

OCT 14 2009

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

GALLEGOS, JOVANNA REYNOSO,
(License number 920337)

Respondent.

No. 09A-036-INS
ORDER

On October 6, 2009, the Office of Administrative Hearings, through Administrative Law Judge ("ALJ") Lewis D. Kowal, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on October 9, 2009, a copy of which is attached and incorporated by this reference. The Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

1. The Director adopts the Recommended Findings of Fact and Conclusions of Law of the Recommended Decision.
2. The Director revokes Respondent's Arizona producer's license, effective immediately.

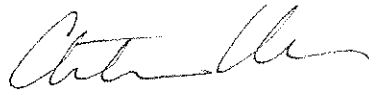
NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Respondent may request a rehearing with respect to this order by filling a written motion with the Director of the Department of Insurance within 30 days of the date of this Order, setting forth the basis for relief under A.A.C. R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before filing an appeal to Superior Court.

Respondent may appeal the final decision of the Director to the Superior Court of Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal

1 must notify the Office of Administrative Hearings of the appeal within ten days after filing
2 the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

3 DATED this 14th day of October, 2009.

4
5 
6 CHRISTINA URIAS, Director
7 Arizona Department of Insurance

8 COPY of the foregoing mailed this
9 14th day of October, 2009 to:

10 Office of Administrative Hearings
11 1400 West Washington, Suite 101
12 Phoenix, Arizona 85007

13 Mary Butterfield, Assistant Director
14 Mary Kosinski, Exec. Asst. for Regulatory Affairs
15 Catherine O'Neil, Consumer Legal Affairs Officer
16 Steven Fromholtz, Licensing Administrator
17 Arizona Department of Insurance
18 2910 North 44th Street, Suite 210
19 Phoenix, Arizona 85018

20 Jovanna Reynoso Gallegos
21 c/o Wells Fargo
22 7720 E. Highway 69
23 Prescott Valley, Arizona 86314
24 Respondent

25 Jovanna Reynoso Gallegos
26 886 S. Granite Street
Prescott, Arizona 86303
Respondent

27 
28 Curvey Burton

1 Respondent submit a replacement set of fingerprints and enclosed a blank Illegible
2 Replacement Fingerprint Form. The Department provided a deadline of August 8, 2008
3 for the return of the completed replacement fingerprint form. Mr. Fromholtz testified
4 that when an application does not contain a mailing address, as in the instant matter,
5 the Department uses the business address supplied by the applicant.

6 5. Because the Department did not receive the requested replacement fingerprint
7 form from Respondent as requested, the Department sent another letter to Respondent
8 on December 23, 2008 at Respondent's residential address giving Respondent a
9 deadline of January 14, 2009 to file either an Illegible Replacement Fingerprint Form
10 with the Department or a Voluntary Surrender of License Form with the Department.
11 The Department indicated that the failure to respond to the letter would result in the
12 initiation of disciplinary action being taken against the License.

13 6. Mr. Fromholtz testified that the Department has not received any change of
14 address notification from Respondent and that the above-mentioned letters were sent
15 to the mailing addresses of record the Department had for Respondent.

16 7. Mr. Fromholtz testified that, to date, the Respondent has not responded to the
17 above-mentioned letters and has not submitted to the Department a new set of
18 fingerprints.

19 CONCLUSIONS OF LAW

20 1. This matter is a disciplinary proceeding wherein the Department must prove by a
21 preponderance of the evidence that Respondent violated the State's Insurance Laws.
22 See A.AC. R2-19-119.

23 2. During the application process, the Director of the Department required
24 Respondent to submit a full set of fingerprints and Respondent's illegible fingerprint
25 submission did not satisfy that requirement. See A.R.S. § 20-285(F)(2).

26 3. Respondent's conduct, as set forth above, constitutes a violation of A.R.S. § 20-
27 295(A)(1), by having failed to provide complete information in the license application.

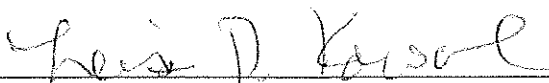
28 4. Respondent's conduct, as set forth above, constitutes the violation of any
29 provision of A.R.S., Title 20, within the meaning of A.R.S. § 20-295(A)(2).

30 5. Grounds exist for the Director of the Department to suspend, revoke, or refuse to
renew the License pursuant to A.R.S. § 20-295(A).

ORDER

1 Based upon the above, the License shall be revoked on the effective date of the
2 Order entered in this matter.
3

4 Done this day, October 6, 2009.
5

6 
7 _____
8 Lewis D. Kowal
9 Administrative Law Judge

10 Original transmitted by mail this
11 7 day of October, 2009, to:

12
13
14 Christina Urias, Director
15 Department of Insurance
16 2910 North 44th Street, Ste. 210
17 Phoenix, AZ 85018

18 By  _____
19
20
21
22
23
24
25
26
27
28
29
30