STATE OF MISSOURI
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN THE MATTER OF:	)	
	)	
Gregory Nowlin,	)	Case No. 091102750C
	)	
Applicant.	)	
	)	
Serve at:	)	
	)	
6218 Twin Springs Blvd. Cedar Hill, Missouri 63016	))	

REFUSAL TO ISSUE BAIL BOND AGENT LICENSE

On December 10, 2009, Elfin L. Noce, as Legal Counsel for the Consumer Affairs Division, submitted a Petition to the Director alleging cause for refusing to issue a bail bond agent license to Gregory Nowlin ("Nowlin"). After reviewing the Petition and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

FINDINGS OF FACT

1. Gregory Nowlin is a Missouri resident with an address of 6218 Twin Springs Blvd., Cedar Hill, Missouri 63016.

2. On or about June 18, 2009, the Department of Insurance, Financial Institutions, and Professional Registration ("Department") received Nowlin's Missouri Uniform Application for Bail Bond or Surety License ("Application").

3. In the "Background Information" section, Question B. asks "Have you ever been adjudicated, convicted, pled or found guilty of any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you? Applicants are required to report all criminal cases whether or not a sentence has been imposed, a suspended imposition of sentence has been entered or the applicant has pled nolo contendere (no contest)."

4. Nowlin answered "Yes" to Background Question B.

5. On March 8, 2002, in *State of Missouri v. Gregory S. Nowlin*, Case Number 01CR-4369, in the Circuit Court of St. Louis County Missouri, Nolwin plead guilty to class C Felony Stealing, after which imposition of sentence was suspended and Nowlin was placed on probation for five years.

CONCLUSIONS OF LAW

6. Section 374.715.1, RSMo (Supp. 2008), states:

> Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is a least twenty-one years of age, has a high school diploma or general education development certificate (GED), is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. Individuals currently employed as bail bond agents and general bail bond agents shall not be required to meet the education requirements needed for licensure pursuant to this section.

7. Supreme Court Rule 33.17 states, in part:

> A person shall not be accepted as a surety on any bail bond unless the person:
>
> . . .
>
> (c) Has not, within the past 15 years, been found guilty of or pleaded guilty or nolo contendere to:
>
> (1) Any felony of this state, any other state, or the United States; or
>
> (2) Any other crime of this state, any other state, or the United States involving moral turpitude, whether or not a sentence was imposed[.]

8. Moral turpitude has been defined as "an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowman or to society in general, contrary to the accepted and customary rule of right and duty between man and man; everything 'done contrary to justice, honesty, modesty, and good morals'." *In Re Frick*, 694 S.W.2d 473, 479 (Mo. 1985). Crimes which involve moral turpitude include crimes involving violations of narcotics laws, fraud, false pretenses, and theft. *Id.*

9. As a result of Nowlin's guilty plea to class C Felony Stealing, which is a felony and a crime of moral turpitude, in *State of Missouri v. Gregory S. Nowlin*, Case Number 01CR-4369, in the Circuit Court of St. Louis County Missouri, Nowlin does not meet the qualifications of a surety under Supreme Court Rule 33.17(c) and, thus, does not meet the minimum qualifications of a bail bond agent under § 374.715.1, RSMo (Supp. 2008), which requires, in part, that an applicant meet the qualifications for surety on bail bonds

as provided by Supreme Court Rule.

10. Because Nowlin does not meet the minimum qualifications of a bail bond agent, refusal of issuance of a bail bond agent license to Nowlin is mandatory.

11. This order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that issuance of the bail bond agent license of Applicant Gregory Nowlin is hereby REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 14th DAY OF DECEMBER 2009.

JOHN M. HUFF
DIRECTOR

NOTICE

TO: Gregory Nowlin and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission, P.O. Box 1557, Jefferson City, Missouri within thirty (30) days after the mailing of this notice pursuant to Section 621.120, RSMo.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of December, 2009, a duplicate original of the foregoing Order and Notice was served upon Gregory Nowlin by certified mail No. 7006 0100 0005 2090 6877 to:

Gregory Nowlin
6218 Twin Springs Blvd.
Cedar Hill, MO 63016

Karen Crutchfield
Karen Crutchfield
Senior Office Support Staff