

JAN 08 2019

STATE OF ARIZONA DEPT OF INSURANCE  
DEPARTMENT OF INSURANCE BY MEK

In the Matter of:

No. 18A-137-INS

**REGACHO, WILHMA,**

**ORDER**

Petitioner.

On January 2, 2019, the Office of Administrative Hearings, through Administrative Law Judge Kay Abramsohn, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on January 3, 2019, 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:

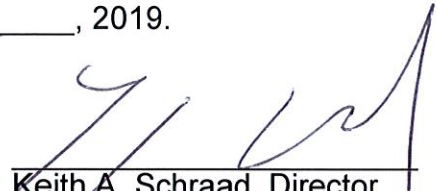
1. The Director adopts the Recommended Findings of Fact and Conclusions of Law.
2. The Director denies **Wilhma Regacho's** application for an Arizona bail bond agent license.

#### 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 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.

1 Petitioner may appeal the final decision of the Director to the Superior Court of  
2 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 7<sup>th</sup> day of January, 2019.

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9 Keith A. Schraad, Director  
10 Arizona Department of Insurance

11 **COPY** of the foregoing mailed this  
12 9<sup>th</sup> day of January, 2019, to:

13 Wilhma Regacho  
14 4212 S. 104<sup>th</sup> Ln.  
15 Tolleson, AZ 85353  
16 Petitioner

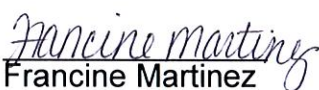
17 Office of Administrative Hearings  
18 1740 West Adams St., Lower Level  
19 Phoenix, Arizona 85007

20 **COPY** delivered same date to:

21 Mary Kosinski, Executive Assistant for Regulatory Affairs  
22 Catherine O'Neil, Consumer Legal Affairs Officer  
23 Steven Fromholtz, Asst. Dir., Consumer Protection Division  
24 Aqueelah Currie, Licensing Supervisor  
25 Sharyn Kerr, Consumer Protection Division  
26 Arizona Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018

**COPY** sent same date via electronic mail to:

Deian Ousounov  
Assistant Attorney General  
[AdminLaw@azag.gov](mailto:AdminLaw@azag.gov)  
Attorney for the Department of Insurance

  
Francine Martinez

JAN 03 2019

DEPT. OF INSURANCE  
BY: MEK

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 18A-137-INS

REGACHO, WILHMA,  
Respondent.

ADMINISTRATIVE LAW JUDGE  
DECISION

**HEARING:** December 20, 2018

**APPEARANCES:** Respondent Wilhma Regacho did not appear. Assistant Attorney General Deian Ousounov appeared on behalf of the Arizona Department of Insurance.

**ADMINISTRATIVE LAW JUDGE:** Kay Abramsohn

**FINDINGS OF FACT**

1. The Arizona Department of Insurance (Department) issued a Notice of Hearing setting the above-captioned matter for hearing at 8:30 a.m. on December 20, 2018, at the Office of Administrative Hearings in Phoenix, Arizona.

2. Neither Respondent nor any representative on Respondent's behalf appeared for the hearing.

3. At the time of the hearing, counsel for the Department indicated that, since the day that the informal settlement conference was conducted, he had received an e-mail from Respondent indicating that she was not going to proceed with the appeal and was not going to appear at the noticed hearing.

**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 Respondent failed to appear and, from all indications, withdrew the appeal, Respondent's appeal should be dismissed as moot.

**ORDER**

**IT IS ORDERED** that Respondent'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, January 2, 2019.

/s/ Kay A. Abramsohn  
Administrative Law Judge

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Transmitted electronically to:  
Keith A. Schraad, Interim Director  
Arizona Department of Insurance