

NOV 30 1994

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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By

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In the Matter of)	Docket No. 8552
)	
ALLESSANDRO SPAGNOLO,)	ORDER
)	
Applicant.)	
_____)	

On November 10, 1994, a hearing took place in the above-referenced matter. Assistant Attorney General Kathryn Leonard appeared on behalf of the Arizona Department of Insurance ("Department"). Applicant Alessandro Spagnolo ("Mr. Spagnolo") was not present in person or through counsel.

Based upon the entire record in this matter, including all pleadings, motions, testimony, and exhibits admitted during the hearing of this matter, Administrative Law Judge Gregory Y. Harris has prepared the following Findings of Fact, Conclusions of Law, and Order for consideration and approval by the Director of the Arizona Department of Insurance (the "Director"). Based upon these recommendations, the Director makes the following Findings of Fact, Conclusions of Law and enters the following Order:

FINDINGS OF FACT

1. On July 26, 1994, Mr. Spagnolo submitted an application for a life and disability insurance license to the Department.

2. On August 24, 1994, the Department denied Mr. Spagnolo's application.

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9. Mr. Spagnolo had the burden of proof to demonstrate his qualification for the license he sought. Evidence of his conviction, coupled with Mr. Spagnolo's failure to appear for the hearing, to testify, or to present other evidence in support of his application leads to the conclusion that Mr. Spagnolo has failed to meet the burden imposed upon him for the issuance of a license.

CONCLUSIONS OF LAW

1. Mr. Spagnolo has a record of conviction by final judgment of a felony involving moral turpitude within the meaning of A.R.S. §20-290(B)(6).

ORDER

IT IS ORDERED:

Denying the application submitted by Alessandro Spagnolo for the issuance of a life and disability license.

NOTIFICATION OF RIGHTS

The aggrieved party may request a rehearing with respect to this Order by filing a written petition with the Administrative Law Division within 30 days of the date of this Order, setting forth the basis for such relief pursuant to A.A.C. R4-14-114(B).

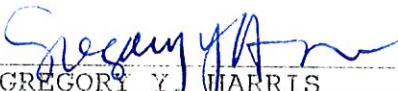
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1 The final decision of the Director may be appealed to
2 the Superior Court of Maricopa County for judicial review
3 pursuant to A.R.S. §20-166.

4 DATED this 30th day of November, 1994.

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7 CHRIS HERSTAM
8 Director of Insurance

9 

10 GREGORY Y. HARRIS
11 Chief Administrative Law Judge

12 COPY of the foregoing mailed/delivered
13 this 30th day of November, 1994, to:

14 Gay Ann Williams, Deputy Director
15 Charles R. Cohen, Executive Assistant Director
16 John Cagne, Acing Manager, Investigations
17 Maureen Cataliote, Supervisor, Licensing
18 Department of Insurance
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 Chris Crawford