



**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:

MARVIN LEE ESTILL,

Applicant.

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Case No. 170131149C

CONSENT ORDER

Chlora Lindley-Myers, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Division of Consumer Affairs, through legal counsel Mary S. Erickson, and Marvin Lee Estill have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Director” of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo,¹ include the licensure, supervision, regulation, and discipline of insurance producers.

¹ All civil statutory references are to the Revised Statutes of Missouri (2000) as updated by the 2013 Supplement, unless otherwise noted.

2. The Division of Consumer Affairs (“Division”) of the Department has the duty of conducting investigations into the qualifications of insurance producer license applicants under the insurance laws of this state and has been authorized by the Director to investigate and initiate actions before the Director to enforce the insurance laws of this state, including insurance producer license application refusals.

3. On February 21, 1995, Marvin Lee Estill (“Estill”) pled guilty to, and was convicted of, Trafficking Drugs in the Second Degree, a Class B Felony, in violation of § 195.223 RSMo.² The court sentenced Estill to five (5) years’ incarceration, but suspended the execution of sentence and ordered Estill to complete three (3) years’ supervised probation. Estill successfully completed his probation on February 10, 1998. *State v. Marvin L. Estill*, Jackson Co. Cir. Ct., Case No. CR94-6497.

4. On November 20, 2000, Estill pled guilty to Menacing, a Class 5 Felony, in violation of COLO. REV. STAT. § 18-3-206. On August 27, 2001, Estill was sentenced to two (2) years’ intensive supervised probation following Estill’s stay in a residential diversion program.³ On October 21, 2002, after having met all conditions of his probation, Estill’s intensive supervised probation was converted to unsupervised probation. *The People of the State of Colorado v. Marvin Lee Estill*, El Paso Co. Dist. Ct., Case No. 2000CR003359.

5. On July 22, 2016, the Department received Estill’s electronic application for a resident insurance producer license (“Application”).

² All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri or the Colorado Revised Statutes under which each respective court rendered judgment.

³ The Sentencing Order, entered on August 27, 2001, reflects that Estill pled guilty to Assault in the Second Degree, a Class 4 Felony. However, the Amended Information, filed November 7, 2000, amends the original Assault in the Second Degree charge to a Menacing charge. In addition, in the Plea Agreement dated November 20, 2000, Estill pled guilty to Menacing. Further, the docket reflects that the Court accepted Estill’s plea to the Amended Information.

6. Estill disclosed his convictions on his Application as required.
7. Estill acknowledges and understands that pursuant to § 375.141.1(6), the Director may refuse to issue a resident insurance producer license to Estill because Estill has been convicted of a felony or a crime involving moral turpitude.
8. Estill acknowledges and understands that he has the right to consult counsel at his own expense.
9. Estill stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission or the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order, and forever releases and holds harmless the Department, the Director and her agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.
10. Estill acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Estill further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he may be licensed.
11. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

12. Section 375.141 provides, in relevant part:

1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]

13. The facts admitted herein by Estill provides cause upon which the Director may refuse to issue a resident insurance producer license to Estill pursuant to § 375.141.1(6).

14. The Director may impose orders in the public interest under § 374.046.

15. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a resident insurance producer license to Marvin Lee Estill, subject to the conditions set forth herein and the following special conditions:

1. Marvin Lee Estill shall report to the Division of Consumer Affairs any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374 or 375, within five (5) business days of such violation or failure to comply.

2. Marvin Lee Estill shall respond to all inquiries from the Division of Consumer Affairs in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Marvin Lee Estill, Estill shall send the Department a copy of the complaint and a copy of Estill's response to the consumer within five (5) business days of receipt of the consumer complaint.

4. Marvin Lee Estill shall report to the Division of Consumer Affairs any and all of the following incidents involving Estill: guilty plea, *Alford* plea, *nolo contendere* plea, finding of guilt, or conviction concerning a felony or misdemeanor. Estill shall report all such incidents to the Division of Consumer Affairs within five (5) business days of their occurrence.

5. Marvin Lee Estill shall report to the Division of Consumer Affairs any administrative action undertaken or initiated against Estill in another jurisdiction or by another state or federal governmental agency in this state within five (5) business days after Estill receives notification of the initiation of such administrative action.

6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of the expiration or renewal of Marvin Lee Estill's two (2) year resident insurance producer license or the refusal, surrender, or revocation of Estill's resident insurance producer license.

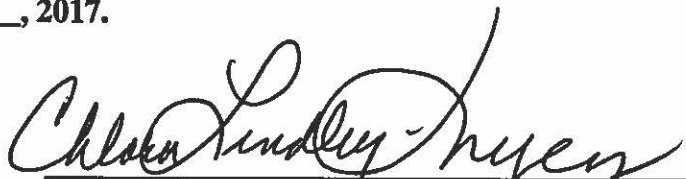
IT IS FURTHER ORDERED that, for two (2) years subsequent to the date of this executed Consent Order, Marvin Lee Estill will voluntarily surrender his resident insurance producer license to the Department within five (5) business days of Estill's entry of a guilty plea, *Alford* plea, *nolo contendere* plea, being found guilty, or being convicted of a felony or crime of moral turpitude, regardless of whether any sentence is suspended or executed.

IT IS FURTHER ORDERED that, if Marvin Lee Estill maintains his resident insurance producer license and complies with the terms of this Consent Order, Estill may

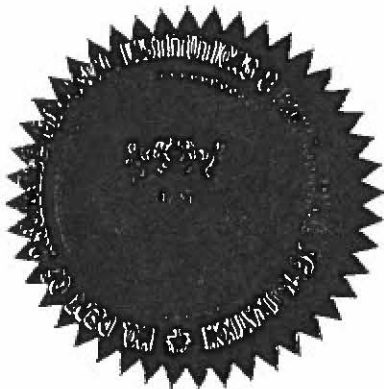
apply to renew his resident insurance producer license and the Director shall consider his renewal application in accordance with Chapters 374 and 375, but without regard to Estill's prior felony convictions or the underlying conduct in *State v. Marvin L. Estill*, Jackson Co. Cir. Ct., Case No. CR94-6497 and *The People of the State of Colorado v. Marvin Lee Estill*, El Paso Co. Dist. Ct., Case No. 2000CR003359.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374 and 375, including remedies for violation of, or failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 20th DAY
OF June, 2017.

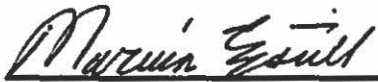


CHLORA LINDLEY-MYERS, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration



CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Marvin Lee Estill may have a right to a hearing, but that Marvin Lee Estill has waived the hearing and consented to the issuance of this Consent Order.



Marvin Lee Estill, Applicant
10547 E. 46th Terr.
Kansas City, Missouri 64133

06/09/2017

Date

Counsel for Applicant

Name: _____

Missouri Bar No. _____

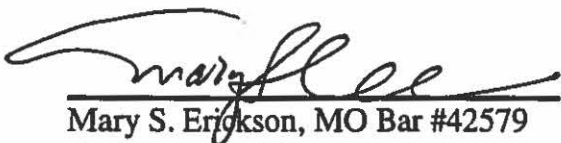
Address: _____

Telephone: _____

Facsimile: _____

Email: _____

Date



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6/16/17
Date