

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
OCT 12 2022  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
)  
)  
Petitioner, )  
)  
v. )  
)  
LESLIE PAUL GARNER A/K/A LES PAUL )  
GARNER, an applicant for a resident )  
insurance producer license, )  
)  
)  
Respondent. )

Case No. 22-0502-DEN

FINAL ADMINISTRATIVE ORDER

This matter is a denial proceeding under the Oklahoma Insurance Producer Licensing Act, 36 O.S. § 1435.1 et seq. The Oklahoma Insurance Department (“OID”) notified Respondent, Leslie Paul Garner a/k/a Les Paul Garner, (“Respondent”) that his application for resident insurance producer license was denied for having been convicted of a felony pursuant to 36 O.S. §1435.13(A)(6). Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter, which was scheduled for September 9, 2022, at 9:30am.

The hearing was held before the undersigned Hearing Examiner on September 9, 2022. Petitioner appeared by counsel Andrea M. Golden, and Respondent appeared pro se. Witnesses were sworn and testified, exhibits were admitted, and argument(s) of the parties heard.

FINDINGS OF FACT

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Oklahoma Insurance Producer Licensing Act, 36 O.S.

§ 1435.1 et seq.

2. Respondent is an applicant for a resident insurance producer license in the State of Oklahoma. His address of record is 1386 Del Rey Circle Duncan, Oklahoma 73533.

3. Pursuant to 36 O.S. §§ 1435.13(A)(6), and (D), the Insurance Commissioner may place on probation, censure, suspend, revoke, or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act or may impose a civil fine of not less than \$100.00 nor more than \$1,000.00 when an applicant has been convicted of a felony.

4. Petitioner afforded Respondent an opportunity for hearing by sending the *Notice of Hearing and Order to Show Cause* by certified mail return receipt requested on August 31, 2022, and by e-mail to [lespaul12168@gmail.com](mailto:lespaul12168@gmail.com). The *Notice of Hearing and Order to Show Cause*, filed August 31, 2022, stated the matters asserted, and stated the time, place and nature of the hearing, cited legal authority and jurisdiction, and referred to particular sections of the statutes involved.

5. That the Insurance Commissioner has the authority to render an Order concerning the above styled matter and lawfully appointed Independent Hearing Examiner, John Miller, who sat as a quasi-judicial officer pursuant to 36 O.S. §319.

6. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

7. The following exhibit(s) were introduced and admitted:

- a. Exhibit A: Respondent's Resident Insurance Producer Application.
- b. Exhibit B1: Respondent's Felony Information from Bryan County District Court Case No. CF-1999-37.
- c. Exhibit B2: Respondent's Judgment and Sentence from Bryan County District Court

Case No. CF-1999-37.

d. Exhibit B3: Respondent's Summary Explanation of Bryan County District Court Case No. CF-1999-37.

e. Exhibit C: The Oklahoma Insurance Department's Denial Letter to Respondent

8. The following witnesses were sworn and testified under oath:

a. Courtney E. Khodabakhsh, OID Licensing Division

b. Leslie Paul Garner a/k/a Les Paul Garner, Respondent

9. Respondent applied for a resident insurance producer license with the Oklahoma Insurance Department, ("OID"), on or about June 27, 2022. On the application form, question 1b asks the following: "Have you ever been convicted of a felony, had a judgement withheld or deferred, or are you currently charged with committing a felony?" Respondent answered "Yes" to question 1b on his application. (See Exhibit A and Testimony of Courtney E. Khodabakhsh).

10. Respondent provided a written summary explanation and copies of the felony information and judgment sentence documents for Case No. CF-1999-37, State of Oklahoma v. Leslie Paul Garner, Bryan County District Court, whereby Respondent pleaded guilty to one felony count of Lewd or Indecent Proposals or Acts to Child Under 16. Respondent was sentenced to a term of twelve (12) years. (See Exhibits B1, B2, and B3 and Testimony of Courtney E. Khodabakhsh).

11. That pursuant to the provisions 36 O.S. § 1435.13(A)(6), on July 28, 2022, the OID Licensing Division denied Respondent's application for having been convicted of a felony. (See Exhibit C and Testimony of Courtney E. Khodabakhsh).

#### CONCLUSIONS OF LAW

12. The Oklahoma Insurance Department did not abuse its authority and may deny Respondent's application for resident insurance producer license under 36 O.S. § 1435.13(A)(6)

based on Respondent's felony conviction in Case No. CF-1999-37 in Bryan County District Court.

**ORDER**

**IT IS THEREFORE ORDERED** that Respondent Leslie Paul Garner a/k/a Les Paul Garner's application for a resident insurance producer license is **DENIED**.

**IT IS FURTHER ORDERED** that Respondent pay the costs of the proceeding in the amount of **One Hundred Fifty-Seven Dollars and Fifty Cents (\$157.50)** within thirty (30) days of the date of this Order. The \$157.50 payment shall be made payable to the Oklahoma Insurance Department and shall be sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105.

WITNESS My Hand and Official Seal this 12<sup>th</sup> day of October 2022.



  
\_\_\_\_\_  
JOHN MILLER  
INDEPENDENT HEARING EXAMINER  
OKLAHOMA INSURANCE DEPARTMENT

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and *foregoing Final Administrative Order* was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 18<sup>th</sup> day of October 2022 to:

Leslie Paul Garner a/k/a Les Paul Garner  
1386 Del Rey Cir.  
Duncan, OK 73533  
[lespaul12168@gmail.com](mailto:lespaul12168@gmail.com)

CERTIFIED MAIL NO:  
9214 8902 0982 7500 0496 94

and a copy was delivered to:

Licensing Division



---

Andrea M. Golden  
Assistant General Counsel



22-0502-DFN  
AMS

Date Produced: 10/24/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0496 94. Our records indicate that this item was delivered on 10/17/2022 at 10:21 a.m. in DUNCAN, OK 73533. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

1386 DEL REY CIR  
DUNCAN, OK 73533-2495

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

LESLIE PAUL GARNER A/K/A LES PAUL GARNER  
1386 DEL REY CIR  
DUNCAN OK 73533-2495

Customer Reference Number: C3745574.22271369