BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE OF THE STATE OF TENNESSEE

TENNESSEE INSURANCE DIVISION	)	
Petitioner,	)	
	)	
vs.	)	**No. 12.01-095650J**
	)	
GREGORY N. ALFORD	)	
Respondent.	)	

FINAL ORDER

The Respondent, Gregory N. Alford, initiated this appeal of the Initial Order entered by Leonard F. Pogue, Administrative Law Judge within the Department of State, Administrative Procedures Division on September 11, 2007. The Initial Order held that the Tennessee Insurance Division had met its burden of proof by a preponderance of the evidence that Respondent was convicted of a felony, which, under TENN. CODE ANN. § 56-6-112(a)(6), is cause for probation, suspension or revocation of an insurance producer's license or the imposition of a civil penalty, provided untrue information on the license application for renewal of his license, which, under TENN. CODE ANN. § 56-6-112(a)(1) is cause for probation, suspension or revocation of an insurance producer's license or the imposition of a civil penalty, did not report his felony conviction to the Division, in violation of TENN. CODE ANN. § 56-6-119(b), was convicted of a felony involving dishonesty or breach of trust and unlawfully continued the sale of insurance and had failed to seek the proper waiver, as required by TENN. CODE ANN. § 56-53-106(b)(1). The Administrative Law Judge further found that the Respondent's insurance

producer license should be revoked. Respondent appealed the Initial Order to the Commissioner of Commerce and Insurance on September 28, 2007.

A Scheduling Order was issued on November 20, 2007 instructing the Respondent to file his brief setting forth the basis of his appeal and the supporting law and argument by January 9, 2008. The Scheduling Order specified that the Respondent's failure to submit his brief by that date would result in the dismissal of his appeal and the entry of a Final Order adopting the Initial Order.

On January 10, 2008, the Respondent filed a Request for Additional Time to file his brief. The Respondent offered no reasons to support his request. On January 16, 2008, counsel for the Petitioner filed an objection to the Respondent's request. Neither the Respondent's Request for Additional Time nor its untimely filing are with justification.

It is, therefore, ORDERED that Mr. Alford's Request for Additional Time is DENIED and his appeal of the Initial Order is DISMISSED. The Initial Order entered in this matter on September 11, 2007 is hereby ADOPTED.

IT IS SO ORDERED.

This 29th **day of** January**, 2008.**

Leslie A. Newman

Leslie A. Newman, Commissioner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Order has been filed in the Administrative Procedures Division, Department of State, and sent via hand delivery to LaCosta Wix, the attorney for the Department of Commerce & Insurance and via Certified, Return Receipt Requested and by United States Mail, First Class, Postage Prepaid, to Gregory N. Alford, Respondent, 2205 James Avenue, Chattanooga, Tennessee 37415 on this 29th day of January, 2008.

NOTICE OF RECONSIDERATION AND APPEAL PROCEDURES

Within fifteen (15) days after the Final Order is entered, a party may file a Petition for Reconsideration of the Final Order, in which the Petitioner shall state the specific reasons why the Final Order was in error. If no action is taken within twenty (20) days of filing of the Petition for Reconsideration, the Petitioner is deemed denied. TENN. CODE ANN. § 4-5-317.

A party who is aggrieved by a final decision in a contested case may seek judicial review of the Final Order by filing a petition for review in Davidson County Chancery Court within sixty (60) days after the entry of the Final Order, or if a Petition for Reconsideration is granted, within sixty (60) days of the entry date of the Final Order disposing of the Petition for Reconsideration. The filing of a Petition for Reconsideration does not itself act to extend the sixty (60) day period, if the petition is not granted. A reviewing court also may order a stay of the Final Order upon appropriate terms. TENN. CODE ANN. §§ 4-5-322 and 4-5-317.