State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN THE MATTER OF:	)	
	)	
Angie Pinckney,	)	**Case No. 101118692C**
	)	
Applicant.	)	

REFUSAL TO ISSUE INSURANCE PRODUCER LICENSE

On December 27, 2010, Ross A. Kaplan, Enforcement Counsel and Counsel to the Consumer Affairs Division, submitted a Petition to the Director alleging cause for refusing to issue an insurance producer license to Angie Pinckney. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and summary order:

FINDINGS OF FACT

1. Angie Pinckney ("Pinckney") is an individual residing in Missouri.

2. On or about June 14, 2010, the Department of Insurance, Financial Institutions and Professional Registration ("Department") filed Pinckney's Uniform Application for Individual Insurance Producer License ("Application").

3. In her Application, Pinckney listed her residential, business, and mailing address as 8718 Crocus Lane, Apt. 7, St. Louis, Missouri, 63114.

4. In her Application, Pinckney listed Angie Cole as her previous name.

5. Background Question No. 1 asks whether the applicant has ever been convicted of a crime, had a judgment withheld or deferred, or is currently charged with committing a crime?

6. Pinckney answered "Yes" to Question No. 1.

7. In regards to Pinckney's "Yes" answer to Background Question No. 1 of the Application, Pinckney made the following statements:

   a. "During the Football season, I and another parents were involved in a brawl that start from someone throwing a cup of ice the a person sitting next to me. I then got involved and started fighting and was charged with the assault." (*sic*)

b. "4.5 years later and after living with this thing called the 'system'. I had been involved this man for about 3-4 years, gotten engages… One day found out he was living two lives; with me and other women. His car was damaged and I was charge for it." (*sic*)

8. On December 18, 1998, in *State of Missouri v. Angie Cole*, Case Number 98CR-588, in the Circuit Court of St. Louis County, Missouri, Pinckney pleaded guilty to the Class C felony of assault in the second degree under §565.060, RSMo (1994) and the felony of armed criminal action under §571.015.1, RSMo (1994).

9. On March 26, 1999, during sentencing, the court suspended imposition of sentence and placed Pinckney on supervised probation for five years.

10. On September 26, 2003, in *State of Missouri v. Angie Cole*, Case Number 02CR-4036, in the Circuit Court of St. Louis County, Missouri, the Court found Pinckney guilty of the Class D felony of property damage in the first degree under §569.100, RSMo (2000).

11. The Court revoked the probation from Case Number 98CR-588 and sentenced Pinckney to three years incarceration to run concurrent with Case Number 02CR-4036. The Court then suspended execution of the sentences and ordered 120 days shock time under §559.115, RSMo (Supp. 2005).

12. On January 16, 2009, the Court discharged Pickney from probation.

CONCLUSIONS OF LAW

13. Section 375.141, RSMo (Supp. 2009) provides, in 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[.]

14. The principal purpose of §375.141, RSMo is not to punish licensees or applicants, but to protect the public. *Ballew v. Ainsworth*, 670 S.W.2d 94, 100 (Mo. App. 1984).

15. The Director may refuse to issue an insurance producer license to Pinckney pursuant to §375.141.1(6), RSMo (Supp. 2009) because Pinckney was convicted of the Class C felony of assault in the second degree.

16. The Director may refuse to issue an insurance producer license to Pinckney pursuant to §375.141.1(6), RSMo (Supp. 2009) because Pinckney was convicted of the felony of armed criminal action.

17. The Director may refuse to issue an insurance producer license to Pinckney pursuant to §375.141.1(6), RSMo (Supp. 2009) because Pinckney was convicted of the Class D felony of property damage in the first degree.

18. The Director has considered Pinckney's history and all of the circumstances surrounding Pinckney's application. Pinckney pled guilty to two felonies and was convicted by the Court of a third felony. Granting Pinckney a Missouri insurance producer license would not be in the interest of the public.

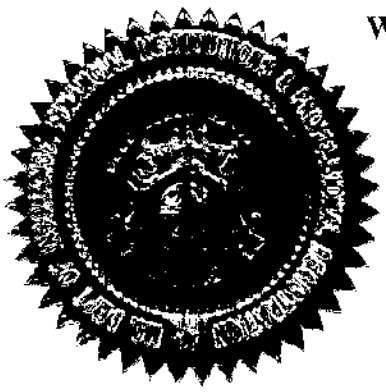
19. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the insurance producer license of Angie Pinckney is hereby summarily **REFUSED.**

SO ORDERED.

WITNESS MY HAND THIS 3RD **DAY OF** JANUARY, 2011.



JOHN M. HUFF
DIRECTOR

NOTICE

TO: Applicant 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 of Missouri, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to §621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of January, 2011, a copy of the foregoing Notice and Order was served upon the Applicant Angie Pinckney in this matter by certified mail No. 7004 1350 0003 1413 5119 at

Angie Pinckney
8718 Crocus Lane, Apt. 7
St. Louis, Missouri
63114

Kathryn Randolph