



**DEPARTMENT OF COMMERCE AND INSURANCE**

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

**IN RE:**

	)	
	)	
<b>BOBBY LAMAR BARNES,</b>	)	<b>Case No. 1904250678C</b>
	)	
<b>Applicant.</b>	)	

**ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE**

On September 4, 2019, the Consumer Affairs Division (“Division”) submitted a Petition to the Director alleging cause to refuse to issue the insurance producer license of Bobby Lamar Barnes. 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. Bobby Lamar Barnes (“Barnes”) is a Missouri resident with a residential address and mailing address of 15 Silvercreek Lane, Ballwin, MO, 63011.
2. On February 8, 2019, Barnes submitted a Uniform Application for Individual Producer License/Registration (“Application”) to the Department of Commerce and Insurance (“Department”)¹.
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).

¹ The Department of Commerce and Insurance, prior to August 28, 2019, was formerly known as the Department of Insurance, Financial Institutions and Professional Registration.

4. Barnes answered “Yes” to Background Question Number 1b.
5. After reviewing documents submitted by Barnes, as well as an investigation by the Division, the following criminal history was discovered:
  - a. Barnes has several convictions for misdemeanor offenses relating to Driving While Intoxicated. *See State of Missouri v. Bobby Lamar Barnes*, Greene County Cir. Ct., Case No. 31395CM0043; *State of Missouri v. Bobby Lamar Barnes*, Greene County Cir. Ct., Case No. 31399CM882; and, *State of Missouri v. Bobby Lamar Barnes*, St. Louis County Cir. Ct., Case No. 01CR-2187.
  - b. On August 1, 2002, Barnes pled guilty to DWI-Alcohol-Persistent Offender, a class D felony, in violation of § 577.010, RSMo. *State of Missouri v. Bobby Lamar Barnes*, St. Louis County Cir. Ct., Case No. 02CR-00081. Barnes was sentenced to five years in the Missouri Department of Corrections. *Id.* The Court suspended execution of sentence and placed Barnes on probation for five years.
  - c. On November 8, 2017, Barnes pled guilty to Driving While Intoxicated, a class C felony, in violation of § 577.010, RSMo. *State of Missouri v. Bobby Lamar Barnes*, St. Louis County Cir. Ct., Case No. 15SL-CR05660-01. Barnes was sentenced to seven years in the custody of the Department of Corrections. *Id.* The Court suspended execution of the sentence and placed Barnes on probation for five years with special conditions. *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[.]

7. Barnes may be refused an insurance producer license under § 375.141.1(6) because he has been convicted of a felony or a crime involving moral turpitude. Barnes was convicted of DWI-Alcohol-Persistent Offender, a class D felony, in violation of § 577.010, RSMo. *State of Missouri v. Bobby Lamar Barnes*, St. Louis County Cir. Ct., Case No. 2102R-00081-01.
8. Barnes may be refused an insurance producer license under § 375.141.1(6) because he has been convicted of a felony or a crime involving moral turpitude. Barnes was convicted of Driving While Intoxicated, a class C felony, in violation of § 577.010, RSMo. *State of Missouri v. Bobby Lamar Barnes*, St. Louis County Cir. Ct., Case No. 15SL-CR05660-01.

9. The Director has considered Barnes's history and all of the circumstances surrounding Barnes's Application. Accordingly, the Director exercises her discretion and refuses to issue Barnes a resident insurance producer license.
10. This Order is in the public interest.

**ORDER**

**IT IS THEREFORE ORDERED** that **BOBBY LAMAR BARNES's** insurance producer license application is hereby **REFUSED**.

**SO ORDERED.**

WITNESS MY HAND THIS 19<sup>th</sup> DAY OF November, 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 19<sup>th</sup> day of November, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, to the following address:

Bobby Lamar Barnes  
15 Silvercreek Lane  
Ballwin, MO 63011

Tracking No. 1Z0R15W84299835409



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Kathryn Latimer  
Paralegal  
Missouri Department of Commerce  
and Insurance  
301 West High Street, Room 530  
Jefferson City, Missouri 65101  
Telephone: 573.751.2619  
Facsimile: 573.526.5492  
Email: [kathryn.latimer@insurance.mo.gov](mailto:kathryn.latimer@insurance.mo.gov)