

DOCKET NO. [2022-0057](#)

NOTICE IS HEREBY GIVEN that the Producer Licensing Bureau (“PLB”) of the Office of Superintendent of Insurance (“OSI”) recommends revocation of Cory White’s (“Respondent”) resident insurance producer license.

1. Section 40-5A-6 of the Parental Responsibility Act [40-5A-1 to 40-5A-13 NMSA 1978] provides as follows:

The failure of a licensee to be in compliance with a judgment and order for support or subpoena or warrants relating to paternity or child support proceedings is grounds for suspension or revocation of a license. The proceeding shall be conducted by a board or the administrative hearings office pursuant to the law governing suspension and revocation proceedings for the license.

The OSI constitutes a board as that term is defined in Section 40-5A-3(B) of the Parental Responsibility Act.

2. Pursuant to NMSA 1978, § 59A-11-14(A)(13), the OSI may revoke a license issued under Chapter 59A, Article 11 NMSA 1978 for the failure to comply with an administrative or court order imposing a child support obligation.

3. As required by section 40-5A-9 the Parental Responsibility Act, the OSI enacted 13.4.6, NMAC. Rule 13.4.6 applies to all persons who are required to have a license issued by the OSI before engaging in the business of insurance. *See* 13.4.6.2 NMAC.

4. The OSI issued Respondent a New Mexico resident insurance producer license ("license") NPN 19252928. The New Mexico Human Services Department ("HSD") certified to the OSI that the Respondent is an individual who is not in compliance with an order of child support. In accordance with 13.4.6.10 NMAC, the PLB notified the Respondent by email on November 9, 2021, that the Respondent must provide the PLB with a statement of compliance within 30 days of mailing the notification. The email further advised the Respondent that the failure to timely provide the statement of compliance shall result in the commencement of a formal proceeding for license revocation under 13.4.6.11 NMAC. Respondent failed to provide the statement of compliance despite being advised again by email on July 12, 2022.

5. 13.4.6.11 NMAC provides that the OSI shall file and serve upon a licensee who has failed to provide the requested statement of compliance a notice and order of license revocation in accordance with the procedures listed in 13.4.6.14 NMAC. If the revocation is due solely to the licensee's failure to comply with a judgment and order for support, the notice and order of revocation shall state the grounds for the proposed action and that the action to revoke will become final and not subject to review or appeal ninety (90) days after mailing the notice and order unless, on or before the ninety (90) day deadline, the Respondent licensee files a request for hearing in the docket briefly stating the respects in which the Respondent is so aggrieved, the relief to be sought and the grounds to be relied upon as a basis for relief; or, alternatively, provides the OSI with a statement of compliance.

PRELIMINARY CONCLUSIONS

6. The OSI makes the Preliminary Conclusions set out in this Order because the OSI has probable cause to believe that Respondents' actions or inactions as described herein constitute a violation of the Parental Responsibility Act, or other applicable laws that are subject to

enforcement by the OSI. These Preliminary Conclusions are made after due inquiry and upon reasonable belief. After further development of the record in this case the PLB or the OSI may modify, delete, or add to any of these Preliminary Conclusions.

7. The OSI has jurisdiction over the Respondent pursuant to §§ 59A-2-1(B) and 59A-2-8(A)(3), NMSA 1978.

8. The Respondent is not in compliance with a judgment and order for support relating to paternity or child support proceedings and has failed to provide the PLB with the requested statement of compliance within the required time-period. The Respondent's actions or inactions as described herein constitute grounds for the revocation of Respondent's resident insurance producer license.

IT IS THEREFORE ORDERED:

A. Based upon the Preliminary Findings and Preliminary Conclusions set forth in this Order, the Respondent's New Mexico resident insurance producer license NPN 19252928 is conditionally revoked.

B. The Order to revoke will become final and not subject to review or appeal ninety (90) days after mailing of this Notice and Order unless, on or before the ninety-day deadline, the Respondent:

- (1) files a request for hearing in the docket briefly stating the respects in which the applicant is so aggrieved, the relief to be sought and the grounds to be relied upon as a basis for relief; or
- (2) provides the PLB with a statement of compliance.

Should Respondent wish to contest this Order, Respondent must submit a written request for a formal hearing pursuant to 13.1.5.9 NMAC hearing within ninety (90) days of this Notice. The hearing request must be submitted through the OSI eDocket system,

<https://edocket.osi.state.nm.us/home>, and filed under the docket number for this case. For help filing documents with OSI Records/Docketing, parties may call (505) 827-4499 or email OSI-docketfiling@state.nm.us. Properly filed pleadings or other documents are the responsibility of the party making the filing. (Note: The OSI eDocket system requires an initial registration step before documents can be submitted for filing.)

If no hearing is timely requested, on the 91st day from the date of this Notice, or the Respondent fails to provide the PLB with a statement of compliance within that time frame, a Final Order of Revocation will be issued and the docket may be closed without further action. Such an Order will constitute an administrative action that requires disclosure on all future insurance licensing applications. Respondent may additionally be required to report the Order of Revocation to Respondent's current licensing domicile state.

If a hearing is requested but the Respondent fails to appear on the day and time set for hearing, without further notice to the Respondent, a Final Order of Revocation may be granted by default, and the docket may be closed without further action. Such an Order will constitute an administrative action that requires disclosure on all future insurance licensing application. Respondent may additionally be required to report the Order of Revocation to Respondent's current licensing domicile state.

DATED this 4th day of August, 2022.



Jennifer A. Catechis, Deputy Superintendent
NM Office of Superintendent of Insurance
PO Box 1689, Santa Fe, NM 87504-1689
Jennifer.Catechis@state.nm.us

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of August 2022, I filed the foregoing *Notice of Contemplated Action* through the OSI's e-filing system, <https://edocket.osi.state.nm.us/home>, which caused the individuals indicated below to be served by electronic means.

1. Cory White
700 E. Baja Dr.
Hobbs, NM 88240
corywhite@allstate.com
corytwhite@gmail.com
Respondent
2. Russell Toal, Superintendent
NM Office of Superintendent of Insurance
Russell.Toal@state.nm.us
3. Jennifer A. Catechis, Deputy Superintendent
NM Office of Superintendent of Insurance
Jennifer.Catechis@state.nm.us
4. Stephen Thies, Legal Counsel
Office of Superintendent of Insurance
Stephen.Thies2@state.nm.us



Freya Tschantz, OSI Law Clerk