

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED April 15, 2025 by AS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

MYLES COSTON

(National Producer Number 17032289)

Petitioner.

No. 24A-110-INS

ORDER

On March 24, 2025, the Office of Administrative Hearings, through Administrative Law Judge Adam D. Stone, issued an Administrative Law Judge Decision (“Recommended Decision”). The Arizona Department of Insurance and Financial Institutions’ Director (“Director”) received the Recommended Decision on the same date, a copy of which is attached and incorporated by reference. Petitioner failed to accept the Recommended Decision within ten days of receipt. Therefore, the Director has reviewed the Recommended Decision and enters the following:

1. The Director ADOPTS the Findings of Fact;
2. The Director ADOPTS the Conclusions of Law;
3. The Director ADOPTS the Recommended Order; and
4. The Department ORDERS that:
 - The Department’s denial of Myles Coston’s license application is affirmed.
 - Myles Coston’s appeal is dismissed.

NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes (“A.R.S.”) § 41-1092.09, Petitioner may request a rehearing or review with respect to this Order by filing a written motion with the Department within 30 days after the date of this Order, setting forth the basis for relief under Arizona

1 Administrative Code R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to
2 request a rehearing before filing an appeal to the Superior Court.

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

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8 DATED and EFFECTIVE this 15th day of April, 2025.

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10 Barbara D. Richardson

11 Barbara D. Richardson, Director
12 Arizona Department of Insurance and Financial Institutions

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1 **ORIGINAL** of the foregoing filed electronically
this 15th day of April, 2025, to:

2 Adam D. Stone, Administrative Law Judge
3 <https://portal.azoah.com/submission>
4 Office of Administrative Hearings

5 **COPY** of the foregoing mailed by U.S. First Class and
6 Certified Mail, Electronic Receipt Requested, same date to:

7 Myles Coston
8 9329 Kennebec Road
9 Willow Springs, NC 27592
10 Petitioner 9489 0090 0027 6655 0798 62

11 **COPY** of the foregoing electronically delivered same date to:

12 Alena Caravetta, Regulatory Legal Affairs Officer
13 Ana Starcevic, Project Specialist
14 Steven Fromholtz, Licensing Manager
15 Aqueelah Currie, Insurance Licensing Supervisor
16 Linda Lutz, Legal Assistant
17 Arizona Department of Insurance and Financial Institutions
18 100 North 15th Avenue, Suite 261
19 Phoenix, Arizona 85007

20 Myles Coston
21 Mylescoston.ail@gmail.com
22 *Petitioner*

23 Raya Gardner, Assistant Attorney General
24 raya.gardner@azag.gov
25 Adminlaw@azag.gov
26 *Attorney for the Arizona Department
of Insurance and Financial Institutions*

Ana Starcevic

STATE OF ARIZONA
Department of Insurance and Financial Institutions
RECEIVED March 24, 2025 by AS

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 24A-110-INS

Myles Coston

**ADMINISTRATIVE LAW JUDGE
DECISION**

Petitioner

HEARING: March 7, 2025

APPEARANCES: Assistant Attorney General Raya Gardner appeared on behalf on the Arizona Department of Insurance and Financial Institutions.

ADMINISTRATIVE LAW JUDGE: Adam D. Stone

EXHIBITS ADMITTED INTO EVIDENCE:

FINDINGS OF FACT

1. The above-captioned matter was set to convene for hearing on January 9, 2025, at the Office of Administrative Hearings in Phoenix, Arizona.

2. Just prior to the hearing that day, Petitioner, request a continuance as he was unaware the matter was set for an in-person hearing, and requested that the matter be set for a virtual hearing.

3. On January 10, 2025, the tribunal granted Petitioner’s request and set the hearing for March 7, 2025 at 9:00 a.m., and also provided the Google Meet instructions to connect to the hearing. The Order was sent to Petitioner’s email address of record.

4. No representative for Petitioner appeared by 9:15 a.m., on March 7, 2025, 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. Further, A.R.S. § 41-1092.07(G)(1), provides, “[a]t a hearing on an agency’s denial of a license or permit or a denial of an application or request for modification of a license or permit, the applicant has the burden of persuasion.”

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

ORDER

IT IS ORDERED that Petitioner’s appeal is dismissed.

Pursuant to A.R.S. § 41-1092.08(I), the licensee may accept the Administrative Law Judge Decision by advising the Office of Administrative Hearings in writing not more than ten (10) days after receiving the decision. If the licensee accepts the Administrative Law Judge Decision, the decision shall be certified as the final decision by the Office of Administrative Hearings.

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 will be forty (40) days from the date of that certification.

Done this day, March 24, 2025.

/s/ Adam D. Stone
Administrative Law Judge

Transmitted by either mail, e-mail, or facsimile to:

Barbara D. Richardson,
Department of Insurance and Financial Institutions - Insurance

Raya Gardner
Office of the Attorney General
raya.gardner@azag.gov

Myles Coston
mylescoston.ail@gmail.com

By: OAH Staff