


DEC 28 2011

DEPT. OF INSURANCE  
BY 

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

In the Matter of:

**FEUER, JESSE SAMUEL,**  
**(Arizona License No. 970153)**  
**(NPN # 15849462)**

Respondent.

**No. 11A-106-INS**  
**ORDER**

On December 20, 2011, the Office of Administrative Hearings, through Administrative Law Judge ("ALJ") Thomas Shedden, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on December 22, 2011, 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 filing 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

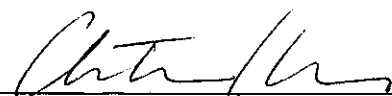
1 must notify the Office of Administrative Hearings of the appeal within ten days after filing  
2 the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

3 DATED this 22<sup>nd</sup> day of December, 2011.

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CHRISTINA URIAS, Director  
Arizona Department of Insurance


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8 COPY of the foregoing mailed this  
9 28th day of December, 2011 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 Jesse Samuel Feuer  
21 521 N. 3<sup>rd</sup> Ave.  
22 Tucson, Arizona 85705  
23 Respondent

24   
25 Curvey Burton

26



1 6. The Department forwarded Respondent's fingerprints the Arizona Department of  
2 Public Safety ("DPS") for a criminal records background check.

3 7. It typically takes DPS 4 to 8 weeks to conduct a criminal records background  
4 check. Consequently, rather than making all applicants for licensure wait for the results  
5 of the background check, the Department issues licenses while the background check  
6 is pending.

7 8. DPS informed the Department that Respondent's fingerprints were not of  
8 sufficient quality for use in conducting the background check.

9 9. In a letter dated November 10, 2010, the Department informed Respondent that  
10 on or before December 12, 2010, he was required to submit to the Department a  
11 replacement set of fingerprints. The November 10<sup>th</sup> letter was sent to Respondent's  
12 business address of record.

13 10. DPS does not charge a processing fee for reviewing replacement fingerprint  
14 cards.

15 11. In a letter dated January 13, 2011, the Department informed Respondent that it  
16 was preparing to initiate an administrative action against his license because he had  
17 not submitted a replacement set of fingerprints as required.

18 12. The January 13<sup>th</sup> letter informed Respondent that on or before January 31,  
19 2011, he was required to submit the replacement set of fingerprints, or in the  
20 alternative, he could surrender her license.

21 13. The January 13<sup>th</sup> letter was sent to Respondent's home address of record.

22 14. On January 31, 2010, Respondent spoke to the Department's Barbara Beltran  
23 at which time he informed her that he was going to surrender his license.

24 15. As of the hearing date, Respondent had not submitted a replacement set of  
25 fingerprints and he had not surrendered his license.

26 16. Because Respondent did not submit to the Department a set of fingerprints of  
27 sufficient quality for DPS's use in conducting the background check, his application is  
28 not complete.  
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