


AUG 8 2006

DEPT. OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

RICKY DALE FENNEY,

Respondent.

No. 06A-084-INS

FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER

On June 15, 2006, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter. The Department served the Notice on Respondent by certified mail, return receipt requested, to his mailing address of record with the Department and to the Sheridan Federal Correctional Institution ("Sheridan FCI"), where court records show that he is currently incarcerated, pursuant to A.R.S. § 41-1092.04. On June 22, 2006, the Department received the certified mail return receipt showing that the Notice had been delivered and accepted at the Sheridan FCI .

The Notice required Ricky Dale Fenney ("Respondent") to provide a written Answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice pursuant to A.A.C. R20-6-115. Respondent did not respond to the Notice. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an Answer within the time provided shall be deemed to be in default and the allegations in the Notice may be deemed to be admitted.

On July 19, 2006, counsel for the Department filed a Request for Default. As of this date, Respondent has not responded to the Department's Request.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

1 CONCLUSIONS OF LAW

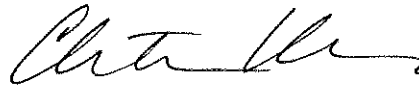
2 Respondent's conduct as described in the Notice constitutes being convicted of a
3 felony in violation of A.R.S. § 20-2295(A)(6); constitutes failing to report a criminal
4 prosecution in violation of A.R.S. § 20-301(B); constitutes using fraudulent practices in the
5 conduct of business in violation of A.R.S. § 20-295(A)(8); and constitutes the violation of
6 any provision of A.R.S. Title 20 within the meaning of A.R.S. § 20-295(A)(2); and
7 constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent's
8 license to transact insurance in Arizona, and/or order Respondent to pay restitution to any
9 injured party, pursuant to A.R.S. § 20-295(A) and (F).

10 ORDER

11 IT IS ORDERED:

- 12 1. The Insurance license held by Respondent is revoked, effective upon the
13 issuance of this Order.
14 2. The hearing set for August 11, 2006, at 9:00 a.m. shall be vacated.

15 DATED this 7th day of August, 2006.

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17 

18 _____
CHRISTINA URIAS, Director
Arizona Department of Insurance

19
20 COPY of the foregoing mailed this 8th
day of August, 2006, to:

21 Lewis Kowal, Administrative Law Judge
22 Office of Administrative Hearings
23 1400 West Washington, Suite 101
Phoenix, Arizona 85007

24 Moira McCarthy
25 Assistant Attorney General
1275 West Washington
Phoenix, Arizona 85007
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Mary Kosinski, Executive Assistant for Regulatory Affairs
Steve Fromholtz, Licensing Supervisor
Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

AND COPY MAILED SAME DATE by
Certified Mail, Return Receipt Requested, to:

Ricky Dale Fenney
#94417-198
Sheridan FCI
Federal Correctional Institution
PO Box 5000
Sheridan, OR 97378
Respondent

Curvey Burt
971234:CPA06-149

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS; FOLD AT DOTTED LINE
CERTIFIED MAIL™



7006 0810 0000 6397 3350