

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:

AID ORDER NO. 2015-190

MARK KIMBROUGH  
RESPONDENT NPN 17704662

REVOCATION ORDER

On this day, the matter of the producer's license of Mark Kimbrough ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on December 1, 2015, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated October 16, 2015. The hearing was held before CHIEF Deputy Commissioner Russ Galbraith ("Hearing Officer") pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel.

FINDINGS OF FACT

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*
2. Respondent, Mark Kimbrough, was provided notice of the hearing.
3. Respondent resides in Little Rock, Arkansas.
4. The following evidence was admitted into the record and considered by the hearing officer: (1) Notice of hearing, (2) Emergency Suspension Order, (3)

Producer License Application, (4) Criminal Judgment from the Eastern District Court of Arkansas, (5) Explanation Letter, (6) Designation of Hearing Officer.

5. Based on the testimony and the evidence presented, the Hearing Officer makes the following findings of fact:

On August 13, 2015, Respondent submitted an application to be an Arkansas Insurance Producer. On his application, he indicated he had a felony conviction. However, he did not submit copies of the conviction to the Arkansas Insurance Department. A subsequent background check revealed Respondent had been convicted of felony Bank Fraud in 1997.

#### CONCLUSIONS OF LAW

1. Ark. Code Ann. § 23-64-512(6) states that the Insurance Commissioner may revoke a license for having been convicted of a felony. Respondent's felony conviction is therefore a violation of Ark. Code Ann. § 23-64-512(6)

#### RECOMMENDATION OF HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

1. That the Arkansas Insurance Resident Producer license of Respondent Mark Kimbrough be revoked.

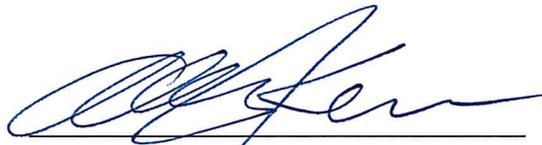
  
Russ Galbraith  
Chief Deputy Commissioner and  
Hearing Officer

CERTIFICATION

I, Allen Kerr, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Chief Deputy Commissioner and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas producer's license of Mark Kimbrough, NPN 17704662, is revoked.

IT IS SO ORDERED THIS 30<sup>th</sup> DAY OF DECEMBER, 2015.

  
ALLEN KERR  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS