



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:)	
)	
SAMUEL ISAAH JORDAN,)	Case No. 2209200645C
)	
Applicant.)	

ORDER REFUSING TO ISSUE AN INSURANCE PRODUCER LICENSE

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Department”), takes up the above matter for consideration and disposition. After reviewing the Petition, the Investigative Report, and associated documents, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Samuel Isaiah Jordan (“Jordan”) is a Missouri resident, whose residential and mailing address is 4621 Dewey Avenue, St. Louis, Missouri 63116.
2. On July 20, 2022, the Department received Jordan’s application for a resident insurance producer license (“Application”).
3. Background Question Number 1A of the Application asks, in relevant part:

Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?
4. Jordan answered “Yes” to Background Question Number 1A regarding misdemeanors on his Application.

5. 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?
6. Jordan answered “Yes” to Background Question Number 1B regarding felonies on his Application.
7. Background Question Number 7 of the Application asks:

Do you have a child support obligation in arrearage?
8. Jordan answered “No” to Background Question Number 7 regarding child support on his Application.
9. The “Attestation” section of the Application reads, in relevant part:

I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.
10. Jordan certified this Attestation by indicating “Yes” and electronically submitting the Application to the Department.
11. On and with the Application, Jordan disclosed misdemeanor and felony convictions and provided court records that revealed the following:
 - a. On May 29, 2015, Jordan pled guilty to and was convicted of Possession of Up to 35 Grams of Marijuana, a class A misdemeanor, in violation of § 195.202 RSMo.¹ *State v. Samuel I Jordan*, Callaway Cty. Cir. Ct., Case No. 15CW-CR00390. The court sentenced Jordan to a fine of \$150.00 plus court costs. *Id.*
 - b. On October 6, 2016, Jordan pled guilty to and was convicted of two counts of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, a class C felony, in violation of § 195.202 RSMo, one count of Unlawful Use of Drug Paraphernalia, a class A misdemeanor, in violation of § 195.233

¹ All criminal statutory references are to those in effect at the time Jordan committed the offense.

RSMo, and one count of Resisting/Interfering with Arrest for a Felony, a class D felony, in violation of § 575.150 RSMo. *State v. Samuel Jordan*, St. Louis City Cir. Ct., Case No. 1622-CR01949-01. The court sentenced Jordan to six years' incarceration in the Missouri Department of Corrections on count one, six years' incarceration on count two, one year's incarceration on count three, and four years' incarceration on count four, to be served concurrently. *Id.* The court suspended execution of sentence, and placed Jordan on two years' supervised probation. *Id.* Jordan was discharged from supervision on August 1, 2021. *Id.*

- c. On November 28, 2018, Jordan pled guilty to and was convicted of Driving While Revoked/Suspended – 2nd or 3rd Offense, a class A misdemeanor, in violation of § 302.321 RSMo, and Failure to Register a Motor Vehicle, a class B misdemeanor, in violation of § 301.020, RSMo. *State v. Samuel I Jordan*, St. Charles Cty. Cir. Ct., Case No. 1711-CR02369. The court sentenced Jordan to three days' incarceration in the St. Charles County Jail. *Id.*
- d. On December 3, 2018, Jordan pled guilty to and was convicted of Delivery or Possession of a Controlled Substance at County/Private Jail/Correctional Center Except with Prescription, a class D felony, in violation of § 221.111 RSMo. *State v. Samuel Isaiah Jordan*, St. Charles Cty. Cir. Ct., Case No. 1811-CR00439-01. The court sentenced Jordan to four years' incarceration in the Missouri Department of Corrections, suspended execution of sentence, and placed Jordan on five years' supervised probation. *Id.* Jordan successfully completed and was released from probation effective August 1, 2021. *Id.*

- 12. The Department's investigation revealed that Jordan had a child support obligation of \$306.00 per month and an arrearage of \$7,266.55, as of August 17, 2022. *State of Missouri ex rel Williams v. Jordan*, St. Charles Cty. Cir. Ct., Case No. 2011-MC02031.
- 13. Jordan did not disclose his child support obligation or arrearage in response to Background Information Question 7 on his Application.
- 14. It is inferable, and hereby found as fact, that Jordan failed to disclose his child support obligation and arrearage on his Application in order to misrepresent to the Director the full extent of his arrearage, in the hope that the Director would look more favorably upon his Application and issue him a resident insurance producer license.

CONCLUSIONS OF LAW

15. Section 375.141.1, RSMo (2016)² states, in relevant 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:

(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; [or]

* * *

(13) Failing to comply with an administrative or court order imposing a child support obligation[.]

16. The Director may refuse to issue a license to Jordan pursuant to § 375.141.1(1) because Jordan filed an application for an insurance producer license on July 20, 2022, which was incomplete and/or contained incorrect, misleading, or untrue information regarding the full extent of his child support arrears.

17. The Director may refuse to issue a license to Jordan pursuant to § 375.141.1(3) because Jordan attempted to obtain a license through material misrepresentation or fraud, in that he failed to disclose the full extent of his child support arrears at the time of his Application.

18. The Director may refuse to issue a license to Jordan under § 375.141.1(6) because Jordan has been convicted upon a plea of guilty of four felonies, namely two counts of the class C felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, the class D felony of Resisting/Interfering with Arrest for a Felony, and the class D felony of Delivery or Possession of a Controlled Substance

² All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise indicated.

at County/Private Jail/Correctional Center Except with Prescription. *State v. Samuel Jordan*, St. Louis City Cir. Ct., Case No. 1622-CR01949-01; *State v. Samuel Isaiah Jordan*, St. Charles Cty. Cir. Ct., Case No. 1811-CR00439-01.

19. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue an insurance producer license to Jordan under § 375.141.1(6).
20. The Director may refuse to issue an insurance producer license to Jordan under § 375.141.1(6) because Jordan has been convicted of five crimes of moral turpitude. Jordan has been convicted of the class A misdemeanor of Possession of Up to 35 Grams of Marijuana, two counts of the class C felony of Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, the class A misdemeanor of Unlawful Use of Drug Paraphernalia, and the class D felony of Delivery or Possession of a Controlled Substance at County/Private Jail/ Correctional Center Except with Prescription. *State v. Samuel I Jordan*, Callaway Cty. Cir. Ct., Case No. 15CW-CR00390; *State v. Samuel Jordan*, St. Louis City Cir. Ct., Case No. 1622-CR01949-01; *State v. Samuel Isaiah Jordan*, St. Charles Cty. Cir. Ct., Case No. 1811-CR00439-01.
21. “Moral turpitude has been defined as an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowman or to society in general, contrary to the accepted and customary rule of right and duty between man and man; everything done contrary to justice, honesty, modesty, and good morals.” *Brehe v. Missouri Dept. of Elementary and Secondary Educ.*, 213 S.W.3d 720, 725 (Mo. App. 2007) (internal citations omitted). A crime of moral turpitude reflects “adversely on...honesty and trustworthiness and undermines public confidence[.]” *Id.* at 726.
22. There are three categories of crimes of moral turpitude; Category One crimes that necessarily involve moral turpitude, Category Two crimes “so obviously petty” that they do not involve moral turpitude, and Category Three crimes that “may be saturated with moral turpitude.” *Id.* at 725.
23. “The felony offenses of possession of a controlled substance and possession of a controlled substance with intent to sell are Category One crimes and thus necessarily involve moral turpitude.” *Missouri Dept. of Health and Senior Services v. Dominick Abate*, No. 15-1607 DH (Mo. Admin. Hrg. Comm’n Feb. 9, 2016).
24. “[I]ndividual, misdemeanor drug offenses ... [are] Category [Two] crimes, and as such, they are offenses that do not involve moral turpitude. However ... habitual drug offenses ... rise to the level of Category [Three] crimes. We find that this entire

series of criminal violations,³ as a whole, involves moral turpitude.” *Logan Johnson v. Office of Tattooing, Body Piercing and Branding*, No. 10-2003 TP (Mo. Admin. Hrg. Comm’n May 2, 2011).

25. Each crime of moral turpitude is a separate and sufficient ground for the Director to refuse to issue an insurance producer license to Jordan under § 375.141.1(6).
26. The Director may refuse to issue Jordan a resident insurance producer license pursuant to § 375.141.1(13) because Jordan has failed to comply with an administrative or court order imposing a child support obligation.
27. The Director has considered Jordan’s history and all of the circumstances surrounding Jordan’s Application and exercises her discretion to refuse to issue Jordan a resident insurance producer license.
28. This Order is in the public interest.

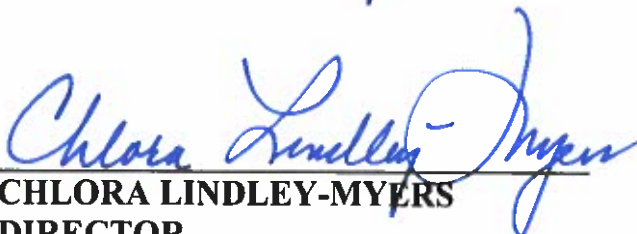
ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license application of **SAMUEL ISAIAH JORDAN** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 17th DAY OF February, 2023.




CHLORA LINDLEY-MYERS
DIRECTOR

³ In the *Johnson* case, Johnson had been convicted of the class A misdemeanor of Possession of Up to 35 Grams of Marijuana, the class A misdemeanor of Possession of Up to 35 Grams of Marijuana and the class A misdemeanor of Unlawful Use of Drug Paraphernalia, and the class A misdemeanor of Unlawful Use of Drug Paraphernalia.

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.

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of February, 2023, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Samuel Jordan
4621 Dewey Avenue
St. Louis, Missouri 63116

Tracking No. 1Z0R15W84295981688



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