

8.9.05



**FLORIDA**  
DEPARTMENT OF  
**FINANCIAL SERVICES**



FILED  
SEP 21 PM 4:44

**TOM GALLAGHER**  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

**FILED AT**

**SEP 21 2005**

IN THE MATTER OF:

Docketed by: 

SFD  
05-01468 closed

TIMOTHY MYLES

CASE NO: 78331-04-AG

FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On August 26, 2004, a Notice of Denial was issued by the Department of Financial Services (hereinafter referred to as the "Department") denying the license application of the Petitioner, Timothy Myles, (hereinafter sometimes referred to as the "Petitioner"), for licensure as a life, including variable annuity and health insurance agent because of his criminal history, and failure to reveal it. 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 Stephen F. Dean, Administrative Law Judge, Division of Administrative Hearings, on May 2, 2005.

After consideration of the record and argument presented at hearing, the Administrative Law Judge issued his Recommended Order on August 9, 2005. (Attached as Exhibit A). The Administrative Law Judge recommended that the Department enter a Final Order denying Petitioner's application for licensure, with leave to reapply on April 7, 2011.

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 denying Petitioner's application for licensure, with leave to reapply on April 7, 2011, is approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that Petitioner's, Timothy Myles', application for licensure as a life, including variable annuity and health insurance agent in this State is hereby DENIED.

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 21<sup>st</sup> day of September, 2005.



  
KAREN CHANDLER  
Deputy Chief Financial Officer

COPIES FURNISHED TO:

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Petitioner

Honorable Stephen F. Dean  
Administrative Law Judge  
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