



## **State of Missouri**

### **DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**IN RE:** )  
 )  
**BRUCE L. FLEMING,** ) **Case No. 181019923C**  
 )  
**Applicant.** )

### **ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE**

On December 27, 2018, the Consumer Affairs Division submitted a Petition to the Director alleging cause to refuse to issue the insurance producer license of Bruce L. Fleming. After reviewing the Petition and the Investigative Report, the Director issues the following findings of fact, conclusions of law, and order:

#### **FINDINGS OF FACT**

1. Bruce L. Fleming ("Fleming"), is a Missouri resident with a residential address of 2490 Yorkshire Drive, Florissant, MO 63033, and mailing address of 3779 Newtown Boulevard, St. Charles, MO 63301.
2. On June 25, 2018, Fleming submitted a Uniform Application for Individual Producer License/Registration ("Application").
3. Background Question Number 1b of the Application asks, in relevant part:

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

You may exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court).

4. Fleming answered "Yes" to Background Question Number 1b.
5. Fleming provided documentation to supplement his Application that included the following regarding his criminal background:
  - a. On April 7, 2004, Fleming pled guilty to Misuse of a Social Security number

in violation of Title 42 USC § 408(a)(7)(B).<sup>1</sup> *United States of America v. Bruce L. Fleming*, U.S. Dist. Ct., E.D. Mo., Case No. 4:04CR49ERW. The court sentenced Fleming to four years of supervised probation with conditions. *Id.* Fleming was ordered to pay \$49,033.58 in restitution. *Id.*

### **CONCLUSIONS OF LAW**

6. Section 375.141.1, RSMo 2016 provides, in part:

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[.]

### **CAUSE FOR ORDER REFUSING TO ISSUE AN INSURANCE PRODUCER LICENSE**

7. Fleming may be refused an insurance producer license under § 375.141.1(6) because he has been convicted of a felony and crime involving moral turpitude. Fleming was convicted of Misuse of a Social Security Number, a felony pursuant to Title 42 USC § 408(a)(7)(B). *United States of America v. Bruce L. Fleming*, U.S. Dist. Ct., E.D. Mo., Case No. 4:04CR49ERW.
8. For the reason given in this Petition, the Director should consider Fleming's history and all of the circumstances surrounding Fleming's Application and exercise her discretion to refuse to issue Fleming an individual resident insurance producer license.
9. The Director has considered Fleming's history and all of the circumstances surrounding Fleming's Application. Issuing Fleming a resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises her discretion and refuses to issue Fleming a resident insurance producer license.
10. This Order is in the public interest.

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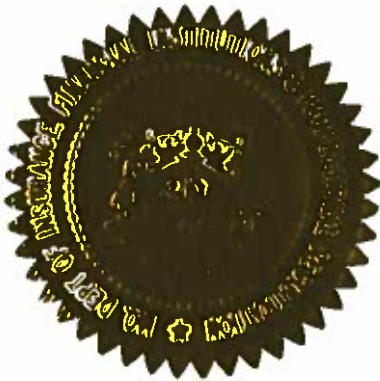
<sup>1</sup> All criminal statutory references are to those contained in the version of the United States Code pursuant to which the judgment was rendered.

**ORDER**

**IT IS THEREFORE ORDERED** that Bruce L. Fleming's insurance producer license application is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 12<sup>th</sup> DAY OF AUGUST, 2019.



*Chlora Lindley-Myers*  
**CHLORA LINDLEY-MYERS**  
**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 Section 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 13<sup>th</sup> day of August, 2019, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, to the following address:

Bruce L. Fleming  
2490 Yorkshire Dr.  
Florissant, MO 63033

Tracking No. 1Z0R15W84299890804



Kathryn Latimer  
Paralegal  
Missouri Department of Insurance, Financial  
Institutions and Professional Registration  
301 West High Street, Room 530  
Jefferson City, Missouri 65101  
Telephone: 573.751.6515  
Facsimile: 573.526.5492  
Email: kathryn.latimer@insurance.mo.gov