BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED
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ADMINISTRATIVE HEARING COMMISSION

DOUGLAS M. OMMEN, Director	)	
Department of Insurance, Financial	)	
Institutions & Professional Registration	)	
State of Missouri,	)	
	)	
Petitioner,	)	
	)	**Case No.:** 0508293 24C
vs.	)	
	)	
DEMITRIUS GLASS	)	
&	)	
VERSITILE MANAGEMENT GROUP	)	
	)	
Respondents.	)	
	)	
Serve:	)	
	)	
13905 Lesabre Drive	)	
Florissant, Missouri 63034	)	
Telephone: (314) 921-9932	)	

COMPLAINT

DOUGLAS M. OMMEN, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, through counsel, complains and requests the Administrative Hearing Commission find that cause exists for disciplinary action against Respondents Demitrius Glass and Versatile Management Group, because:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director of the Department of Insurance, Financial Institutions and Professional Registration ("the Director"). The Director has the duty to administer Chapters 374 and 375, RSMo, which includes the supervision, regulation, and discipline of insurance

companies, agencies and producers licensed to operate and conduct business in the state of Missouri.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("the Department") issued Demitrius Glass ("Glass") an insurance producer license which is currently active and set to expire on June 24, 2008. (License Number PR238505).

3. The Department issued Versatile Management Group ("VMG") a business entity producer license. (License Number AG8013543). Such license is set to expire on November 7, 2007. VMG is a corporation registered with the Missouri Secretary of State (Charter Number LC0590682).

4. Glass is registered with the Missouri Secretary of State as VMG's registered agent and at all relevant times was the sole owner and sole officer of VMG.

5. The Commission has jurisdiction over this Complaint pursuant to section 621.045, RSMo (Supp. 2006).

COUNT I

6. Glass was convicted of a felony or crime involving moral turpitude, a ground for discipline of Glass's insurance producer license and VMG's business entity producer license pursuant to section 375.141.1(6), RSMo (Supp. 2006).

7. The facts are as follows:

   a. On or about December 3, 2001, Glass pled guilty to the following criminal charges.

      i. Count I: attempted possession with intent to distribute marijuana, a class C felony; and

ii. Count II: possession of a controlled substance, a class A misdemeanor.

b. Regarding Count I, Glass was granted a suspended imposition of sentence ("SIS") and 5 years probation.[1]

c. Glass failed to successfully complete his probation. On December 8, 2006, Glass's probation for Count I was revoked and he was sentenced to nine months incarceration in the St. Louis County Jail.

8. Glass's December 8, 2006, sentencing on Count I, felony attempted possession with intent to distribute marijuana, constitutes an imposition of a sentence and final judgment – thus, a felony conviction. A court's judgment is final when a sentence is imposed.[2] Here, Glass was initially granted an SIS, but failed to successfully complete his probation. Glass's adjudication was final when the court revoked his probation and imposed a nine month sentence. Thus, Glass was convicted of a felony, a ground for discipline of his insurance license pursuant to section 375.141.1(6), RSMo (Supp. 2006).

9. As a result, sufficient grounds exist for disciplining Glass's insurance producer license and VMG's business entity producer license pursuant to section 375.141.1(6), RSMo (Supp. 2006).

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[1] When imposition of sentence is suspended, there is not a final judgment. Thus, a suspended imposition of sentence (SIS) is not a conviction. *Yale v. City of Independence*, 846 S.W.2d 193, 194 (Mo. banc 1993).

[2] In a criminal case, judgment is final when a sentence is entered. *State v. Langston*, 229 S.W.2d 289 (Mo. App. S.D. 2007).

WHEREFORE, based on the foregoing, Petitioner respectfully requests that the Commission make findings of fact and conclusions of law stating that Petitioner has established cause to discipline Demitrius Glass's insurance producer license and Versatile Management Group's business entity producer license pursuant to section 375.141.1(6), RSMo (Supp. 2006).

Respectfully submitted,

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