

1-4-05



FLORIDA
DEPARTMENT OF
FINANCIAL SERVICES



FILED

TOM GALLAGHER
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

JAN 31 2005

AT

IN THE MATTER OF:

GREGG ALLEN BREWER

Docketed by: *SG*

CASE NO: 76991-04-AG
DOAH CASE NO: 04-3187

05 FEB - 1 - 11 43
ADMINISTRATIVE
HEARINGS
DIVISION

DWD
CLOS

FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On July 7, 2004, The Department of Financial Services (hereinafter the "Department") denied Gregg Allen Brewer's (hereinafter "Mr. Brewer") application for licensure as a temporary life and health insurance agent. Mr. Brewer timely filed a request for a proceeding pursuant to Section 120.57, Florida Statutes. Pursuant to notice, the matter was heard before Don W. Davis, Administrative Law Judge, Division of Administrative Hearings, on November 3, 2004.

After consideration of the evidence, argument and testimony presented at hearing, the Administrative Law Judge issued his Recommended Order. (Attached as Exhibit A). The Administrative Law Judge recommended that Mr. Brewer's application for licensure as a temporary life and health insurance agent be denied pursuant to Florida Administrative Code Rule 69B-211.042(2). Neither party filed exceptions to the Recommended Order. Upon careful consideration of the record, the submissions of the parties and being otherwise fully advised in the premises, it is

ORDERED: --

1. The Findings of Fact of the Administrative Law Judge are adopted in full as the Department's Findings of Fact.

2. The Conclusions of Law of the Administrative Law Judge are adopted in full as the Department's Conclusions of Law.

3. The Administrative Law Judge's recommendation that Mr. Brewer's application for licensure as a temporary life and health insurance agent be denied pursuant to Section 627.611, Florida Statutes, and Florida Administrative Code Rule 69B-211.042 (2) is approved and accepted as being the appropriate disposition of this case.


ACCORDINGLY, Gregg Allen Brewer's application for licensure as a temporary life and health insurance agent is DENIED. Pursuant to Florida Administrative Code Rules 69B-211.042(4)(b)4a, 69B-211.042(8)a, and 69B-211.042(10)(a)3, Mr. Brewer shall not have the right to apply for another license or appointment under the Florida Insurance Code until January 18, 2017, sixteen years from the date of adjudication of the crime.

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a Notice of Appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, Tallahassee, Florida 32399-0333, and a copy of the same and the filing fee with the appropriate District Court of Appeal within thirty (30) days of the rendition of this Order.

DONE and ORDERED this 31st day of January, 2005.




KAREN CHANDLER
Deputy Chief Financial Officer

COPIES FURNISHED TO:

Honorable Don W. Davis
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Gregg Allen Brewer
9342 Cumberland Station Drive
Jacksonville, Florida 32257

Dana M. Wiehle
Assistant General Counsel
Division of Legal Services
612 Larson Building
Tallahassee, Florida 32399-0333