



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

DANIEL THOMAS SIMS,

Applicant.

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Case No. 2407100566C

**ORDER REFUSING TO ISSUE
AN 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, 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. Daniel Thomas Sims (“Sims”) is a Missouri resident with a residential, business, and mailing address of 2312 Highway 100, Hermann, Missouri 65041.
2. On or about June 14, 2024, Sims submitted an online application for an insurance producer license (“Application 1”). Then, on or about June 17, 2024, he submitted a second online application for an insurance producer license (“Application 2”) (Applications 1 and 2 are collectively referred to as the “Applications”).
3. Background Question Number 1B on the Applications asks:

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).

4. Sims answered “Yes” to Background Question Number 1B on both Application 1 and Application 2.
5. On or about June 25, 2024, the Department of Commerce and Insurance (“DCI”) asked Sims for additional information to complete his Applications. Sims provided certified court records from *State of Missouri v. Daniel Thomas Sims*, St. Louis Co. Cir. Ct., Case No. 19SL-CR-01813-01. The Applications were then considered to be complete.
6. The documentation Sims provided revealed the following concerning his criminal background:
 - a. On July 9, 2019, Sims pled guilty to the Class E Felony of Assault in the Third Degree in violation of § 565.054.¹ *State v. Daniel Thomas Sims*, St. Louis Co. Cir. Ct. Case No. 19SL-CR-01813-01. The Court entered judgment on October 30, 2020, at which time the Court sentenced Sims to four years incarceration in the Missouri Department of Corrections (“DOC”) with 120-days shock incarceration. *Id.*
 - b. On March 4, 2021, after he completed the shock time, Sims was placed on supervised probation. Shortly afterwards, Sims’ probation was revoked for violating the conditions of his probation. He was sent back to DOC to continue serving the previously imposed sentence, with credit for time served while on probation.
 - c. Sims was released from incarceration in DOC in September, 2021 and placed on supervised probation, which does not end until September 27, 2025.

CONCLUSIONS OF LAW

7. Section 375.141.1, RSMo provides, in part:

¹ All criminal statutory citations are to that version of RSMo in effect at the time of the commission of the crime.

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.

- 8. Sims may be refused an insurance producer license under § 375.141.1(6) for both Application 1 and Application 2, because he was convicted of a felony. *State v. Daniel Thomas Sims*, St. Louis Co. Cir. Ct. Case No. 19SL-CR-01813-01.
- 9. The Director has considered Sims’ history and all of the circumstances surrounding Sims’ Applications. Sims was convicted of a felony for assault.
- 10. Given these facts, granting Sims an insurance producer license would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue an insurance producer license to Sims.
- 11. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that both of the insurance producer license applications dated June 14, 2024 and June 17, 2024, of **Daniel Thomas Sims** are hereby **REFUSED**.

WITNESS MY HAND THIS 26 DAY OF AUGUST, 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.

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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of August, 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:

Daniel Thomas Sims
2312 Highway 100
Hermann, Missouri 65041

Tracking No. 1Z0R15W84290500232



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