



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

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

IN RE:)
)
WILLIAM LYNN GUNTER,) **Case No. 141201750C**
)
Respondent.)

CONSENT ORDER

JOHN M. HUFF, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Mark J. Rachel, and Respondent William Lynn Gunter have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

1. John M. Huff 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 (Supp. 2014),¹ include the supervision, regulation, and discipline of insurance producers.

¹ All statutory references are to the 2000 Missouri Revised Statutes, as updated by the 2014 RSMo Supplement, unless otherwise noted.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of conducting investigations into the unfair or unlawful acts of insurance producers pursuant to the insurance laws of Missouri, and has been authorized by the Director to investigate and initiate actions before the Director and the Administrative Hearing Commission to enforce the insurance laws of Missouri, including insurance producer license discipline.

3. On February 23, 2001, the Department issued to William Lynn Gunter (“Gunter”) a resident insurance producer license, license number 0106522, which was most recently renewed on February 24, 2013 and is currently set to expire on February 23, 2015.

4. On October 20, 2014, Gunter pled guilty to, and was convicted of, Murder in the Second Degree, a Class A Felony, in violation of § 565.021.² *State v. William L. Gunter*, St. Louis Co. Cir. Ct., Case No. 13SL-CR02516-01.

5. Murder in the Second Degree, a Class A Felony, in violation of § 565.021, is a crime involving moral turpitude.

6. Gunter acknowledges and understands that pursuant to § 375.141.1(6) the Director may revoke Gunter’s resident insurance producer license because Gunter has been convicted of a felony.

7. Gunter acknowledges and understands that pursuant to § 375.141.1(6) the Director may revoke Gunter’s resident insurance producer license because Gunter has been convicted of a crime involving moral turpitude.

8. Gunter agrees that the facts contained in this Consent Order constitute cause for the Director to revoke his resident insurance producer license pursuant to § 375.141.1(6).

9. Gunter and the Division desire to settle all allegations raised by the Division.

² All references to criminal statutes are to those contained in the version of the Revised Statutes of Missouri pursuant to which each judgment was rendered.

10. On December 23, 2014, counsel for the Division provided to Gunter a written description of the specific conduct for which discipline may be sought and a citation to the law allegedly violated, together with copies of any documents upon which it based the allegations, and the Division's settlement offer, specifically this Consent Order, in accordance with § 621.045.4(1). Counsel for the Division further advised Gunter that he had sixty (60) days to review the relevant documents and consider the proposed settlement offer in accordance with § 621.045.4(2).

11. Gunter acknowledges and understands that he has the right to consult an attorney at his own expense.

12. Gunter further acknowledges that he has been advised that he may, either at the time this Consent Order is signed by all parties, or within fifteen (15) days thereafter, submit this Consent Order to the Administrative Hearing Commission for determination that the facts agreed hereby do not constitute cause for discipline of Gunter's resident insurance producer license.

13. Except as provided in the preceding paragraph, Gunter 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 his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

14. Gunter acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Gunter further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and other jurisdictions, and that it is his

responsibility to comply with the reporting requirements of each state in which he may be licensed.

15. 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 representative capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

16. Section 375.141.1 provides, in relevant part:

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[.]

17. “[M]urder is an offense involving moral turpitude[.]” *State v. Lee*, 404 S.W.2d 740, 748 (Mo. 1966).

18. The facts hereby admitted by Gunter constitute cause for the Director to revoke his resident insurance producer license pursuant to § 375.141.1(6).

19. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

20. 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 resident insurance producer license of Respondent William Lynn Gunter, license number 0106522, is hereby REVOKED.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 16 DAY OF

April, 2015.



JOHN M. HUFF, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that William Lynn Gunter has the right to a hearing, but that William Lynn Gunter has waived the hearing and consented to the issuance of this Consent Order.

William Lynn Gunter
William Lynn Gunter, Respondent
inmate # 1277225
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Correctional Center
2727 Highway K
Bonne Terre, Missouri 63628-3430
Telephone: _____
Email: _____

4/1/15
Date

Name: _____
Counsel for Respondent
Missouri Bar # _____
Address: _____

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14 April 2015
Date