

No. 2023-7900

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

Date: 4/20/2023

Subject Considered:

Sharanda Manteca
[REDACTED]
Fresno, Texas 77545-8192

Default Order
SOAH Docket No. 454-23-14130.C
TDI Enforcement File No. 31309

General remarks and official action taken:

The subject of this default order is whether an insurance adjuster license should be issued to Sharanda Manteca (Respondent). Respondent did not respond to a Notice of Hearing filed 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 Hearing

1. On March 14, 2023, 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.
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED],

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Fresno, Texas 77545-8192. 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, 4001.102, 4001.105, 4005.101-4005.105, and 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; 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.

Order

It is ordered that Sharanda Manteca'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.

DocuSigned by:

FC5D7EDDFFB4F8...

Cassie Brown
Commissioner of Insurance

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Commissioner's Order

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Prepared and reviewed by:

/s/ Jeannie Ricketts

Jeannie Ricketts, Staff Attorney
Enforcement

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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 Sharanda Manteca. I have confirmed that:

- a. The last mailing address provided to the department in writing by Sharanda Manteca is [REDACTED], Fresno, Texas 77545-8192.
- b. The file maintained by Enforcement contains a Notice of Hearing and Original Petition dated March 14, 2023, which were filed with the State Office of Administrative Hearings.
- c. On March 14, 2023, the Notice of Hearing and Original Petition addressed to Sharanda Manteca were mailed first-class and certified, return receipt requested, to her last known address and by email.

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

DocuSigned by:

David Moreno

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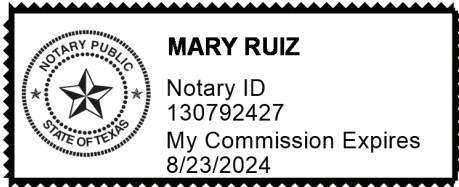
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 4/6/2023. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

FILED **2023-7900**
454-23-14130
3/14/2023 2:32 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

ACCEPTED
454-23-14130
3/14/2023 2:57:42 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

SOAH DOCKET NO. 454-23-14130.C
TDI ENFORCEMENT FILE NO. 31309

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

SHARANDA MANTECA,

ADMINISTRATIVE HEARINGS

Respondent

NOTICE OF HEARING

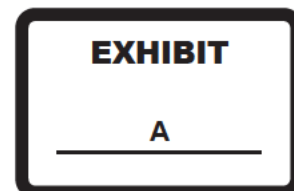
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Wednesday, June 7, 2023, at 9 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, 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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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 DENIAL OF YOUR LICENSE APPLICATION, 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 DENIAL OF YOUR LICENSE APPLICATION, 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

- (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; and

- (3) *(by mail, fax, or email)*
Jeannie Ricketts, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
jeannie.ricketts@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.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits 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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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

/s/ Jeannie Ricketts

Jeannie Ricketts
State Bar No. 24041774
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6336 (Direct)
(512) 490-1020 (Fax)
Jeannie.Ricketts@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

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, Jeannie Ricketts, 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 14th day of March 2023 to:

Sharanda Manteca

[REDACTED]

Fresno, Texas 77545-8192

Respondent Pro Se

[REDACTED]

Via CM/RRR No.: 9214 8901 9403 8307 1455 67

Via Email

/s/ Jeannie Ricketts

Jeannie Ricketts

2023-7900

SOAH Docket No. 454-23-14130

FILED
454-23-14130
3/9/2023 12:00 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
April Bermea , CLERK

ACCEPTED
454-23-14130
3/9/2023 12:40:53 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
April Bermea , CLERK

SOAH DOCKET NO. 454-_____
TDI ENFORCEMENT FILE NO. 31309

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

SHARANDA MANTECA,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance (TDI) seeks to deny Sharanda Manteca’s insurance adjuster license application. In support of this petition, TDI makes the following allegations upon information and belief:

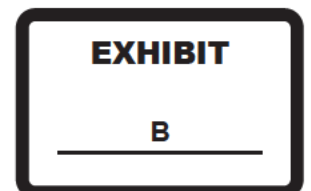
Jurisdiction

The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4101.051; TEX. GOV’T CODE §§ 2001.051-2001.178; TEX. OCC. CODE §§ 53.021–53.023; and 28 TEX. ADMIN. CODE § 1.502.

Factual Allegations

License Application:

1. Sharanda Manteca (Manteca) (formerly Sharanda Necole Coleman) applied for an insurance adjuster license on September 28, 2022, and disclosed her criminal history.
2. On September 30, 2022, TDI requested that Manteca provide certified copies of her court documents for all her offenses. Manteca did not comply with this request. TDI obtained the records.
3. On December 6, 2022, TDI proposed to deny her application based on her criminal history. On January 17, 2023, Manteca requested a hearing in response to TDI’s proposed license denial.



Criminal History:

Case no. 831591 – Felony Forgery of a Financial Instrument

4. On December 21, 1999, in case no. 831591, in the [REDACTED] Harris County, Texas, Manteca pleaded guilty to, and the court convicted her of, state jail felony forgery of a financial instrument. The court sentenced her to 180 days in Harris County jail and ordered her to pay \$212.25 in court costs.

Case no. 950398 – Class A Misdemeanor Aggravated Assault with a Dangerous Weapon

5. On October 13, 2003, in case no. 950398, in the [REDACTED] Harris County, Texas, Manteca pleaded guilty to Class A misdemeanor aggravated assault with a dangerous weapon (pleaded down from felony aggravated assault).¹ The court sentenced her to serve one year in the Texas Department of Corrections. It then suspended the sentence and placed her on one year community supervision. The court also ordered her to avoid contact with the victim, to pay: \$50 monthly supervision fee, \$5 monthly lab fee, \$150 fine, \$197 in court costs, \$150 in restitution to the victim, \$60 in miscellaneous fees, and to comply with certain conditions of supervision.
6. On October 12, 2004, the court discharged Manteca from supervision.

Case no. 1178221 – Class B Misdemeanor Theft of Property

7. On June 17, 2003, in case no. 1178221, in Harris County Criminal Court at Law no. 3, Manteca pleaded guilty to, and the court convicted her of, Class B misdemeanor theft of \$50 to \$500. The court sentenced her to 30 days confinement in Harris County Jail and ordered her to pay \$210 in court costs.

Case no. 180574001010 - Driving with an Invalid License

8. On April 12, 2012, in case no. 180574001010, in Harris County Court at Law no. 4, Manteca pleaded guilty to, and the court convicted her of, class B misdemeanor driving with an invalid license. The court sentenced her to 3 days in Harris County Jail and ordered her to pay \$307 in court costs.

¹ The court indicted Manteca for felony aggravated assault with a deadly weapon.

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Case no. 152116401010 – Second Degree Felony Tampering with a Government Record

9. On August 8, 2017, in case no. 152116401010, in the [REDACTED] Harris County, Texas, Manteca pleaded guilty to second degree felony tampering with a government record. The court sentenced her to three years deferred adjudication and ordered her to pay a \$400 fine, \$50 to Crime Stoppers, \$112.50 in miscellaneous fees, and \$10 for monthly drug testing.
10. On January 19, 2018, the court issued its first amended conditions of community supervision, which extended Manteca's supervision until August 7, 2020.
11. On December 4, 2020, the court issued its second amended conditions of community supervision and extended Manteca's supervision until August 7, 2021, and ordered her to serve 21 days in Harris County Jail.
12. On August 12, 2021, the court discharged Manteca from supervision.

Case no. 01760783 – Felony false Statement to Obtain Credit

13. On August 23, 2016, in case no. 01760783, in the [REDACTED] Harris County, Texas, the grand jury indicted Manteca for committing felony false statement to obtain credit. On August 8, 2017, a Harris County assistant district attorney dismissed the case based on her conviction in case no. 152116401010.

Case no. 16675901010 - Third Degree Felony Tampering with a Government Record - Harm

14. On November 4, 2020, in case no. 16675901010, in the [REDACTED] Harris County, Texas, Manteca pleaded guilty to third degree felony tampering with a government record - harm. The court sentenced her to deferred adjudication for four years. The court also sentenced her to 21 days in county jail and ordered her to pay a \$200 general fine and \$290 in court costs, and to comply with certain conditions of community supervision.
15. On October 14, 2022, the court terminated Manteca's supervision without an adjudication of guilt.

Legal Allegations

1. Manteca engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5) and 28 TEX. ADMIN. CODE § 1.502(e)(1).
2. Manteca has been convicted of a felony as contemplated by TEX. INS. CODE § 4005.101(b)(8), and TEX. OCC. CODE §§ 53.021-53.023, and 28 TEX. ADMIN. CODE § 1.502.
3. Manteca committed offenses directly related to the duties and responsibilities of the licensed occupation of insurance adjuster, as contemplated by TEX. OCC. CODE § 53.021(a)(1), 28 TEX. ADMIN. CODE § 1.502(e)(1), and 28 TEX. ADMIN. CODE § 1.502(f).
4. Under TEX. OCC. CODE § 53.025 and 28 TEX. ADMIN. CODE § 1.502(e)(4)(B), Manteca committed assault, an offense of such a serious nature that TDI considers it of prime importance in determining fitness for licensure.
5. TDI guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize TDI:
 - a. considers it very important that applicants be honest, trustworthy, and reliable;
 - b. may refuse to issue an original license if TDI determines that the applicant has committed a felony or has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation; and
 - c. considers the offenses of felony forgery, tampering with a government record, aggravated assault, and theft to be offenses of such a serious nature that they are of prime importance when determining fitness for licensure, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e)(1), (e)(4)(B), and (e)(4)(f).
6. Manteca has been convicted of a criminal felony involving dishonesty or a breach of trust, as contemplated in 18 U.S.C. § 1033.

Relief Sought

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

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Original Petition
Sharanda Manteca
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1. denying Manteca's license application, and
2. granting any other just and appropriate relief to which TDI may be entitled to by law.

Respectfully Submitted,

/s/Jeannie Ricketts

Jeannie Ricketts
State Bar No. 24041774
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6336 (Direct)
(512) 490-1020 (Fax)
Jeannie.Ricketts@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2023-7900

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Jeannie Ricketts
Bar No. 24041774
Enforcementgeneral@tdi.texas.gov
Envelope ID: 73505137
Status as of 3/9/2023 12:46 PM CST

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	3/9/2023 12:00:15 PM	SENT

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Jeannie Ricketts		Jeannie.Ricketts@tdi.texas.gov	3/9/2023 12:00:15 PM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	3/9/2023 12:00:15 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	3/9/2023 12:00:15 PM	SENT

Associated Case Party: Sharanda Manteca

Name	BarNumber	Email	TimestampSubmitted	Status
Sharanda Manteca		[REDACTED]	3/9/2023 12:00:15 PM	SENT

2023-7900

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Jeannie Ricketts
Bar No. 24041774
Enforcementgeneral@tdi.texas.gov
Envelope ID: 73650628
Filing Code Description: Notice of Hearing
Filing Description: Notice of hearing and original petition
Status as of 3/14/2023 2:58 PM CST

Associated Case Party: Texas Department of Insurance

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT
Jeannie Ricketts		Jeannie.Ricketts@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT
Catarina Tapia		Catarina.Tapia@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT

Associated Case Party: Chief Clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	3/14/2023 2:32:31 PM	SENT



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: 03/14/2023
 Shipped From:
 Name: MC ENF M RUIZ
 Address: 1601 CONGRESS AVENUE SUITE 6 900
 City: AUSTIN
 State: TX ZIP+4® 78711

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



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RICKETTS/31309

