance

**2025-9474**

Commissioner's Order

Clayton Phillip John

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Prepared and reviewed by:

*Victor Moya III*

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Victor Moya III, Staff Attorney  
Enforcement

**Affidavit**

**STATE OF TEXAS**           §  
  §  
**COUNTY OF TRAVIS**       §

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

"My name is David Moreno 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 Clayton Phillip John. I have confirmed that:

- a. The last mailing address provided to the department in writing by Clayton Phillip John is [REDACTED] Lacoste, Texas 78039.
- b. The file maintained by Enforcement contains a Notice of Allegations dated July 7, 2025, which was sent to Clayton Phillip John.
- c. On July 7, 2025, the Notice of Allegations addressed to Clayton Phillip John was mailed first-class and certified, return receipt requested, to his last known address.

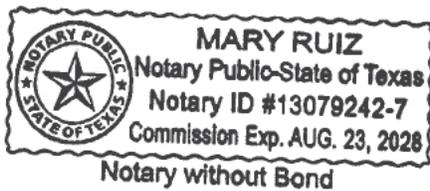
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively."

David Moreno

Affiant

SWORN TO AND SUBSCRIBED before me on July 31, 2025.

(NOTARY SEAL)



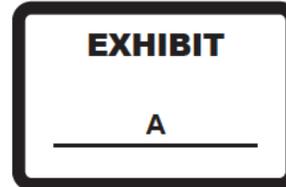
Mary Ruiz  
Signature of Notary Public

Mary Ruiz  
Printed Name of Notary Public

2025-9474



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



July 7, 2025

Clayton Phillip John



Lacoste, Texas 78039

Via CM/RRR:9214 8901 9403 8322 1180 58

**TDI ENFORCEMENT CASE NO. 34326  
NOTICE OF ALLEGATIONS AGAINST CLAYTON PHILLIP JOHN**

The Texas Department of Insurance (TDI) seeks to take disciplinary action against you 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:

Victor Moya III, Staff Attorney  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Victor.Moya@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 4054.051; TEX. OCC. CODE §§ 53.021–53.023; 28 TEX. ADMIN. CODE § 1.502; TEX. GOV'T CODE §§ 2001.003(1) and 2001.051–2001.178.

## Factual Allegations

### License Application

1. On January 9, 2024, Clayton Phillip John (John), individual identification no. 2875082, applied for a general lines license with a life, accident, health, and HMO qualification.
2. On February 5, 2024, the Texas Department of Insurance (TDI) proposed to deny John's application based on his criminal history and failure to disclose disciplinary action against him by another state regulator. John appealed that decision and made a written request for hearing.

### Criminal History

3. On October 18, 2010, John was convicted on one count of Loan and Credit Application Fraud in Cause Number 2:09-cr-115-FtM-36SPC, in the United States District Court for the Middle District of Florida, Fort Myers Division.
4. On October 25, 2010, John was sentenced to 24 months imprisonment in the United States Bureau of Prisons (USBP), three years of supervised release, a \$100 assessment fee, and \$250,000 restitution, owed jointly and severally with his co-defendant. He was released from the USBP on or about August 24, 2012, and successfully completed his probation on August 23, 2015.

### Regulatory Action

5. On December 8, 2009, the Florida Department of Business and Professional Regulation issued John a real estate sales associate license.

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Notice of Allegations

Clayton Phillip John

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6. On May 3, 2013, the Florida Department of Business and Professional Regulation revoked his license due to him pleading guilty to a felony count of Loan and Application Fraud, and ordered him to pay costs of \$671.75 to the agency.

### Failure to Disclose

7. John was asked the following question on his TDI application:

Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?

8. John falsely answered no to this question, despite having his real estate license revoked in Florida for the same crime listed above.

### **Legal Allegations**

1. John 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. John intentionally made a material misstatement in his license application, in violation of TEX. INS. CODE § 4005.101(b)(2).
3. John attempted to obtain a license by fraud or misrepresentation, in violation of TEX. INS. CODE § 4005.101(b)(3).
4. John engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).
5. John has been convicted of a felony, in violation of TEX. INS. CODE § 4005.101(b)(8).
6. John has been convicted of a felony offense that directly relates to the business of insurance, as contemplated by TEX. OCC. CODE §§ 53.021-53.023 and 28 TEX. ADMIN. CODE §§ 1.502(c)-(f).
7. John has been convicted of a felony offense for which fraud, dishonesty, or deceit is an essential element, as contemplated by 28 TEX. ADMIN. CODE § 1.502(f)(1).

8. TDI guidelines, 28 TEX. ADMIN. CODE §§ 1.502(c)-(f), emphasize that the department:
  - 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 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, 28 TEX. ADMIN. CODE §§ 1.502(f)(1) and 1.502(f)(8);
  - d. considers any fraud offense or 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(f)(2)(A), 1.502(f)(3), and 1.502(f)(8); and
  - e. considers the offense of Loan and Credit Application Fraud to be of such serious nature that it is of prime importance when determining fitness for licensure, 28 TEX. ADMIN. CODE §§ 1.502(f)(1), 1.502(f)(2)(A), 1.502(f)(3), and 1.502(f)(8).
9. John was convicted of a felony involving dishonesty or breach of trust, as specified in 18 U.S.C. § 1033 and requires 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; 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,

*Victor Moya III*

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Victor Moya III  
State Bar No. 24104330  
Texas Department of Insurance  
Enforcement, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6332 (Direct)  
(512) 490-1020 (Fax)  
Victor.Moya@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, Victor Moya III, certify that a true and correct copy of this *Notice of Allegations Against Clayton Phillip John* was sent by the following methods on this 7th day of July, 2025 to:

Clayton Phillip John  
[REDACTED]  
Lacoste, Texas 78039  
Respondent *Pro Se*

Via CM/RRR No.:9214 8901 9403 8322 1180 58  
Via First Class Mail  
Via Email: [REDACTED]

*Victor Moya III*

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Victor Moya III

**Name and Address of Sender**  
 Texas Dept. of Insurance  
 Mail Code ENF  
 1601 Congress Avenue, Suite 6.900  
 Austin TX 78701  
 David Moreno 7/7/2025

**Check type of mail or service**

<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Priority Mail	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> First-Class Mail	

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



**EXHIBIT**  
B

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RM Fee	SC Fee	SCRD Fee	SH Fee
Victor/34326	Clayton Phillip John [Redacted] Lacoste, Texas 78039	1.69											
<b>Handling Charge-if Registered and over \$50,000 in value</b>													
<b>Adult Signature Required</b>													
<b>Adult Signature Restricted Delivery</b>													
<b>Restricted Delivery</b>													
<b>Return Receipt</b>													
<b>Signature Confirmation</b>													
<b>Signature Confirmation Restricted Delivery</b>													
<b>Special Handling</b>													

**RECEIVED**  
 JUL 08 2025  
**TDI - ENFORCEMENT**

Postmaster: Per (Name of receiving employee)  
 Received at Post Office  
 1  
 Completed in Ink  
 MD

2025 9474

Form 3877, June 2015  
 Privacy Note: For more information on USPS privacy policies, visit usps.com/privacy policy.

2025-9474

EXHIBIT

C

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: 07/07/2025

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	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 0062 7312 62



Victor/34326



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

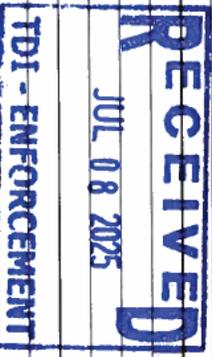
USPS Tracking/Article Number

1. 9214 8901 9403 8322 1180 58

Victor/34326

CLAYTON PHILLIP JOHN  
LACOSTE, TEXAS 78039

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	SRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.97	4.85									2.62		



Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee): *MD*

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