

MAY 24 2016

DEPT OF INSURANCE
BY ms

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

No. 16A-016-INS

TACKER, GEORGE ALFRED,

ORDER

Petitioner.

On May 12, 2016, the Office of Administrative Hearings, through Administrative Law Judge M. Douglas, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Interim Director of the Department of Insurance ("Interim Director") on May 12, 2016, a copy of which is attached and incorporated by this reference. The Interim Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

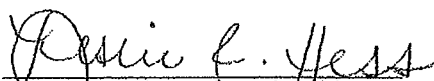
1. The Interim Director adopts the Recommended Findings of Fact and Conclusions of Law.
2. The Interim Director denies George Alfred Tacker's application for an Arizona insurance producer license.

NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Petitioner may request a rehearing with respect to this order by filling a written motion with the Interim 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.

1 Petitioner may appeal the final decision of the Interim Director to the Superior Court
2 of Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal
3 must notify the Office of Administrative Hearings of the appeal within ten days after filing
4 the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

5 DATED this 23rd day of May, 2016.

6
7 
8 Leslie R. Hess, Interim Director
9 Arizona Department of Insurance


10 COPY of the foregoing mailed this
11 24th day of May, 2016, to:

12 George A. Tacker
13 12911 West Campbell Avenue
14 Litchfield Park, Arizona 85340
15 Petitioner

16 Mary Kosinski, Executive Assistant for Regulatory Affairs
17 Catherine O'Neil, Consumer Legal Affairs Officer
18 Steven Fromholtz, Asst. Dir., Consumer Protection Division
19 Arizona Department of Insurance
20 2910 North 44th Street, Suite 210
21 Phoenix, Arizona 85018

22 Liane Kido
23 Assistant Attorney General
24 1275 West Washington Street
25 Phoenix, Arizona 85007-2926

26 Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007


Maidene Scheiner

RECEIVED

MAY 12 2016

AZ DEPT. OF INSURANCE
ADMINISTRATIVE SERVICES

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of a denial to an insurance
license application:

No. 16A-016-INS

GEORGE A. TACKER,

ADMINISTRATIVE LAW JUDGE

Petitioner.

DECISION

HEARING: May 12, 2016, at 1:00 p.m.

APPEARANCES: The Arizona Department of Insurance (hereinafter
"Department") appeared through Assistant Attorney General Liane Kido. Petitioner
George A. Tacker (hereinafter "Petitioner") failed to appear.

ADMINISTRATIVE LAW JUDGE: M. Douglas

FINDINGS OF FACT

1. The Arizona Department of Health Services issued a Notice of Hearing
setting the above-captioned matter for hearing at 1:00 p.m. on March 26, 2016, at the
Office of Administrative Hearings in Phoenix, Arizona.

2. On March 25, 2016, *Redacted*
the matter was continued until 1:00 p.m., May 12, 2016. Written notice of the
continued hearing was transmitted to Petitioner on March 28, 2016.

3. No representative for Petitioner appeared by 1:15 p.m. and consequently,
the matter was not convened and no evidence was taken.

CONCLUSIONS OF LAW

1. The burden of proof at an administrative hearing falls to the party
asserting a claim, right, or entitlement, and the standard of proof on all issues in this
matter is by a preponderance of the evidence. See A.A.C. R2-19-119.

2. Because Petitioner failed to appear and prosecute the appeal, the appeal
is unsupported by evidence. Consequently, Petitioner's appeal should be dismissed.

Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007
(602) 542-9826

ORDER

IT IS ORDERED that Petitioner's appeal is dismissed.

In the event of certification of the Administrative Law Judge Decision by the Director of the Office of Administrative Hearings, the effective date of the Order is the date of that certification.

Done this day, May 12, 2016.

/s/ M. Douglas
Administrative Law Judge

Transmitted electronically to:

Leslie R. Hess, Interim Director
Arizona Department of Insurance