| 1 | State of Arizona | JE OF ARIZONA FILED | |
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| 2 | DEPARTMENT OF INSURANCE | AY 24 2011 | |
| 3 | In the Matter of: OEPT No. 11ABY 4 | OF INSURANCE | |
| 4 | | | |
| 5 | · 11 | URDER | |
| 6 7 | Respondent.) | | |
| 8 | The State of Arizona Department of Insurance ("Department") has received evidence | | |
| 9 | that Paul Anthony Ornelas ("Respondent") has violated provisions of Title 20, Arizona | | |
| 10 | Revised Statutes. Respondent wishes to resolve this matter without the commencement of | | |
| 11 | formal proceedings, and admits the following Findings of Fact are true and consents to entry | | |
| 12 | of the following Conclusions of Law and Order. | | |
| 13 | FINDINGS OF FACT | | |
| 14 | Paul Anthony Ornelas ("Ornelas") was licensed with the De | partment as an | |
| 15 | Arizona resident producer, Arizona license number 48480, which expired on December 31, | | |
| 16 | 2009. Respondent was licensed for the following lines of authority: accident/health and life | | |
| 17 | from March 10, 1997 to December 31, 2009; credit from August 8, 2003 to December 31, | | |
| 18 | 2009; and variable life/variable annuities from March 14, 2003 to Decemb | per 31, 2009. | |
| 19. | 2. Respondent's address of record is: 5912 E. Hawthorne St., | Tucson, Arizona | |
| 20 | 85711 (business, mailing and residence). | | |
| 21 | 3. On November 18, 2010, Respondent late-filed a renewal ap | plication with the | |
| - | Department ("Renewal Application"). | | |

- 4. Block C, Question 1 of the Renewal Application asks: Have you been convicted or found guilty of, have you had a judgment made against you for, or have you admitted to, any of the following that has not been previously disclosed in a written format by you to this agency? 1. A felony (of any kind)?. Respondent answered "Yes" to Block C, Question 1. Respondent signed the Renewal Application.
- 5. On May 25, 2010, the Arizona Superior Court, Pima County filed a Minute Entry Sentence of Imprisonment as to CR20100711-001/Sentence of Probation with DOC as to CR20100306-001 in State of Arizona vs. Paul Anthony Ornelas, Case No. CR20100306-001. As to CR20100306-001, the Court entered a Judgment that Respondent was guilty of Aggravated Driving Under the Influence, While License is Suspended, Revoked or in Violation of a Restriction; Felony Class 4. The Arizona Superior Court sentenced Respondent to incarceration in the Arizona Department of Corrections ("DOC") for four months, concurrent with the sentence in CR20100711-001, with credit for eighty-four days time served.
- 6. On May 25, 2010, the Arizona Superior Court, Pima County filed a Minute Entry Sentence of Imprisonment as to CR20100711-001/Sentence of Probation with DOC as to CR20100306-001 in State of Arizona vs. Paul Anthony Ornelas, Case No. CR20100711-001. As to CR20100711-001, the Court entered a Judgment that Respondent was guilty of Aggravated Driving Under the Influence, While License is Suspended, Revoked or in Violation of a Restriction; Felony Class 4. The Arizona Superior Court sentenced Respondent to incarceration in the Arizona DOC for 1.5 years, with credit for eighty-four days time served.

CONCLUSIONS OF LAW

The Director has jurisdiction over this matter.

- 2. Respondent's conduct, as alleged above, constitutes having been convicted of a felony, within the meaning of A.R.S. § 20-295(A)(6).
- 3. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A) and (F).

ORDER

IT IS HEREBY ORDERED THAT:

- 1. Respondent's license, # 48480, is renewed effective December 31, 2010.
- 2. Respondent's license, # 48480, is suspended effective December 31, 2010.
- The Department shall reinstate Respondent's license once Respondent provides proof to the Department that he is no longer incarcerated.

DATED AND EFFECTIVE this 23dd day of May, 2011.

CHRISTINA URIAS Director of Insurance

CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably

waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

- Respondent states that no promise of any kind or nature whatsoever, except as 4. expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency, including the Department, officer, or subdivision of this state or this agency from instituting civil or criminal proceedings as may be appropriate now or in the future.
- 6. Respondent acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC). Respondent further acknowledges that he must report this administrative action to any and all states in which he holds an insurance license and must disclose this administrative action on any license application.

Date

Paul Anthony Ornelas, Arizona License # 48480

COPIES of the foregoing mailed/delivered this 24th day of May, 2011, to:

Paul Anthony Ornelas ADC# 253881 ASP- Florence West

P.O. Box 9200

Florence, Arizona 85132-9200 Respondent

Paul Anthony Ornelas 5912 E. Hawthorne St.

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| 1 | Tucson, Arizona 85711 Respondent |
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| 2 | |
| 3 | Mary E. Kosinski, Exec. Assistant for Reg. Affairs Mary Butterfield, Assistant Director |
| 4 | Catherine M. O'Neil, Consumer Legal Affairs Officer Steve Fromholtz, Licensing Supervisor Department of Insurance |
| 5 | 2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018 |
| 6 | |
| 7 | Maidene Schener, Curvey Walters Burton for |
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