

No. 2022-7300

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

**Date:** 04/18/2022

**Subject Considered:**

Jessica Evette Cadena

[REDACTED]  
Austin, Texas 78702

Default Order  
SOAH Docket No. 454-22-1484  
TDI Enforcement File No. 27928

**General remarks and official action taken:**

This is a default order taken against Jessica Evette Cadena (Respondent) because she fraudulently converted \$2,299.60 of customer premiums to her own personal use. Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order revokes Respondent's license and directs her to make complete restitution to American National Insurance Company in the amount of \$2,299.60.

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

**Findings of Fact**

Failure to Respond to Notice of Hearing

1. On January 27, 2022, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.

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Commissioner's Order

Jessica Evette Cadena

SOAH Docket No. 454-22-1484

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3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED], Austin, Texas 78702. The Notice of Hearing and Original Petition were also sent by electronic mail.
4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

### 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 § 1.502; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 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, 1.88, and 1.89.
3. The department provided proper notice of the hearing under TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.89.

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Commissioner's Order

Jessica Evette Cadena


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## Order

It is ordered that any licenses held by Jessica Evette Cadena 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.

It is further ordered that Jessica Evette Cadena must pay restitution to American National Insurance Company in the amount of \$2,299.60. Proof of payment of the restitution must be sent electronically to the department within 30 days of the date of this order to EnforcementReports@tdi.texas.gov.

DocuSigned by:  
  
FC5D7EDDFB4F8...

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Cassie Brown  
Commissioner of Insurance

Prepared and reviewed by:



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Allison J. Anglin, Staff Attorney  
Enforcement Division

# 2022-7300

Commissioner's Order  
Jessica Evette Cadena  
SOAH Docket No. 454-22-1484  
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## 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 Jessica Evette Cadena. I have confirmed that:

- a. The last mailing address provided to the department in writing by Jessica Evette Cadena is [REDACTED] Austin, Texas 78702.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated January 27, 2022, which were filed with the State Office of Administrative Hearings.
- c. On January 27, 2022, the Notice of Hearing and Original Petition addressed to Jessica Evette Cadena were 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 the Enforcement Division are attached as Exhibit C and Exhibit D, respectively."

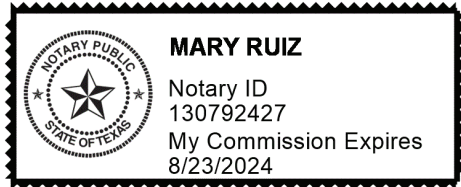
DocuSigned by:  
  
64DB927CB1C94C6...  
Affiant

# 2022-7300

Commissioner's Order  
Jessica Evette Cadena  
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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 3/2/2022. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
\_\_\_\_\_  
Notary Public State of Texas

**2022-7300**

FILED  
454-22-1484  
1/27/2022 12:17 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

ACCEPTED  
454-22-1484  
1/27/2022 1:09 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

**SOAH DOCKET NO. 454-22-1484  
TDI ENFORCEMENT FILE NO. 27928**

**TEXAS DEPARTMENT OF INSURANCE,**

**Petitioner**

**v.**

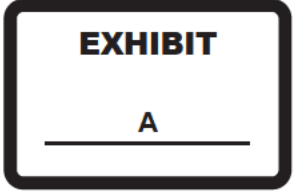
**JESSICA EVETTE CADENA,**

**Respondent**

**BEFORE THE STATE OFFICE**

**OF**

**ADMINISTRATIVE HEARINGS**



**NOTICE OF HEARING**

The Texas Department of Insurance seeks to take disciplinary action against you. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Thursday, April 28, 2022, at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

**Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.**

**YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**

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Notice of Hearing

Jessica Evette Cadena

SOAH Docket No. 454-22-1484

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**IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, IS GRANTED BY DEFAULT.**

**IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, IS GRANTED BY DEFAULT.**

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) *(by mail, fax, or electronically)*  
Docketing Division  
State Office of Administrative Hearings  
300 West 15th Street, Room 504  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 322-2061 (Fax);  
[www.soah.texas.gov/e-filing-soah](http://www.soah.texas.gov/e-filing-soah)
  
- (2) *(by mail, fax, or email)*  
Chief Clerk  
Texas Department of Insurance  
P.O. Box 12030, MC GC-CCO  
Austin, Texas 78711-2030  
(512) 490-1064 (Fax)  
[chiefclerk@tdi.texas.gov](mailto:chiefclerk@tdi.texas.gov); and

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- (3) *(by mail, fax, or email)*  
Allison J. Anglin, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 490-1020 (Fax)  
Allison.Anglin@tdi.texas.gov

### **Receiving Documents Electronically and Filing Documents with SOAH**

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: [www.soah.texas.gov](http://www.soah.texas.gov).

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. You may file documents with SOAH by mail, fax, or electronically. To file electronically, you must use eFileTexas. Instructions on using eFileTexas are on SOAH's website. SOAH's website also includes guidance for representing yourself.

### **Important Security Notice** (for In-Person Hearings ONLY)

**ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.**



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Notice of Hearing

Jessica Evette Cadena

SOAH Docket No. 454-22-1484

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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



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Allison J. Anglin

State Bar No. 24096016

Texas Department of Insurance

Enforcement Division, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6359 (Direct)

(512) 490-1020 (Fax)

Allison.Anglin@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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

## 2022-7300

Notice of Hearing

Jessica Evette Cadena

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### CERTIFICATE OF SERVICE

I, Allison J. Anglin, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by regular, first-class mail and by certified mail, return receipt requested, on this 27th day of January 2022 to:

Jessica Evette Cadena

[REDACTED]

Austin, Texas 78702

*Respondent Pro Se*

*Via Email:* [REDACTED]

*Via CM/RR*

9214 8901 9403 8364 8180 84



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Allison J. Anglin

**2022-7300**

FILED  
454-22-1484  
1/26/2022 7:42 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**SOAH DOCKET NO. 454-22-1484**  
**TDI ENFORCEMENT FILE NO. 27928**



**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

ACCEPTED  
454-22-1484  
1/26/2022 3:51:15 pm  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Carol Hale, CLERK

**v.**

**OF**

**JESSICA EVETTE CADENA,**

**ADMINISTRATIVE HEARINGS**

**Respondent**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to take disciplinary action against Jessica Evette Cadena. In support of this petition, the department makes the following allegations upon information and belief:

**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 § 1.502; TEX. OCC. CODE §§ 53.021-53.023; and TEX. GOV'T CODE §§ 2001.051-2001.178.

**Factual Allegations**

Licensure

1. Jessica Evette Cadena (Cadena), individual identification number 18802985, holds a general lines agent license with life, accident, and health qualification issued by the Texas Department of Insurance on September 26, 2018.

Agent Misconduct

2. On September 26, 2018, American National Insurance Company (ANICO) appointed Cadena as an insurance agent.
3. ANICO conducted an audit of Cadena's book of business and identified \$2,299.60 in premium payments that Cadena collected but failed to pay ANICO between December 2019 and August 2020.

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Original Petition  
Jessica Evette Cadena  
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4. On or about August 7, 2020, ANICO district manager J.M.R. hand delivered a letter to Cadena canceling her appointment with ANICO due to the premium deficiencies.
5. Cadena fraudulently converted \$2,299.60 of customer premiums to her own personal use.
6. ANICO covered the missing payments and continued to provide coverage to the insureds.
7. Cadena has failed to reimburse ANICO and still owes ANICO \$2,299.60.

### **Legal Allegations**

1. Cadena has committed acts for which a license holder may be denied pursuant to TEX. INS. CODE § 4005.101, as contemplated in TEX. INS. CODE § 4005.102.
2. Cadena has willfully violated an insurance law of this state, in violation of TEX. INS. CODE § 4005.101(b)(1).
3. Cadena has misappropriated, converted to her own use, or illegally withheld money belonging to an insured, insurer, or beneficiary, in violation of TEX. INS. CODE § 4005.101(b)(4).
4. Cadena has engaged in fraudulent or dishonest acts or practices, in violation of TEX. INS. CODE § 4005.101(b)(5).

### **Relief Sought**

If one or more of the above allegations is found to be true, the department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

1. revoking Cadena's license;
2. directing Cadena to pay an administrative penalty under TEX. INS. CODE §§ 84.021-84.022;
3. directing Cadena to make restitution of \$2,299.60 to ANICO; and

## 2022-7300

Original Petition  
Jessica Evette Cadena  
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4. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,



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Allison J. Anglin  
State Bar No. 24096016  
Texas Department of Insurance  
Enforcement Division, MC ENF  
P.O. Box 12030  
Austin, Texas 78711-2030  
(512) 676-6359 (Direct)  
(512) 490-1020 (Fax)  
Allison.Anglin@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

**Firm Mailing Book For Accountable**

**Name and Address of Sender**  
 Texas Dept of Insurance  
 Mail Code 110-1A  
 333 Guadalupe St  
 Austin TX 78701  
**Mary Ruiz**  
 January 27, 2022

- Check type of mail or service
- Adult Signature Required
  - Priority Mail Express
  - Adult Signature Restricted Delivery
  - Registered Mail
  - Certified Mail
  - Signature Confirmation
  - Certified Mail Restricted
  - Signature Confirmation Restricted Delivery
  - Collect on Delivery (COD)
  - Insured Mail
  - Priority Mail

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

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	Handling Charge	Actual Value if Registered	Insured Value	Due to Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRO Fee	SH Fee
ANGLIN/27928	JESSICA EVETTE CADENA [REDACTED] AUSTIN, TEXAS 7802	1.20	Pr \$50,000 in value										
													Special Handling
													Signature Confirmation Restricted Delivery
													Signature Confirmation
													Return Receipt
													Adult Signature Restricted Delivery
													Adult Signature Restricted Delivery

OFFICIAL BUSINESS  
 PENALTY FOR PRIVATE USE  
 STATE OF TEXAS  
 neopost # 01/27/2022  
 US POSTAGE \$001.65g  
 ZIP 78701  
 84-14-232405

RECEIVED  
 JAN 28 2022  
 TDI - ENFORCEMENT

USPS  
 JAN 27 2022  
 AUSTIN, TX 78701

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: 01/27/2022

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALIPE ST

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
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

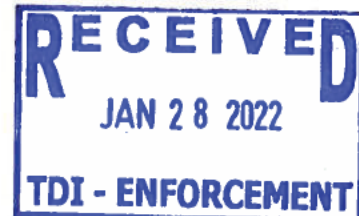
USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0034 4036 30

ANGLIN/27928





Firm Mailing Book For Accountable Mail

2022-7300

**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

**Name and Address of Sender**  
 MC 110-1A M RUIZ  
 TEXAS DEPARTMENT OF INSURANCE  
 333 GUADALUPE ST  
 AUSTIN TX:78701

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

USPS Tracking/Article Number	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
1. 9214 8901 9403 8364 8180 84 ANGLIN/27928	1.56	3.75	Handling Charge - if Registered and over \$50,000 in value							1.85			
							Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

**Addressee (Name, Street, City, State, & ZIP Code™)**  
 JESSICA EVETTE CADENA  
 [REDACTED]  
 AUSTIN, TEXAS 78702

**RECEIVED**  
 JAN 28 2022  
**TDI - ENFORCEMENT**

USPS  
 JAN 27 2022  
 Postmaster, Per (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