

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

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

**In the Matter of:** )  
 ) **Case No. 161110481C**  
**JAMES L. ALLREAD,** )  
 )  
**Applicant.** )

**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 Cheryl C. Nield, and Applicant James L. Allread 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 (the "Director"

of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo,<sup>1</sup> include the supervision, regulation, and discipline of insurance producers.

2. The Department’s Consumer Affairs Division (“Division”) has the duty of conducting investigations into the acts of insurance producers under Chapters 374 and 375 and is authorized by the Director to investigate and to recommend enforcement action including insurance producer license application refusal.

3. James L. Allread (“Allread”) is a Missouri resident with a residential and mailing address of 4056 W. Falcon Drive, Battlefield, Missouri 65619.

4. On July 28, 2016, Allread submitted, through an authorized submitter, an application for a resident insurance producer license (“Application”), along with attachments.

5. Background Question Number 1A on the Application asks, in relevant part, “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.”

6. Allread answered “No” to Background Question Number 1A on his Application.

7. Background Question Number 1B on 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?”

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<sup>1</sup> All statutory references are to the 2013 Supplement to the Revised Statutes of Missouri unless otherwise noted.

8. Allread answered "No" to Background Question Number 1B on his Application.

9. Although Allread answered "No" to the criminal background questions, Allread included documentation from Greene County Circuit Court showing that Allread had been convicted in various criminal cases.

10. The certified court records that Allread provided to the Department in response to an inquiry letter revealed his criminal history, including his conviction for Assault on a Law Enforcement Officer in the Third Degree, a crime involving moral turpitude, and his felony conviction for Driving While Intoxicated:

a. On March 22, 2005, Allread pled guilty to the Class A Misdemeanor of Assault on a Law Enforcement Officer in the Third Degree, in violation of § 565.083, for events occurring on August 17, 2004. *State v. James L. Allread*, Greene Co. Assoc. Cir. Ct., Case No. 31304CM7870. The court sentenced Allread to 90 days in the Greene County Jail, with execution of that sentence suspended, two years' unsupervised probation, and anger management counseling. *Id.* The court also ordered Allread to serve five days in jail. *Id.*

b. On December 8, 2006, Allread pled guilty to the Class D Felony of Driving While Intoxicated, in violation of § 577.010. *State v. James Allread*, Greene Co. Cir. Ct., Case No. 31306CF1278. The court sentenced Allread to four years in the Missouri Department of Corrections, with execution of that sentence suspended, five years' of supervised probation, and 30 days in jail. *Id.* The court also ordered Allread to participate in Greene County's DWI Treatment Court,

which Allread successfully completed. *Id.* Allread was then discharged from probation. *Id.*

11. Allread acknowledges and understands that under § 375.141.1(6), the Director may refuse to issue an insurance producer license to Allread because he has been convicted of a felony, Driving While Intoxicated, and of a crime involving moral turpitude, Assault on a Law Enforcement Officer in the Third Degree.

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

13. Allread 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 holds harmless the Department, the Director and her agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

14. Allread acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Allread 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 is licensed.

15. 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**

24. Section 375.141.1 provides, in relevant 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[.]

25. The facts admitted herein by Allread provide cause upon which the Director may refuse to issue a resident insurance producer license to Allread pursuant to § 375.141.1(6).

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

27. 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 individual insurance producer license to Allread, subject to the conditions set forth herein.

1. Allread shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or the consumer within five (5) business days of receipt.

2. Allread shall report in writing all consumer complaints, both written and oral, to the Division within five (5) business days of receipt. If a complaint was not

communicated to Allread by the Department, Allread shall send a copy of the complaint and Allread's response to the consumer to the Department within five (5) business days of receipt.

3. Allread shall report to the Department any violation of or failure to comply with the laws set forth in Chapters 374 or 375 within five (5) business days of such violation or failure to comply.

4. Allread shall report to the Department any administrative action taken against Allread in another jurisdiction or by another governmental agency in this state within five (5) business days after he receives notification of the initiation of such administrative action.

5. Allread shall report to the Department any probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or misdemeanor within five (5) business days of such occurrence.

6. The special conditions listed in the preceding five (5) paragraphs will expire upon the expiration, lapse, termination, revocation, or renewal of Allread's insurance producer license, whichever comes first.

IT IS FURTHER ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Allread will voluntarily surrender his license to the Department within thirty (30) days of Allread's entry of a guilty plea, nolo contendere plea, or finding of guilt or conviction for a felony, regardless of whether sentence is imposed, suspended, or executed.

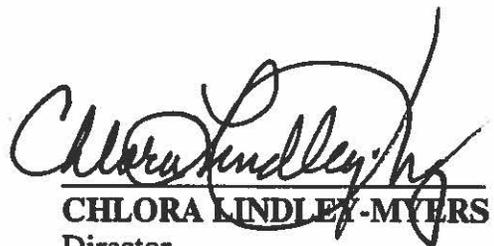
IT IS FURTHER ORDERED that if Allread maintains his insurance producer license beyond the initial term and complies with the terms of this Consent Order, Allread may apply

to renew his license and the Director shall consider the renewal application in accordance with Chapters 374 and 375 and without regard to Allread's prior criminal history and convictions in *State v. James L. Allread*, Greene Co. Assoc. Cir. Ct., Case No. 31304CM7870 (Misdemeanor Assault on a Law Enforcement Officer in the Third Degree) and *State v. James Allread*, Greene Co. Cir. Ct., Case No. 31306CF1278) (Felony Driving While Intoxicated).

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 30<sup>th</sup> DAY OF August, 2017.



  
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 James L. Allread may have the right to a hearing, but that James L. Allread has waived the hearing and consented to the issuance of this Consent Order.

*James L. Allread*

James L. Allread  
4056 W. Falcon Drive  
Battlefield, MO 65619  
Telephone: (417) 425-8813  
Respondent

*08/19/2017*

Date

~~Counsel for Respondent~~

~~Name: \_\_\_\_\_  
Missouri Bar No. \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_~~

Date

*Cheryl C. Nield*

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*8/28/17*

Date