



State of Missouri

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION**

IN RE:

Antonio L. Campbell,
Applicant.

Case No. 12-0709454C

Serve at:

10330 Ewell Drive
St. Louis, Missouri 63137

**ORDER REFUSING TO ISSUE
INSURANCE PRODUCER LICENSE**

On September 10, 2012, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue Antonio L. Campbell a resident insurance producer license. 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 order.

FINDINGS OF FACT

1. Antonio L. Campbell ("Campbell") is an individual residing in Missouri, whose residential and mailing address of record is 10330 Ewell Drive, St. Louis, Missouri 63137.
2. On or about April 2, 2012, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received an electronic resident insurance producer license application ("Application") from Campbell.
3. In the section of the Application headed "Background Questions," Background Question # 1 asks, in relevant part:

Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?

Note: "Crime" includes a misdemeanor, a felony or a military offense.

You may exclude misdemeanor traffic citations and misdemeanor convictions or pending misdemeanor charges involving driving under the influence (DUI) or driving while

intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license and juvenile offenses.

“Convicted” includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence, or a fine.

If you answer yes, you must attach to this application:

- a) a written statement explaining the circumstances of each incident,
- b) a copy of the charging document,
- c) a copy of the official document, which demonstrates the resolution of the charges or any final judgment.

4. Campbell answered “Yes” to Background Question # 1.
5. With his Application, Campbell disclosed three 2005 misdemeanor convictions, one for Resisting/Interfering With Arrest, Detention Or Stop and two for Assault On Law Enforcement – 3rd Degree, in violation of § 575.150, RSMo. (Supp. 2002) and § 565.083, RSMo (Supp. 2003). The court sentenced Campbell to nine months in the custody of the Department of Justice Services. *See State of Missouri v. Antonio Campbell*, Cir. Ct. of St. Louis Co., Case No. 2103R-04450.
6. Campbell failed to disclose seven additional convictions:
 - a. On or about May 30, 1997, Campbell pleaded guilty to Distributing Or Delivering Not More Than 5 Grams Marijuana, a Class C felony, and Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor, in violation of § 195.211, RSMo (Supp. 1989) and § 575.150, RSMo (Supp. 1996). The court suspended the imposition of sentence on both counts and placed Campbell on five years supervised probation for count one and two years unsupervised probation for count two. On or about April 15, 1999, the court revoked Campbell’s probation and sentenced Campbell to one year in the custody of the Department of Justice Services. *State of Missouri v. Antonio Campbell*, Cir. Ct. of St. Louis Co., Case No. 2197R-01594-01.
 - b. On or about October 29, 1998, Campbell pleaded guilty to Tampering With Motor Vehicle, Motor Boat, Etc. – 1st Degree, a Class C felony, in violation of § 569.080.1(2), RSMo (Supp. 1982). The court suspended the imposition of Campbell’s sentence and placed him on two years supervised probation. On or about November 5, 1999, the court revoked Campbell’s probation and sentenced Campbell to serve four years in the custody of the Missouri Department of Corrections. *State of Missouri v. Antonio Lamar Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22971-02037-01.
 - c. On or about November 5, 1999, Campbell pleaded guilty to Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C felony, in violation of § 195.202, RSMo (Supp. 1989). The court sentenced Campbell to serve three years

in the custody of the Missouri Department of Corrections. *State of Missouri v. Antonio Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22991-01492-01.

- d. On or about February 13, 2002, Campbell pleaded guilty to two counts of Assault 3rd Degree, Class A misdemeanors, and one count of Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor, in violation of § 565.070, RSMo (Supp. 1998) and § 575.150, RSMo (Supp. 1988). The court sentenced Campbell to serve 60 days in the custody of the Department of Justice Services. *State of Missouri v. Antonio L. Campbell*, Cir. Ct. of St. Louis Co., Case No. 2101R-05723.
7. On April 17, 2012, Investigator Karen Crutchfield sent a letter requesting certified copies of the three disclosed crimes as well as information and certified records relating to the seven additional criminal actions not disclosed in Campbell's Application.
8. On April 20, 2012, Campbell told Investigator Karen Crutchfield, in a phone conversation, that he failed to disclose his additional convictions because his case worker told him to only disclose the 2005 misdemeanors because they were the latest thing on his record and all that was still on his record.
9. On May 15, 2012, Campbell submitted additional documents pertaining to Case Nos. 2197R-01594-01, 22971-02037-01 and 22991-01492-01, however, none of these documents were certified. Campbell also submitted two letters of recommendation and a written letter dated April 25, 2012, claiming that he was unable to procure any record regarding Case No. 2101R-05723.

CONCLUSIONS OF LAW

10. Section 375.141, RSMo¹ 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:

(1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;

* * *

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]

¹ All statutory references are to the Revised Statutes of Missouri (Supp. 2011) unless otherwise noted.

11. The principal purpose of § 375.141 is not to punish licensees or applicants, but to protect the public. *Ballew v. Ainsworth*, 670 S.W.2d 94, 100 (Mo. App. 1984).
12. Campbell failed to report three felony convictions and four misdemeanor convictions, despite disclosing three additional misdemeanor convictions. Campbell's failure to disclose his entire criminal history demonstrates his intent to mislead the Director regarding his application. Therefore, Campbell may be refused a resident insurance producer license pursuant to § 375.141.1(1) because he intentionally provided materially incorrect, misleading, incomplete or untrue information on a license application. *State of Missouri v. Antonio Campbell*, Cir. Ct. of St. Louis Co., Case No. 2197R-01594-01 (one count each of Distributing Or Delivering Not More Than 5 Grams Marijuana, a Class C felony and Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor); *State of Missouri v. Antonio Lamar Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22971-02037-01 (Tampering With Motor Vehicle, Motor Boat, Etc. – 1st Degree, a Class C felony); *State of Missouri v. Antonio Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22991-01492-01 (Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C felony); *State of Missouri v. Antonio L. Campbell*, Cir. Ct. of St. Louis Co., Case No. 2101R-05723 (two counts of Assault 3rd Degree, Class A misdemeanors, and one count Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor).
13. Campbell's failure to disclose his entire criminal history demonstrates his intent to obtain a license by withholding material information from the Director. Therefore, Campbell may be refused a resident insurance producer license pursuant to § 375.141.1(3) because he attempted to obtain a license through material misrepresentation or fraud. *State of Missouri v. Antonio Campbell*, Cir. Ct. of St. Louis Co., Case No. 2197R-01594-01 (one count each of Distributing Or Delivering Not More Than 5 Grams Marijuana, a Class C felony and Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor); *State of Missouri v. Antonio Lamar Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22971-02037-01 (Tampering With Motor Vehicle, Motor Boat, Etc. – 1st Degree, a Class C felony); *State of Missouri v. Antonio Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22991-01492-01 (Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C felony); *State of Missouri v. Antonio L. Campbell*, Cir. Ct. of St. Louis Co., Case No. 2101R-05723 (two counts of Assault 3rd Degree, Class A misdemeanors, and one count Resisting/Interfering With Arrest, Detention Or Stop, a Class A misdemeanor).
14. Campbell's criminal history includes three felonies, each of which are grounds to refuse Campbell's resident insurance producer license pursuant to § 375.141.1(6). *State of Missouri v. Antonio Campbell*, Cir. Ct. of St. Louis Co., Case No. 2197R-01594-01 (Distributing Or Delivering Not More Than 5 Grams Marijuana, a Class C felony); *State of Missouri v. Antonio Lamar Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22971-02037-01 (Tampering With Motor Vehicle, Motor Boat, Etc. – 1st Degree, a Class C felony); *State of Missouri v. Antonio Campbell*, Cir. Ct. of the City of St. Louis, Case No. 22991-01492-01 (Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, a Class C felony).
15. Campbell has been convicted of: Distributing Or Delivering Not More Than 5 Grams

Marijuana; Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana, specifically, possession of cocaine base; and two counts of Assault On Law Enforcement Officer - 3rd Degree; all of which are crimes involving moral turpitude. Therefore, Campbell's resident insurance producer license may be refused pursuant to § 375.141.1(6). See *Missouri Real Estate Comm'n v. Berger*, 764 S.W.2d 706, 709 (Mo. App. E.D. 1989) ("Conviction for narcotics dealings involves a crime involving moral turpitude."); *In re Shunk*, 847 S.W.2d 789, 791 (Mo. banc 1993) ("[A] felony conviction for possession of narcotics is a crime of moral turpitude[.]"); *State Bd. of Nursing v. Plemmons*, No. 07-0495 BN (Mo. Admin. Hrg. Comm'n Sept. 27, 2007) ("[T]he criminal offense of assault of a law enforcement officer in the third degree is a crime involving moral turpitude.")

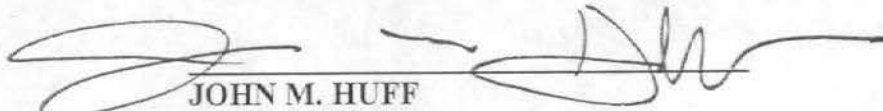
16. Campbell failed to disclose numerous convictions on his Application in an attempt to deceive the Director and obtain a license through misrepresentation. Additionally, Campbell has been convicted of three felonies and four crimes involving moral turpitude, which demonstrates an extreme lack of respect for the law. Therefore, granting Campbell a resident insurance producer license would not be in the interest of the public.
17. The Director has considered Campbell's history and all of the circumstances surrounding Campbell's Application and for the reasons stated in this Order refuses Campbell's resident insurance producer license.
18. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license of Antonio L. Campbell is hereby REFUSED.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 11TH DAY OF SEPTEMBER, 2012.




JOHN M. HUFF
DIRECTOR

NOTICE

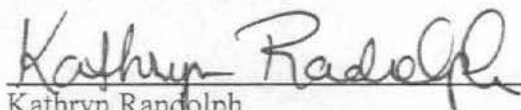
TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to § 621.120, RSMo. Under 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 12th day of September, 2012, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by certified/priority mail No. 7009 3410 0001 8931 3544.

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