

9.14.05 AT



FLORIDA
DEPARTMENT OF
FINANCIAL SERVICES

FILED

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DIVISION OF
ADMINISTRATIVE
HEARINGS



TOM GALLAGHER
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FILED

OCT 13 2005

IN THE MATTER OF:

Docketed by SS

CLINTON MITCHELL ALFORD /

CASE NO: 79626-05-AG

05-1146 PL
BEC
closed

FINAL ORDER

THIS CAUSE came on for consideration and final agency action. On April 22, 2005, an Amended Administrative Complaint was issued by the Department of Financial Services (hereinafter referred to as the "Department") against the Respondent, Clinton Mitchell Alford (hereinafter sometimes referred to as the "Respondent"), alleging that he misrepresented terms of annuity policies and forged documents to conceal the misrepresentations. The Respondent timely filed a request for a proceeding pursuant to Section 120.57(1), Florida Statutes. Pursuant to notice, the matter was heard before Bram D. E. Canter, Administrative Law Judge, Division of Administrative Hearings, on July 20 and 21, 2005.

After consideration of the record and argument presented at hearing, the Administrative Law Judge issued his Recommended Order on September 14, 2005. (Attached as Exhibit A). The Administrative Law Judge recommended that the Department enter a final order finding that the Respondent violated Sections 624.11(1); 626.611(5), (7), (9) and (13); 626.621(2), (6) and

(9); and 626.9541(1) (a) 1., Florida Statutes, revoking his license, and imposing a \$90,000.00 fine.

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. In order to correct a typographical error in the Preliminary Statement of the Recommended Order, in the first sentence, the date "October 1, 2003" is corrected to read "April 22, 2005".

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

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

4. The Administrative Law Judge's recommendation that the Department enter a Final Order finding that Respondent violated Sections 624.11(1); 626.611(5), (7), (9) and (13); 626.621(2), (6), and (9); and 626.9541(1)(a) 1., Florida Statutes, and revoking Respondent's license(s) and eligibility for licensure in the State of Florida and imposing a \$90,000.00 fine pursuant to Section 626.9521, Florida Statutes, is approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that Respondent's, CLINTON MITCHELL ALFORD's, license(s) and eligibility for licensure as an insurance agent are hereby REVOKED effective immediately upon issuance of this Final Order. Pursuant to Section 626.651, Florida Statutes, the revocation of Respondent's license(s) and eligibility is applicable to all licenses and eligibility held by Respondent under the Florida Insurance Code.

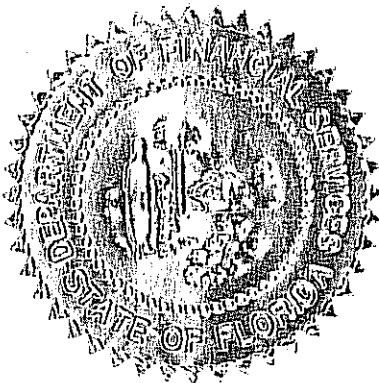
Pursuant to Section 626.641(4), Florida Statutes, the Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm, during the period of revocation.

IT IS FURTHER ORDERED that, pursuant to Section 626.9521 (2), Florida Statutes, the Respondent, CLINTON MITCHELL ALFORD, shall pay to the Department of Financial Services a \$90,000.00 fine, payable immediately upon issuance of this Final Order.

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 13th day of October, 2005.



Karen Chandler
KAREN CHANDLER
Deputy Chief Financial Officer

COPIES FURNISHED TO:

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