



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

KASEY RENEE QUILLEN,

Applicant.

)
)
)
)
)

Case No. 2001220044C

ORDER REFUSING TO ISSUE RESIDENT INSURANCE PRODUCER LICENSE

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, takes up the above matter for consideration and disposition. 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. Kasey R. Quillen (“Quillen”), is a Missouri resident with a reported residential, business and mailing address of 310 S. Taylor Street, Orrick, Missouri 64077.
2. On August 6, 2019, Quillen submitted an electronic Application for an insurance producer license (“Application”) to the Department of Insurance, Financial Institutions and Professional Registration.¹
3. Background Question No. 1.A. on her Application states:

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),

¹ On August 28, 2019, the Department of Insurance, Financial Institutions and Professional Registration became the Department of Commerce and Insurance.

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. Quillen answered “Yes” to Background Question No. 1.A. on her Application.
5. Background Question No. 1.B. on her Application states:

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. Quillen answered “Yes” to Background Question No. 1.B. on the Application.
7. Along with her Application, Quillen submitted a document offering her explanation regarding certain criminal charges and convictions and copies of documents for *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00173-01; *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00179; and *State v. Kasey Renee Wilson*, Ray Co. Cir. Ct., Case No. 13RY-CR00067-01. (Quillen’s Application also indicated that she was formerly known as Kasey R. Wilson.)
8. The documents provided by Quillen revealed that on or about April 3, 2009, the Ray County Prosecutor charged Quillen with committing the Class C Felony of Forgery, acting with the purpose to defraud by knowingly possessing a writing for the purpose of using it as genuine, specifically, a check in the amount of \$150.00, written on the account of Renee Quillen, payable to Kasey Wilson, knowing that it was made or altered so that it purported to have a genuineness that it did not possess. *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00173-01.
9. The documents provided by Quillen further show that on May 6, 2009, Quillen pled guilty to the Class C Felony, Forgery, and that the Ray County Circuit Court found her guilty of that of charge. The Ray County Circuit Court then stayed imposition of the sentence and placed Quillen on probation for a period of five years under certain conditions. *Id.*
10. The documents provided by Quillen also show that on April 10, 2009, the Ray County Prosecutor charged Quillen with the Class A Misdemeanor, Possession of Drug Paraphernalia with Intent to Use. *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00179.
11. On May 6, 2009, Quillen pled guilty to the Class A Misdemeanor, Unlawful Use of

Drug Paraphernalia. On that same date the Ray County Circuit Court found Quillen guilty of the charge and sentenced her to pay a fine. *Id.*

12. Then on May 11, 2011, the Ray County Circuit Court found that Quillen had violated her probation, added additional conditions of probation and extended her probation for an additional year. *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00173-01
13. On February 14, 2012, the Ray County Circuit Court again found that Quillen had violated her probation. Based on that finding, the court lifted the stay of imposition of sentence granted in May, 2009, and sentenced Quillen to a term of three years in the Missouri Department of Corrections. *Id.*
14. The Ray County Prosecutor filed an Information alleging that on or about January 28, 2013, Quillen committed the Class C Felony of Possession of a Controlled Substance, methamphetamine, Count 1, and committed the Class A Misdemeanor, Possession of Drug Paraphernalia with Intent to Use, Count 2. *State v. Kasey Renee Wilson*, Ray Co. Cir. Ct., Case No. 13RY-CR00067-01.
15. On June 12, 2013, Quillen pled guilty to the Class C Felony charge of Possession of a Controlled Substance Except 35 Grams of Less of Marijuana, Count 1 of the Information. On that same date, the Ray County Circuit Court found her guilty of the charge and sentenced her to four years in the Department of Corrections, to be served concurrent with any other sentence. The Ray County Prosecutor dismissed the misdemeanor charge, Count 2 of the Information by nolle pros. *Id.*
16. On August 14, 2019, Karen Crutchfield, Special Investigator with the Consumer Affairs Division (“Crutchfield”) sent Quillen a letter pursuant to 20 CSR 100-4.100 asking Quillen to provide certified copies of the documents she had previously provided. The August 14, 2019, letter also noted that the felony Forgery conviction seemed to fall into the category of criminal felonies involving dishonesty or a breach of trust and consequently Quillen would need to seek a “1033 waiver” in order to work in the insurance industry in Missouri. (18 U.S.C. § 1033(e)). The inquiry letter went on to notify Quillen that she had twenty days to respond and warned her that a failure to respond could result in disciplinary action by the Department. The letter was not returned by the United States Post Office as undeliverable.
17. Because Quillen did not respond to the August 14, 2019, inquiry letter, on September 12, 2019, Crutchfield sent a second inquiry letter to Quillen requesting the same information sought in the initial August 14, 2019, inquiry letter. The second inquiry letter was not returned by the United States Post Office as undeliverable.

18. Because Quillen did not respond to either the August 14, 2019, inquiry letter or the September 12, 2019, second inquiry letter, on October 8, 2019, Crutchfield sent a third inquiry letter to Quillen. Crutchfield sent the third inquiry letter to Quillen by first class mail-postage pre-paid, certified mail and by electronic mail. The certified mail receipt shows Quillen signed acknowledging delivery of the third inquiry letter on October 28, 2019. The delivery address appearing on the certified mail receipt is "PO Box 114."
19. Because Quillen still had not responded to any of the inquiry letters, on December 3, 2019, Crutchfield sent an inquiry letter to Quillen using the address appearing on the October 28, 2019, certified mail receipt.
20. To date, Quillen has not responded to any of the inquiry letters sent to her and has not demonstrated reasonable cause for any 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).

CONCLUSIONS OF LAW

22. Section 375.141.1, RSMo 2016,² provides, in pertinent 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:

* * *

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]
23. Rule 20 CSR 100-4.100(2)(A) provides as follows:

² All further statutory references are to RSMo 2016 unless otherwise indicated.

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.

24. Section 570.090, RSMo (2002) provides as follows:
 1. A person commits the crime of forgery if, with the purpose to defraud, the person:
 - (1) Makes, completes, alters or authenticates any writing so that it purports to have been made by another or at another time or place or in a numbered sequence other than was in fact the case or with different terms or by authority of one who did not give such authority; or
 - (2) Erases, obliterates or destroys any writing; or
 - (3) Makes or alters anything other than a writing, including receipts and universal product codes, so that it purports to have a genuineness, antiquity, rarity, ownership or authorship which it does not possess; or
 - (4) Uses as genuine, or possesses for the purpose of using as genuine, or transfers with the knowledge or belief that it will be used as genuine, any writing or other thing including receipts and universal product codes, which the actor knows has been made or altered in the manner described in this section.
 2. Forgery is a class C felony.
25. Because an element of the crime of forgery is the purpose to commit fraud, forgery is a crime involving moral turpitude. *Brehe v. Missouri Dept. of Elementary & Secondary Educ.*, 213 S.W. 2d 720, 725 (Mo.App. W.D. 2007); *Miranda-Romero v. Lynch*, 797 F.3d 524,526 (8th Cir. 2015).
26. The Director may refuse to issue a resident insurance producer license to Quillen pursuant to § 375.141.1(2) because Quillen failed to respond to three inquiry letters and failed to provide any justification for the delay, in violation of 20 CSR 100-4.100.
27. The Director may refuse to issue a resident insurance producer license to Quillen pursuant to § 375.141.1(6) because Quillen has been convicted of two felonies. *State*

v. Kasey R. Wilson, Ray Co. Cir. Ct., Case No. 09RY-CR00173-01; and *State v. Kasey Renee Wilson*, Ray Co. Cir. Ct., Case No. 13RY-CR00067-01.

28. The Director may refuse to issue a resident insurance producer license to Quillen pursuant to § 375.141.1(6) because Quillen has been convicted of a crime involving moral turpitude, the Class C Felony of Forgery. *State v. Kasey R. Wilson*, Ray Co. Cir. Ct., Case No. 09RY-CR00173-01
29. The above-described instances are grounds upon which the Director may refuse to issue Quillen a resident insurance producer license.
30. Accordingly, and for all of the reasons set out in the Petition, the Director has considered Quillen's history and all of the circumstances surrounding Quillen's Application and is exercising her discretion to refuse to issue Quillen a resident insurance producer license.
31. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license Application of **Kasey Renee Quillen** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 18th DAY OF February, 2020.


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 21st day of February, 2020, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Kasey R. Quillen
310 S. Taylor St.
Orrick, Missouri 64077

Tracking No. 1Z0R15W84291915015


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