



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:)
)
ALEXANDER DeVONTE DEMMINGS,) **Case No. 2408270595C**
)
Applicant.)

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

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Director”), takes up the above matter for consideration and disposition. 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:

FACTUAL BACKGROUND

1. Alexander DeVonte Demmings (“Demmings”) is a Georgia resident whose residential and mailing address of record is 6473 Summit Point, Unit V, Peachtree Corners, GA 30092, and whose email address of record is ademdings17@gmail.com.
2. On April 14, 2023, the Department received an application for a Motor Vehicle Extended Service Contract Producer License (“Application”) from Demmings.
3. Background Information Question 1 of the Application asks, in relevant 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. Demmings answered “No” to Background Information Question 1 on his Application.

5. The “Attestation” section of the Application reads, in relevant part:

I hereby certify, under penalty of perjury, that 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.

6. Demmings signed the Application in front of a notary public.

7. An investigation conducted by Division Investigator Kevin Davidson revealed that, on May 1, 2017, Demmings was charged in Cobb County, Georgia with a felony count of Possession of Marijuana with Intent to Distribute. *State of Georgia v. Demmings*, Cobb County, GA, Criminal Action #17-9-1675-40.

8. On May 8, 2017, Demmings pled guilty to the charge of possession of marijuana with intent to distribute in violation of O.C.G.A. 16-13-30(j). On September 6, 2017, Demmings was sentenced to three years of probation, with conditions. *Id.*

9. On September 24, 2019, Demmings’ probation was revoked for violating the conditions of his probation. Demmings was sentenced to fifteen days of confinement and, after service of this sentence, was reinstated on probation with all original terms and conditions. Demmings was released from probation on July 14, 2020. *Id.*

10. On April 20, 2023, Investigator Davidson sent an inquiry letter to Demmings at Demmings’ residential address of record, 6473 Summit Point, Unit V, Peachtree Corners, GA 30092. Investigator Davidson requested a written explanation of the felony charge for possession with intent to distribution and

why Demmings failed to disclose this information on his Application. Investigator Davidson also requested certified court records relating to the charge. The inquiry letter cited 20 CSR 100-4.100 and advised that the response was due within twenty days.

11. The United States Postal Service did not return the inquiry letter to the Department, so it is presumed that Demmings received it.
12. Investigator Davidson did not receive a response to this letter.
13. On May 15, 2023, Investigator Davidson sent a second inquiry letter via the United States Postal Service to Demmings' address of record and asked for the same information.
14. The United States Postal Service did not return the inquiry letter to the Department, so it is presumed that Demmings received it.
15. Investigator Davidson did not receive a response to the second inquiry letter.
16. On January 16, 2024, Investigator Davidson spoke with Sarah Hout from Endurance Direct, Demmings' employer, to find out if Demmings was still employed by the company. Ms. Hout verified Demmings' employment. Investigator Davidson informed her that he had been trying to contact Demmings. Ms. Hout emailed Demmings to inform him that Investigator Davidson needed information from Demmings to complete his Application. Ms. Hout copied Investigator Davidson on her email.
17. Investigator Davidson did not receive a response from Demmings.
18. It is inferable, and hereby found as fact, that Demmings failed to disclose his felony conviction in *State of Georgia v. Demmings*, Cobb County, GA, Criminal Action #17-9-1675-40, in order to misrepresent to the Director the extent of his criminal history in the hope that the Director would look more favorably on his Application and issue a license to him.

CONCLUSIONS OF LAW

19. Section 385.209, RSMo (2016)¹ provides, in relevant part:

1. The director may suspend, revoke, refuse to issue, or refuse to renew a registration or license under sections

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

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:

* * *

(2) Violated any provision in sections 385.200 to 385.220, or violated any rule, subpoena, or order of the director; [or]

(3) Obtained or attempted to obtain a license through material misrepresentation or fraud; [or]

* * *

(5) Been convicted of any felony.

20. Title 20 CSR 100-4.100(2)(A), Required Response to Inquiries by the Consumer Affairs Division is a regulation propounded by the Director, which provides:

Upon receipt of any inquiry from the division, every person shall mail to the division an adequate response to the inquiry within twenty (20) days from the date the division mails the inquiry. An envelope's postmark shall determine the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction shall be deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay[.]

21. "There is a presumption that a letter duly mailed has been received by the addressee." *Clear v. Missouri Coordinating Bd. for Higher Educ.*, 23 S.W.3d 896, 900 (Mo. App. 2000) (internal citations omitted).
22. The Director may refuse to issue a motor vehicle extended service contract producer license to Demmings under § 385.209.1(2) because Demmings refused to respond to the Division's inquiries regarding his Application, violating the Department's rules.

- 23. The Director may refuse to issue a motor vehicle extended service contract producer license to Demmings under § 385.209.1(3) because Demmings attempted to obtain a license through material misrepresentation or fraud when he failed to disclose that he pled guilty to a felony drug charge in Georgia. *State of Georgia v. Demmings*, Cobb County, GA, Criminal Action #17-9-1675-40.
- 24. The Director may refuse to issue a motor vehicle extended service contract producer license to Demmings under § 385.209.1(5) because Demmings pled guilty and was convicted of a felony drug charge in Georgia. *State of Georgia v. Demmings*, Cobb County, GA, Criminal Action #17-9-1675-40.
- 25. The Director has considered Demmings’ history and all of the circumstances surrounding his Application.
- 26. Given these facts, granting Demmings a motor vehicle extended service contract producer license would not be in the best interest of the public. Accordingly, the Director exercises her discretion to refuse to issue a motor vehicle extended service contract producer license to him.
- 27. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the motor vehicle extended service contract producer license application of **ALEXANDER DeVONTE DEMMINGS** is hereby **REFUSED**.

WITNESS MY HAND
December, 2024.

THIS 18th DAY OF

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 321.120, 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 the 19th day of December, 2024, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service (UPS), with signature required, at the following address:

Alexander DeVonte Demmings
6473 Summit Point, Unit V
Peachtree Corners, GA 30092
Ademmings17@gmail.com

Tracking No. 1Z0R15W84298209650


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