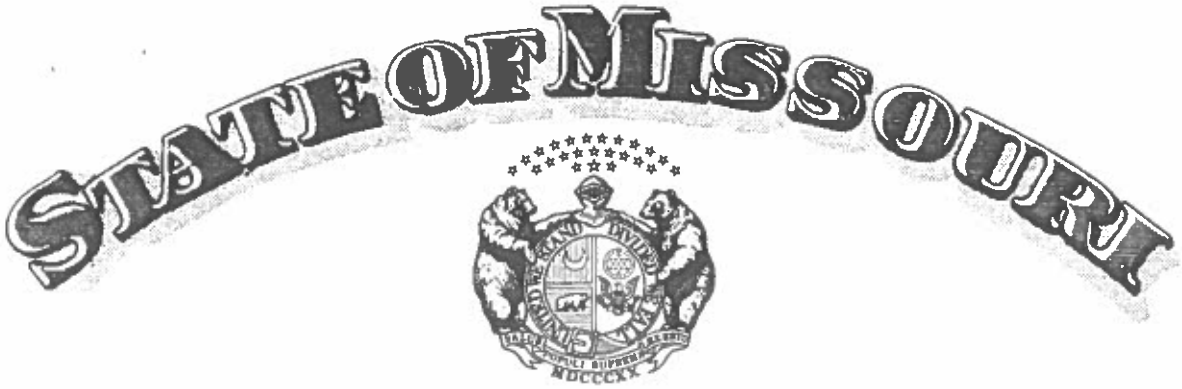

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
TYRONE LAMONT MORRIS,	)	**Case No. 150528314C**
	)	
Applicant.	)	

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 Tammy S. Kearns, and Tyrone LaMont Morris, 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 ("Director" of the "Department") whose duties, pursuant to Chapters 374, 375, and 385, RSMo,[1] include the supervision, regulation, and discipline of motor vehicle extended service contract producers.

[1] All statutory references are to the 2013 Supplement to the Revised Statutes of Missouri unless otherwise noted.

2. The Consumer Affairs Division ("Division") of the Department has the duty of conducting investigations into the acts of motor vehicle extended service contract producers under Chapters 374, 375, and 385, and is authorized to investigate and recommend enforcement action, including motor vehicle extended service contract producer license application refusal.

3. On April 2, 2015, the Department received Tyrone LaMont Morris's ("Morris") Application for Motor Vehicle Extended Service Contract Producer License ("Application").

4. Morris disclosed three (3) felony convictions on his Application and provided court records that show that on March 8, 2010, Morris pled guilty to three (3) counts of Distribute, Deliver, Manufacture, Produce Or Attempt To Or Possess With Intent To Distribute, Deliver, Manufacture, Produce A Controlled Substance, all Class B Felonies, all in violation of § 195.211 RSMo.[2] *State of Missouri v. Tyrone LaMont Morris*, St. Charles Co. Cir. Ct., Case No. 0911-CR04372-01.

5. On May 10, 2010, the court sentenced Morris to ten (10) years' incarceration on each count, but suspended the execution of sentence and placed Morris on five (5) years' supervised probation. *Id.*

6. On February 13, 2014, Morris was discharged from probation. *Id.*

7. Morris previously applied for a motor vehicle extended service contract producer license on November 14, 2012. On June 13, 2013, the Director entered an Order Refusing to Issue a Motor Vehicle Extended Service Contract Producer License to Morris

[2] All references to criminal statutes correspond to the version of the Revised Statutes of Missouri under which each judgment was rendered.

under § 385.209.1(3) for attempting to obtain a license through material misrepresentation or fraud and § 385.209.1(5) for his three (3) felony convictions. Morris did not appeal the Director's Order. *In re Tyrone LaMont Morris,* Order Refusing to Issue a Motor Vehicle Extended Service Contract Producer License, Case No. 184418.

8. Morris acknowledges and understands that under § 385.209.1(5) the Director may refuse to issue a motor vehicle extended service contract producer license to Morris because he has been convicted of three (3) felonies.

9. Morris acknowledges and understands that under § 385.209.1(9) the Director may refuse to issue a motor vehicle extended service contract producer license to Morris because he has been refused a license by a State regulator of service contracts, namely the Director.

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

11. Morris 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.

12. Morris acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Morris further acknowledges and understands that this administrative action should be disclosed on future

applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he is licensed.

13. Morris acknowledges and understands that the Director's June 13, 2013 Order Refusing to Issue a Motor Vehicle Extended Service Contract Producer License is an administrative action and has been reported by the Department to other states. Morris further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he is licensed.

14. 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

15. The facts admitted herein by Morris are grounds to refuse his Missouri motor vehicle extended service producer license application pursuant to § 385.209.1(5) and (9).

16. Section 385.209.1 provides, in relevant part:

> The director may suspend, revoke, refuse to issue, or refuse to renew a registration or license under sections 385.200 to 385.220 for any of the following causes, if the applicant or licensee or the applicant's or licensee's subsidiaries or affiliated entities acting on behalf of the applicant or licensee in connection with the applicant's or licensee's motor vehicle extended service contract program has:
>
> * * *
>
> (5) Been convicted of any felony;
>
> * * *

(9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory[.]

17. The Director may impose orders in the public interest under §§ 374.046 and 385.216.

18. 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 will issue a motor vehicle extended service contract producer license to Tyrone LaMont Morris subject to the terms set forth herein and the following special conditions:

1. Tyrone LaMont Morris shall report to the Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374, 375, or 385, within five (5) business days of such violation or failure to comply.

2. Tyrone LaMont Morris shall respond to all inquiries from the Department in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Tyrone LaMont Morris, Morris shall send the Department a copy of the complaint and a copy of Morris's response to the consumer within five (5) business days of receipt of the consumer complaint.

4. Tyrone LaMont Morris shall report to the Division any and all of the following incidents involving Morris: arrest, guilty plea, nolo contendere plea, Alford plea, finding of guilt, or conviction concerning a felony or misdemeanor. Morris shall report all such incidents to the Division within five (5) business days of their occurrence.

5. Tyrone LaMont Morris shall report to the Division any administrative action undertaken or initiated against Morris in another jurisdiction or by another state or federal governmental agency in this state within the five (5) business days after Morris receives notification of the initiation of such administrative action.

6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of the expiration or renewal of Morris's motor vehicle extended service contract producer license or the refusal or revocation of Morris's motor vehicle extended service contract producer license.

IT IS FURTHER ORDERED that, for two (2) years subsequent to the date of this executed Consent Order, Tyrone LaMont Morris will voluntarily surrender his motor vehicle extended service contract producer license to the Department within five (5) business days of Morris entering a guilty plea, entering a nolo contendere plea or Alford plea, being found guilty, or being convicted for a felony, regardless of whether the sentence is suspended or executed.

IT IS FURTHER ORDERED that if Tyrone LaMont Morris maintains his motor vehicle extended service contract producer license beyond its initial term and complies with the terms of this Consent Order, then Morris may apply to renew his motor vehicle extended service contract producer license, and the Director shall consider his renewal application in accordance with Chapters 374 and 385 without regard to Morris's prior felonies or the underlying conduct in *State of Missouri v. Tyrone LaMont Morris*, St. Charles Co. Cir. Ct., Case No. 0911-CR04372-01 and *In re Tyrone LaMont Morris,* Order Refusing to Issue a Motor Vehicle Extended Service Contract Producer License, Case No. 184418.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, without limitation as authorized by Chapters 374, 375, and 385 including remedies for violation of or failure to comply with the terms of this Consent Order.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 4TH DAY OF SEPTEMBER, 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 Tyrone LaMont Morris may have a right to a hearing but that Tyrone LaMont Morris waives the hearing and consents to the issuance of this Consent Order.

Tyrone LaMont Morris

Tyrone LaMont Morris
120 Peinie Hollow Place
Wentzville, Missouri 63385
Applicant

8-26-2015
Date

Counsel for Applicant

Date

Name: _____
Missouri Bar No.: _____
Address: _____
Telephone: _____
Facsimile: _____
Email: _____

Tammy S. Kearns

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August 31, 2015
Date