

DEPARTMENT OF INSURANCE

STATE OF WYOMING

WYOMING INSURANCE DEPARTMENT,)
)
 Petitioner,)
)
 vs.) Docket No. 08-21
)
 JEDDIE D. CARNES, JR.,)
)
 Respondent.)

PETITION FOR NOTICE AND ORDER TO SHOW CAUSE

COMES NOW the Wyoming Department of Insurance, acting by and through Stephanie Bryant McGee, Deputy Commissioner, and pursuant to Wyo. Stat. §§ 26-1-103, 26-2-109 and 26-2-111, and Chapter 32 § 4 of the Wyoming Insurance Department Regulations and Rules for Practice and Procedure Before the Department; and the Wyoming Administrative Procedure Act, Wyo. Stat. § 16-3-101 *et seq.*, herewith moves the Wyoming Insurance Commissioner for the issuance of a Notice and Order to Show Cause directed to Jeddie D. Carnes, Jr., whose last reported address was 2336 2nd Place NE, Birmingham, AL 35215. As cause for this Petition, the Wyoming Insurance Department states and alleges as follows:

1. The Wyoming Insurance Commissioner has jurisdiction over this matter pursuant to Wyo. Stat. §§ 26-1-103, 26-1-108, 26-9-219 and 26-9-211.
2. Respondent submitted an Application for Adjuster License to the Wyoming Insurance Department, which application was received in the Department on September 28, 2008, together with Check No. 1020 in the amount of \$100.00 for the licensing fee required by Wyo. Stat. § 26-4-101(a)(ix).
3. On October 2, 2008, Respondent's bank returned to the state of Wyoming, Check No. 1020 in the amount of \$100.00 marked: "Return Reason – A Not Sufficient Funds."
4. The Licensing Administrator for the Department contacted Ms. Carnes on both October 10, 2008, and October 13, 2008, regarding the insufficient funds check and on October 17, 2008, Respondent advised she would be sending a replacement check. No such check was received.
5. On November 19, 2008, the undersigned wrote a letter to Ms. Carnes advising her that unless the Department received valid payment of the \$100 application fee within 10 days,

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WYOMING INSURANCE DEPARTMENT
DATE *December 22, 2008*
BY *Dee Ann Wilhelms*

the Department would pursue formal denial of her license application. As of the date of this Petition, no response has been received to said letter.

6. Pursuant to Wyo. Stat. § 26-9-219(b)(iv), in order to be issued an adjuster's license in Wyoming, the applicant shall, "be trustworthy and of good reputation."

7. Pursuant to Wyo. Stat. § 26-9-211(a)(iii) and (viii), the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or other license issued under the Wyoming Insurance Code for: obtaining or attempting to obtain a license through misrepresentation or fraud; or using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

WHEREFORE the Department of Insurance respectfully prays that the Wyoming Insurance Commissioner:

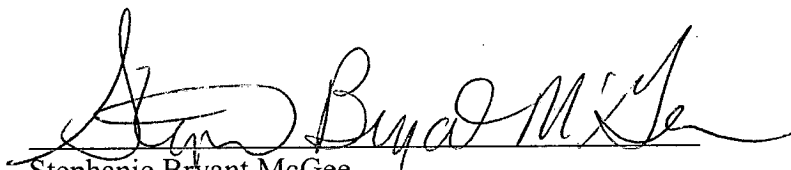
A. Find that Respondent has demonstrated behavior indicating she is not trustworthy and of good reputation; and that she attempted to obtain an adjuster license through misrepresentation or fraud; or using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere by submitting an insufficient funds check.

B. Deny the issuance of an adjuster license to Respondent Jeddie D. Carnes, Jr. for violation of Wyo. Stat. §§ 26-9-219(b)(iv) and 26-9-211(a)(iii) and (viii).

C. Impose a civil penalty in the sum of \$100.00.

D. Enter such other and further relief as may be permitted by law.

Dated this 18 day of December, 2008.


Stephanie Bryant McGee
Deputy Commissioner
Wyoming Department of Insurance
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Cheyenne, Wyoming 82002
(307) 777-6896