



State of Missouri

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

IN RE:)
)
ANN LEDA BUNGER,) **Case No. 170331234C**
)
Applicant.)

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

On April 20, 2017, the Consumer Affairs Division submitted a Petition to the Director alleging cause for refusing to issue an insurance producer license to Ann Leda Bunger. 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. Ann Leda Bunger (“Bunger”), f/k/a Ann L. Matchell, is a Missouri resident with a residential and mailing address of 149 Canterbury Lane, Fenton, Missouri 63026.
2. On December 5, 2016, Bunger submitted a Uniform Application for Individual Producer License/Registration (“Application”). The Department of Insurance, Financial Institutions and Professional Registration asked Bunger to provide additional information to complete her Application, which she did. Bunger’s Application was considered complete on January 6, 2017.
3. Background Question Number 1a of the Application asks:

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

You may exclude the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license.

You may also exclude juvenile adjudications (offenses where you were

adjudicated delinquent in a juvenile court).

4. Bunger answered “Yes” to Background Question Number 1a.
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?

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

6. Bunger answered “Yes” to Background Question Number 1b.
7. Bunger provided documentation to supplement her Application that revealed the following regarding her criminal background:

- a. On January 14, 2005, Bunger, who was known at that time as Ann L. Matchell, pled guilty to the Class D Felony of Possession of a Methamphetamine Precursor Drug with Intent to Manufacture Amphetamine, Methamphetamine or their Analogs, in violation of § 195.246.¹ *State v. Ann Matchell*, St. Louis Co. Cir. Ct., Case No. 04CR-2695. The court suspended imposition of sentence and placed Bunger on five years of supervised probation with conditions. *Id.* The court also sentenced Bunger to twenty days of shock incarceration in the St. Louis County Jail. *Id.*

- b. On August 19, 2008, Bunger, who was still known as Ann L. Matchell, entered an *Alford*² plea to the Class C Felony of Possession of a Controlled Substance, in violation of § 195.202. *State v. Ann L. Matchell*, Franklin Co. Cir. Ct., Case No. 07AB-CR00200. The court sentenced Bunger to five years’ incarceration, but suspended the execution of sentence, and placed her on five years of supervised probation. *Id.* Bunger had been charged in the same indictment with the Class A Misdemeanor of Possession of Drug Paraphernalia, but the state dismissed that count. *Id.* On March 5, 2013, and on Bunger’s motion, the court terminated her probation. *Id.*

¹ All citations to state criminal statutes are to that version of RSMo in effect at the time of the commission of the crime.

² *North Carolina v. Alford*, 400 U.S. 25, 91 S.Ct. 160, 27 L.Ed.2d 162 (1970).

c. On October 19, 2012, Bunger, who was still known as Ann L. Matchell, pled guilty to Possession of Pseudoephedrine Knowing and Having Reasonable Cause to Believe it Would be Used to Manufacture Methamphetamine, in violation of Title 21 USC § 841(c)(2).³ *United States of America v. Ann L. Matchell*, U. S. Dist. Ct., E.D. Mo., Case No. 4:12-CR-00200-15 SNLJ. On January 3, 2013, the court sentenced Bunger to a term of 37 months in the United States Bureau of Prisons⁴ and indicated that upon her release, Bunger would be on supervised release for a term of two years. *Id.*

8. Background Question Number 2 of the Application asks:

Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?

“Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation, sanctioned or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration. “Involved” also means having a license, or registration application denied or the act of withdrawing an application to avoid a denial. INCLUDE any business so named because of your actions in your capacity as an owner, partner, officer or director, or member or manager of a Limited Liability Company. You may EXCLUDE terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

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

- a) a written statement identifying the type of license and explaining the circumstances of each incident,
- b) a copy of the Notice of Hearing or other document that states the charges and the allegations, and

³ All citations to criminal provisions in the United States Code are to the version in effect at the time of the commission of the crime.

⁴ Under Missouri law, a “Felony” is “an offense designated or an offense for which persons found guilty thereof may be sentenced to death or imprisonment for a term of more than one year.” Section 556.061(26), RSMo Non. Cum. Supp. 2014. Since the court sentenced Bunger to 37 months in prison, her crime is considered a felony under Missouri law.

- c) a copy of the official document, which demonstrates the resolution of the charges or any final judgment.
9. Bunger answered “Yes” to Background Information Question Number 2. Bunger provided documentation with her application that showed that she entered into a settlement agreement with the Missouri Board of Nursing wherein she voluntarily surrendered her nursing license based upon, among other things, her pleas of guilty in *State v. Ann Matchell*, St. Louis Co. Cir. Ct., Case No. 04CR-2695 and *State v. Ann L. Matchell*, Franklin Co. Cir. Ct., Case No. 07AB-00200. Ann Matchell, RN 107116, Mo. Bd. of Nursing, Case Nos. 2010-006958 and 2010-006813 (Settlement Agreement, effective March 15, 2013).

CONCLUSIONS OF LAW

10. Section 375.141.1 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[.]

11. Bunger may be refused an insurance producer license under § 375.141.1(6) because she has been convicted of two felonies. Bunger was convicted of the Class C Felony of Possession of a Controlled Substance, in violation of § 195.202. *State v. Ann L. Matchell*, Franklin Co. Cir. Ct., Case No. 07AB-CR00200. Bunger was also convicted, in federal court, of Possession of Pseudoephedrine Knowing and Having Reasonable Cause to Believe it Would be Used to Manufacture Methamphetamine, in violation of Title 21 USC, § 841(c)(2) and was sentenced to 37 months in the United States Bureau of Prisons. *United States of America v. Ann L. Matchell*, U. S. Dist. Ct., E.D. Mo., Case No. 4:12-CR-00200-15 SNLJ.
12. Each felony conviction constitutes a separate and sufficient ground for the Director to refuse to issue Bunger an insurance producer license under § 375.141.1(6).
13. Bunger may also be refused an insurance producer license under § 375.141.1(6) because she has been convicted of two drug crimes, both of which involve moral turpitude. *State v. Ann L. Matchell*, Franklin Co. Cir. Ct., Case No. 07AB-CR00200; *United States of America v. Ann L. Matchell*, U. S. Dist. Ct., E.D. Mo.,

Case No. 4:12-CR-00200-15 SNLJ.

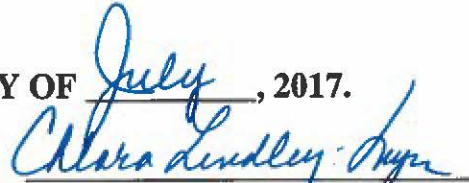
14. Each conviction for a crime involving moral turpitude constitutes a separate and sufficient ground for the Director to refuse to issue Bunger an insurance producer license under § 375.141.1(6).
15. The Director has considered Bunger's history and all of the circumstances surrounding Bunger's Application. Issuing an insurance producer license to Bunger would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue Bunger and insurance producer license.
16. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license Application of **Ann Leda Bunger** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 24th DAY OF July, 2017.


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.

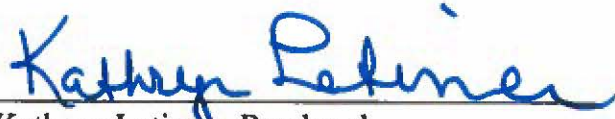
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service, with signature required, at the following address:

Ann Leda Bunger
149 Canterbury Lane
Fenton, Missouri 63026

Tracking No. 1Z0R15W84291063374



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