



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

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

In the Matter of:

ALEX M. RHODES,

Applicant.

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Case No. 180705772C

CONSENT ORDER

Chlora Lindley-Myers, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel John Conrace, and Alex M. Rhodes have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Director” of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo,¹ include the licensure, supervision, regulation, and discipline of insurance producers.

¹ All civil statutory references are to the Revised Statutes of Missouri (2016), unless otherwise noted.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of conducting investigations into the qualifications of insurance producer license applicants under the insurance laws of this state and has been authorized by the Director to investigate and initiate actions before the Director to enforce the insurance laws of this state, including insurance producer license application refusals.

3. On February 16, 2012, Alex M. Rhodes (“Rhodes”) pled guilty to, and was convicted of possession of an intoxicating liquor by a minor, an unclassified misdemeanor, in violation of § 311.325 RSMo.² *State v. Alex M. Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 12CG-CR00119. On May 5, 2012, the court ordered that Rhodes pay a fine of \$250.00. *Id.*

4. On July 30, 2012, Rhodes pled guilty to property damage in the first degree, a class D felony in violation of § 569.100, RSMo. *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 12CG-CR01041-01. The court suspended imposition of sentence, ordering Rhodes complete four years’ probation. *Id.* On November 17, 2014, Rhodes’ probation was revoked and the court imposed a sentence of four years in the custody of the Department of Corrections to be served concurrent with the sentence ordered in *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 14CG-CR01802-01 (*see below*). The court suspended execution of Rhodes’s sentence, ordering that he complete a new five years’ probation. *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 12CG-CR01041-01.

5. On November 17, 2014, Rhodes’ pled guilty to and was convicted possession of a controlled substance, a class C felony in violation of § 195.202, RSMo. *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 14CG-CR01802-01. The court sentenced Rhodes to five years in the custody of the Department of Corrections to be served concurrent with the

² All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri under which the court rendered judgment.

sentence ordered in Case No. 12CG-CR01041-01. However, the court suspended execution of Rhodes' sentence, ordering Rhodes complete five years' probation and parole concurrent with the probation and parole ordered in Case No. 12CG-CR01041-01. *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 14CG-CR01802-01.

6. On June 1, 2017, Rhodes completed the ordered probation period in Case No. 12CG-CR01041-01 and was discharged from probation. On July 10, 2017, Rhodes completed the ordered probation period in Case No. 14CG-CR01802-01 and was discharged from probation.

7. On May 14, 2018, the Department received Rhodes' electronic application for a resident insurance producer license ("Application").

8. Rhodes disclosed the preceding criminal history and convictions on the Application as required.

9. Rhodes acknowledges and understands that pursuant to § 375.141.1(6), the Director may refuse to issue a resident insurance producer license to Rhodes because Rhodes has been convicted of two felonies and a crime involving moral turpitude.

10. Rhodes acknowledges and understands that he has the right to consult counsel at his own expense.

11. Rhodes stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission or the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order, and forever releases and hold harmless the Department, the Director and her agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

12. Rhodes acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Rhodes further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he may be licensed.

13. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

14. Section 375.141 provides, in relevant 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:

* * *

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

15. The facts admitted herein by Rhodes provide grounds upon which the Director may refuse Rhodes' resident insurance producer license application pursuant to § 375.141.1(6).

16. The Director may impose orders in the public interest under § 374.046.

17. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a resident insurance producer license to Alex M. Rhodes, subject to the conditions set forth herein and the following special conditions:

1. Alex M. Rhodes shall report to the Consumer Affairs Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374 or 375, within five (5) business days of such violation or failure to comply.

2. Alex M. Rhodes shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Alex M. Rhodes, Rhodes shall send the Department a copy of the complaint and a copy of Rhodes' response to the consumer within five (5) business days of receipt of the consumer complaint.

4. Alex M. Rhodes shall report to the Consumer Affairs Division any and all of the following incidents involving Rhodes: guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Rhodes shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

5. Alex M. Rhodes shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Rhodes in another jurisdiction or by another state or federal governmental agency in this state within five (5) business days after Rhodes receives notification of the initiation of such administrative action.

6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of the expiration or renewal of Alex M. Rhodes' two (2) year resident insurance producer license or the refusal, surrender, or revocation of Rhodes' resident insurance producer license.

IT IS FURTHER ORDERED that, for two (2) years subsequent to the date of this executed Consent Order, Alex M. Rhodes will voluntarily surrender his resident insurance producer license to the Department within five (5) business days of Rhodes' entry of a guilty

plea, *Alford* plea, nolo contendere plea, being found guilty, or being convicted of a felony or crime of moral turpitude, regardless of whether any sentence is suspended or executed.

IT IS FURTHER ORDERED that, if Alex M. Rhodes maintains his resident insurance producer license and complies with the terms of this Consent Order, Rhodes may apply to renew his resident insurance producer license and the Director shall consider his renewal application in accordance with Chapters 374 and 375, but without regard to Rhodes' conviction for a crime involving moral turpitude and felony convictions in *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 12CG-CR01041-01 and *State v. Alex Michael Rhodes*, Cape Girardeau Co. Cir. Ct., Case No. 14CG-CR01802-01.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374 and 375, including remedies for violation of, or failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 09th DAY OF August, 2018.



Chlora Lindley-Myers
CHLORA LINDLEY-MYERS, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Alex M. Rhodes may have a right to a hearing, but that Alex M. Rhodes has waived the hearing and consented to the issuance of this Consent Order.



Alex M. Rhodes, Applicant
1806 State Highway B
Millersville, Missouri 63766-6164

8-2-18

Date

Counsel for Applicant

Name: _____
Missouri Bar No. _____
Address: _____

Telephone: _____
Facsimile: _____
Email: _____

Date



John Conrace, MO Bar #69279

8-8-18

Date

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