

3-1-05



FLORIDA
DEPARTMENT OF
FINANCIAL SERVICES



FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

FILED AT

TOM GALLAGHER
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

APR 11 2005

04-4035

IN THE MATTER OF:

DENNIS WAYNE GREAVES, JR.

Docketed by: Sly

CASE NO: 78242-04-AG

BJS

CWS

FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On August 12, 2004, a Notice of Denial was issued by the Department of Financial Services denying the license applications of the Petitioner, Dennis Wayne Greaves, Jr., (hereinafter some times referred to as "the Petitioner"), as a temporary life and health insurance agent and as a resident life, variable annuity and health insurance agent because of his criminal history and failure to reveal it. On January 24, 2005, an amended Notice of Denial was filed, seeking to correct the type of crime that the Petitioner was charged with and the waiting period relative to the license denial. The Petitioner timely filed a request for a proceeding, which was referred to the Division of Administrative Hearings in order to conduct a Section 120.57(1), Florida Statutes hearing. Pursuant to notice, the matter was heard before Barbara J. Staros, Administrative Law Judge, Division of Administrative Hearings, on January 25, 2005.

After consideration of the record and argument presented at hearing, the Administrative Law Judge issued her Recommended Order on March 1, 2005. (Attached as Exhibit A). The Administrative Law Judge recommended that the Department enter a Final Order rescinding its

Amended Notice of Intent to Deny Petitioner's applications for licensure and to grant such licensure when all requirements for licensure have been met.

Neither party filed exceptions to the Recommended Order.

Therefore, upon careful consideration of the entire 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 the Department enter a Final Order rescinding its Amended Notice of Intent to Deny Petitioner's applications for licensure and granting such licensure when all requirements for licensure have been met, is approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that the Department's Amended Notice of Intent to Deny Petitioner's applications is hereby rescinded. Petitioner's, DENNIS WAYNE GREAVES, JR.'s, applications for licensure as a temporary life and health insurance agent and a resident life, variable annuity and health insurance agent are granted provided that all other requirements for licensure have been met.

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of the Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla.R.App.P. Review proceedings must be instituted by filing a petition or Notice of Appeal with the General Counsel, acting as the agency clerk, at 200 East Gaines Street, Tallahassee, FL 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 11th day of April, 2005.



Karen Chandler
KAREN CHANDLER
Deputy Chief Financial Officer

COPIES FURNISHED TO:

Dennis Wayne Greaves, Jr.
101 Meadows Avenue
St. Augustine, FL 32804
Petitioner

Honorable Barbara J. Staros
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Dana M. Wiehle, Esquire
Division of Legal Services
Department of Financial Services
200 E. Gaines Street
Tallahassee, FL 32399-0333