



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

Kaven William Mahon,

Applicant.

)
)
)
)
)

Case No. 2406170551C

**ORDER REFUSING TO ISSUE
INSURANCE PRODUCER LICENSE**

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Department”), 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. Kaven William Mahon (“Mahon”) is a Missouri resident with a residential, business, and mailing address of 5726 S. Ferguson Avenue, Springfield, Missouri 65810, and an email address of Kmtestimonies@gmail.com.
2. On or about September 27, 2023, the Department received Mahon’s application for a resident insurance producer license (“Application”).
3. Background Information Question 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?
4. Mahon answered “Yes” to Background Information Question 1B on his Application.

5. The Application instructs the applicant as follows:

For background Question 1B, you must send the following to the state you are applying to: a) a written statement explaining the circumstances of each incident, b) a copy of the charging document, c) a copy of the official document, which demonstrates the resolution of the charges or any final judgment.

6. Mahon did not provide any certified court documents to the Consumer Affairs Division (“Division”) with his Application, nor did he provide a written statement explaining the circumstances of the incident. Instead, Mahon uploaded screenshots that appeared to contain docket information from courts.mo.gov, regarding a Robbery in the First Degree guilty plea, as well as a statement that did not detail the circumstances of the incident.
7. On October 20, 2023, Division Special Investigator Jonathan Clements (“Clements”) called Mahon to discuss his Application and his failure to submit certified court records with the Application. During the call, Mahon declined to withdraw his Application. Clements followed up the telephone conversation with Mahon, by sending email correspondence to Mahon requesting that he submit a certified copy of the Complaint or Probable Cause Statement, Information or Indictment, Sentence and Judgment, and resolution of the sentence, including any payment of fines or release from probation or parole, from the case he referenced in his Application, as well as a personal statement explaining the incident. Mahon did not reply to Clements’ email.
8. On November 9, 2023, Clements sent an inquiry letter to Mahon at his residential and mailing address of record. In the inquiry letter, Clements requested that Mahon submit a certified copy of the Complaint or Probable Cause Statement, Information or Indictment, Sentence and Judgment, and resolution of the sentence, including any payment of fines or release from probation or parole, from the case he referenced in his Application, as well as a personal statement explaining the incident. Clements further indicated that Mahon’s response was due within twenty days, pursuant to Rule 20 CSR 100-4.100(2)(A).
9. The November 9, 2023 inquiry letter was not returned to the Division as undeliverable, so it is presumed that Mahon received it.
10. Mahon did not respond to the Division’s November 9, 2023 inquiry letter and did not demonstrate reasonable justification for any delay.
11. On November 14, 2023, Clements received a phone call from Mahon’s fiancée seeking clarification on providing documents. Clements explained what was needed to complete the Application.
12. The Division obtained certified court documents regarding Mahon by requesting those

documents from the Polk County Circuit Court.

13. The court records received by the Division indicate the following:

On March 2, 2020, Mahon was convicted upon a plea of guilty to the Class A Felony of Robbery in the First Degree, in violation of Section 570.023. *State v. Kaven William Mahon*, Polk Cty. Cir. Ct., Case No. 19PO-CR01840-01. Mahon was sentenced to ten (10) years' incarceration in the Missouri Department of Corrections, with a suspended execution of sentence, a 120-day shock incarceration, and five years of supervised probation. *Id.* Mahon is currently on probation until June 30, 2025. *Id.* The Felony Indictment indicates that Mahon, along with an accomplice, forcibly stole cash in the possession of the victim, and, during the commission of the crime, Mahon's accomplice displayed and threatened the use of what appeared to be a deadly weapon. *Id.*

14. On March 29, 2024, Chief of Investigations Marjorie Thompson ("Thompson") sent an email to Mahon regarding his lack of responses to the Division's communications, citing Rule 20 CSR 100-4.100(2)(A) and Section 375.141.1(6), and offering Mahon the opportunity to withdraw his Application by responding to the email on or before April 5, 2024. Thompson further advised that failure to respond may result in disciplinary action.
15. Mahon did not respond to Thompson's March 29, 2024 email.

CONCLUSIONS OF LAW

16. Section 375.141.1 states, 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:

* * *

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

* * *

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

17. Rule 20 CSR 100-4.100(2)(A) states, in relevant part:

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 determines the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction is deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay[.]

18. The Director may refuse to issue a resident insurance producer license to Mahon under § 375.141.1(2) because Mahon violated 20 CSR 100-4.100(2)(A), a rule of the Director, in that Mahon failed to respond to the November 9, 2023, inquiry letter from the Division, and Mahon failed to demonstrate any reasonable justification for the delay.

19. The Director may refuse to issue a resident insurance producer license to Mahon under § 375.141.1(6) because Mahon has been convicted of the Class A Felony of Robbery in the First Degree. *State v. Kaven William Mahon*, Polk Cty. Cir. Ct., Case No. 19PO-CR01840-01.

20. The Director may refuse to issue a resident insurance producer license to Mahon under § 375.141.1(6) because Mahon has been convicted of a crime of moral turpitude. Specifically, Mahon has been convicted of the Class A Felony of Robbery in the First Degree. *State v. Kaven William Mahon*, Polk Cty. Cir. Ct., Case No. 19PO-CR01840-01.

21. "Moral turpitude has been defined as an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowman or to society in general, contrary to the accepted and customary rule of right and duty between man and man; everything done contrary to justice, honesty, modesty, and good morals." *Brehe v. Missouri Dept. of Elementary and Secondary Educ.*, 213 S.W.3d 720, 725 (Mo. App. 2007) (internal citations omitted). A crime of moral turpitude reflects "adversely on...honesty and trustworthiness and undermines public confidence[.]" *Id.* at 726.

22. There are three categories of crimes of moral turpitude: Category One crimes that necessarily involve moral turpitude, Category Two crimes "so obviously petty" that they do not involve moral turpitude, and Category Three crimes that "may be saturated with moral turpitude." *Id.* at 725.

23. "Robbery in the first degree is [] a Category 1 crime necessarily involving moral turpitude." *Michael S. Ide, Petitioner, v. Director of Department of Insurance, Financial Institutions and Professional Registration*, Mo. Admin. 12-0105 DI (Apr. 2, 2012).

24. Each of the above-described instances are separate and sufficient grounds upon which the Director may refuse to issue a resident insurance producer license to Mahon under § 375.141.1(2) and (6) and 20 CSR 100-4.100(2)(A).
25. The Director has considered Mahon's history and all of the circumstances surrounding Mahon's Application. Issuing Mahon a resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue a resident insurance producer license to Mahon.
26. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the resident insurance producer license Application of **KAVEN WILLIAM MAHON** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 15th DAY OF July, 2024.



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.

[The remainder of this page intentionally left blank.]

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of July, 2024, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Kaven William Mahon
5726 S. Ferguson Avenue
Springfield, MO 65810

Tracking No. 1Z0R15W8A896377339



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