



State of Missouri

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

In Re:

TODD MICHAEL PLUME,

Applicant.

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Case No. 170531292C

**ORDER REFUSING TO ISSUE MOTOR VEHICLE EXTENDED SERVICE
CONTRACT PRODUCER LICENSE**

On June 26, 2018, the Consumer Affairs Division submitted a Petition to the Director alleging cause to refuse to issue a motor vehicle extended service contract producer license to Todd Michael Plume. 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. Todd Michael Plume (“Plume”) is a Missouri resident with a residential and mailing address of 3115 Blaiser Lane, Maryland Heights, Missouri 63043.
2. On June 6, 2017, the Department of Insurance, Financial Institutions and Professional Registration (“Department”) received Plume’s Application for Motor Vehicle Extended Service Contract Producer License (“Application”).
3. Background Information Question No. 1 of the Application asked the following, in part:

Have you ever been convicted of a crime, had a judgment withheld or deferred, received a suspended imposition of sentence (“SIS”) or suspended execution of sentence (“SES”), or are you currently charged with committing a crime?
4. Plume answered “Yes” in response to Background Information Question No. 1 on his Application.
5. Plume submitted a letter and court documents revealing the following criminal history:

- a. On July 11, 2012, Plume pled guilty to distribution of a controlled substance, a Class B Felony in violation of § 195.211, RSMo.¹ The Court suspended imposition of a sentence, ordering Plume complete five years' probation. On August 24, 2015, the Court revoked Plume's probation and sentenced him to seven years' confinement. The Court suspended execution of Plume's sentence, ordering that Plume complete five years' probation and St. Charles County Drug Court. *State v. Todd M. Plume*, St. Charles Co. Cir. Ct., Case No. 1211-CR01854-01.
- b. On August 31, 2015, Plume pled guilty to and was convicted of one count of manufacturing a controlled substance, a Class A Felony in violation of § 195.211, and two counts of possession of a controlled substance, each a Class C Felony in violation of § 195.202. The Court sentenced Plume to ten years' confinement for manufacturing a controlled substance and seven years' confinement for each count of possession of a controlled substance, all sentences to be served concurrently. The Court suspended execution of Plume's sentences, ordering that Plume complete five years' probation and the REACT educational program.² *State v. Todd E. Plume*, St. Louis Co. Cir. Ct., Case No. 15SL-CR01503-01.³
- c. On August 31, 2015, Plume pled guilty to and was convicted of one count of possession of a controlled substance, a Class C Felony in violation of § 195.202. The Court sentenced Plume to seven years' confinement to be served concurrently with the sentences imposed in Case No. 15SL-CR01503-01. The Court suspended execution of Plume's sentence, ordering that Plume complete five years' probation and the REACT educational program. *State v. Todd E. Plume*, St. Louis Co. Cir. Ct., Case No. 15SL-CR01494-01.

CONCLUSIONS OF LAW

6. Section 385.209 RSMo (2016) states, in relevant part:

1. 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[.]

¹ All criminal statutory references are to the version of the Revised Statutes of Missouri under which the court rendered its judgment.

² REACT stands for "Required Educational Assessment and Community Treatment," a program to provide education or rehabilitation services to a person who has been referred to the program as the result of a drug offense. *See* §§ 559.630 to 559.635, RSMo (2016).

³ The "Todd E. Plume" named in Case Nos. 15SL-CR01503-01 and 15SL-CR01494-01 is Plume. The defendant in said cases shares Plume's address and birth date, and Plume provided court records himself as a means of disclosing his criminal history.

7. The Director may refuse to issue Plume a motor vehicle extended service contract (“MVESC”) producer license pursuant to § 385.209.1(5) because Plume has been convicted of five felonies in three cases, specifically:
 - a. One count of distribution of a controlled substance, a Class B Felony. *State v. Todd M. Plume*, St. Charles Co. Cir. Ct., Case No. 1211-CR01854-01.
 - b. One count of manufacturing a controlled substance, a Class A Felony, and two counts of possession of a controlled substance, each a Class C Felony. *State v. Todd E. Plume*, St. Louis Co. Cir. Ct., Case No. 15SL-CR01503-01.
 - c. One count of possession of a controlled substance, a Class C Felony. *State v. Todd E. Plume*, St. Louis Co. Cir. Ct., Case No. 15SL-CR01494-01.
8. Each felony conviction constitutes separate and sufficient cause to refuse to issue Plume an MVESC producer license pursuant to § 385.209.1(5).
9. The Director has considered Plume’s history and all of the circumstances surrounding Plume’s Application and exercises his discretion to refuse to issue Plume an MVESC producer license.
10. This order is in the public interest.

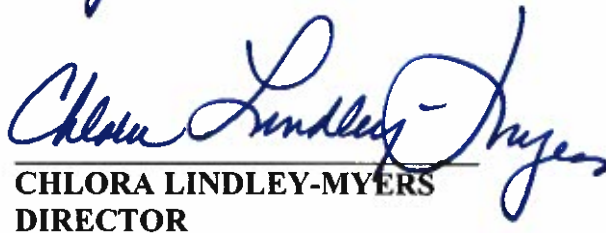
ORDER

IT IS THEREFORE ORDERED that **TODD MICHAEL PLUME’S** Motor Vehicle Extended Service Contract producer license application is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 29th DAY OF June, 2018.




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 6th day of July, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, to the following address:

Todd Plume
3115 Blaiser Lane,
Maryland Heights, MO 63043

Tracking No. 1Z0R15W84296935897



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