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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:	:	NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER
UTAH INSURANCE DEPARTMENT	:	
RESPONDENT:	:	Failure to Respond
James Ruffin McKinley	:	Docket No. 2011-239 LC
2280 SE 8 th CT	:	
Pompano Beach, FL 33062-6728	:	
	:	Enf. Case No. 3036
License No. 89074	:	

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) § 31A-2-202 and 63G-4-201 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

FINDINGS OF FACT

1. Respondent is an agent authorized to do the business of insurance in the State of Utah holding License number 89074.
2. The Respondent failed to properly respond to the initial inquiry of the Commissioner dated June 15, 2011.

3. The Respondent failed to properly respond to a second inquiry of the Commissioner dated July 20, 2011.

4. The Respondent failed to properly respond to a third inquiry of the Commissioner dated August 30, 2011.

5. The Respondent failed to properly respond a fourth inquiry of the Commissioner dated October 7, 2011.

6. On October 25, 2011, attempts to reach the Respondent by phone, as listed in Department records, were unsuccessful.

7. As of October 25, 2011, no response from the Respondent has been received.

8. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

CONCLUSION OF LAW

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondent shall pay an administrative forfeiture in the amount of \$500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 E. 300 S., Fifth Floor, P.O. Box 140874, Salt Lake City, UT 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

Questions regarding this Adjudicative Proceeding should be directed to Jen Christian, 801-538-3172.

DATED THIS _____ day of _____, 2011.

NEAL T. GOOCH
INSURANCE COMMISSIONER

MARK KLEINFELD, J.D.
ADMINISTRATIVE LAW JUDGE
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

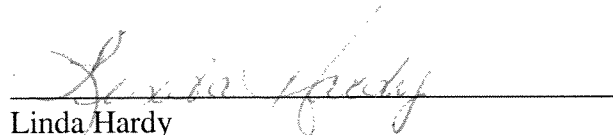
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL
ADJUDICATIVE PROCEEDING
AND ORDER
Failure to Respond

To the following:

James Ruffin McKinley
2280 SE 8th CT
Pompano Beach, FL 33062-6728

DATED this 25th day of October, 2011



Linda Hardy
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

UTAH
Invoice - Original

Printed Date: October 25, 2011
 Invoice Date: October 25, 2011
 Balance Due: \$500.00
 Due Date: November 21, 2011
 Invoice ID: 534203
 Payor ID: 15987

MCKINLEY JAMES RUFFIN
 2280 SE 8TH CT
 POMPANO BEACH FL 33062-6728

Item Description	Amount
10/25/2011 Monetary Penalty Individual E-Case 3036 Dcoket 2011-239 LC	\$500.00
Original Amount Due	<u>\$500.00</u>
Payments Received	
	<u>Balance Due</u>

UTAH
Invoice - Original

Invoice Date: October 25, 2011
 Balance Due: \$500.00
 Due Date: November 21, 2011
 Invoice ID: 534203
 Payor ID: 15987
 Payor Name: MCKINLEY, JAMES
 RUFFIN

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
 3110 State Office Building
 Salt Lake City, UT 84114-6901