DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In RE:	)	
	)	
Lester L. Dills, Jr.,	)	**Case No. 111229919C**
	)	
Respondent.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration, takes up the above-referenced matter for consideration and disposition. The Consumer Affairs Division, through counsel, Tamara W. Kopp, and Respondent Lester L. Dills, Jr. have reached a settlement in this matter and have consented 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 ("Department") whose duties, pursuant to Chapters 374 and 375 RSMo,[1] include supervision, regulation and discipline of insurance producers and business entity producers.

2. The Consumer Affairs Division ("Division") of the Department has the duty of conducting investigations into the unfair or unlawful acts of insurance producers and companies

[1] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

under the insurance laws of this state and is authorized to initiate actions before the Director to enforce the insurance laws of this state.

3. On April 19, 2010, law enforcement officials found marijuana, cocaine, and drug paraphernalia inside Lester L. Dills, Jr.'s ("Dills") residence. Dills admitted to ownership of the items. *State v. Lester Dills, Jr.*, St. Charles County Circuit Court, Case No. 1111-CR00968-01, Probable Cause Statement, December 15, 2010.

4. On September 12, 2011, the St. Charles County Prosecutor charged Dills with one count of class C felony possession of a controlled substance, one count of class A misdemeanor possession of a controlled substance, and one count of class A misdemeanor possession of drug paraphernalia with intent to use. *State v. Lester Dills, Jr.*, St. Charles County Circuit Court, Case No. 1111-CR00968-01, Information.

5. On October 3, 2011, Dills pled guilty to one count of class C felony possession of a controlled substance and the prosecutor declined to prosecute the remaining misdemeanor counts. The St. Charles County Circuit Court suspended the imposition of Dills' sentence, ordered that Dills complete five years supervised probation, and be subject to random drug testing and hair follicle testing every 90 days. *State v. Lester Dills, Jr.*, St. Charles County Circuit Court, Case No. 1111-CR00968-01, Guilty plea, Order of Probation.

6. On November 9, 2011, Dills applied for an insurance producer license by submitting a Uniform Application for Individual Insurance Producer License ("Application").

7. Dills acknowledges and understands that should he fail to complete the terms of his probation, under §375.141.1(6) the Director may refuse or discipline Dills' insurance producer license. *State v. Lester Dills, Jr.*, St. Charles County Circuit Court, Case No. 1111-CR00968-01.

8. Dills acknowledges and understands that he has the right to consult counsel at his own expense.

9. This Consent Order is entered pursuant to §374.046. As such, any interested person aggrieved by this Order may request a hearing before the Director or review of this Order in a circuit court under §374.055. Although under the Department's interpretation of the relevant statutes, review of this Order by the Administrative Hearing Commission is not available, Dills nevertheless may have the right, under §621.045, to submit this Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to in this Consent Order constitute grounds to refuse Dills' license.

10. Except as provided in paragraph 9, above, Dills stipulates and agrees to waive any 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 Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

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. The actions admitted by Dills and outlined in this Consent Order may be grounds to refuse or discipline Dills' Missouri insurance producer license pursuant to §375.141.1(6).

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

14. 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 Insurance, Financial Institutions and Professional Registration will issue an insurance producer license to Lester L. Dills, Jr., subject to the conditions set forth herein.

IT IS ORDERED that Lester L. Dills, Jr. shall report to the Department of Insurance, Financial Institutions and Professional Registration any violation of or failure to comply with the laws set forth in Chapters 374 and 375, RSMo, and the regulations promulgated thereunder, within five business days of such violation or failure to comply.

IT IS ORDERED that Lester L. Dills, Jr. shall maintain full compliance with all court orders and other requirements relating to *State v. Lester Dills, Jr.*, St. Charles County Circuit Court, Case No. 1111-CR00968-01. Lester L. Dills, Jr. shall sign and submit a Statement of Compliance to the Director within 30 days of his completion of probation. Should Dills fail to successfully complete probation, Dills shall notify the Director within 30 days of the dismissal from probation and notify the Department of the consequences of such failure or dismissal.

IT IS ORDERED that Lester L. Dills, Jr. shall execute and submit any necessary documents to provide the Department of Insurance, Financial Institutions and Professional Registration access to Dills' probation and court records, including access to any chemical test results.

IT IS ORDERED that Lester L. Dills, Jr. shall report to the Department of Insurance, Financial Institutions and Professional Registration any probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction

concerning a felony, misdemeanor, or crime of moral turpitude, within five business days of such arrest, citation, plea, order, or finding.

IT IS ORDERED that for five years subsequent to the date of this executed Consent Order, Lester L. Dills, Jr. will voluntarily surrender his license to the Department within 30 days of Dills' entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony or crime of moral turpitude, including drug or alcohol offenses.

IT IS FURTHER ORDERED that if Lester L. Dills, Jr. violates or otherwise fails to comply with the terms and conditions of this Consent Order, the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374 and 375, RSMo.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 27TH DAY OF JANUARY, 2012.

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 Respondent Lester L. Dills, Jr. has a right to a hearing, but that Lester L. Dills, Jr. waived the hearing and consented to the issuance of this Consent Order.

Lester L. Dills, Jr.
Respondent
2724 Hackmann Road
St. Charles, Missouri 63126
Telephone: (636) 284-7857

1-20-12
Date

Tamara W. Kopp
Counsel for Consumer Affairs Division
Missouri Bar No. 59020
Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: (573) 751-2619
Facsimile: (573) 526-5492

1-25-12
Date