

**NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA**

STATE OF NORTH CAROLINA

COUNTY OF WAKE

**BEFORE THE COMMISSIONER
OF INSURANCE**

Docket Number: D-1846

**IN THE MATTER OF
THE LICENSURE OF
CHESTER ROGERS, JR.**

FINAL AGENCY DECISION

This matter was heard on June 28, 2017 by the undersigned Hearing Officer, as designated by the Commissioner of Insurance, pursuant to North Carolina General Statutes §§ 58-2-55, 58-71-80, 58-71-85, 150B-38, 150B-40 and 11 N.C.A.C. 1.0401 *et. seq.* and other applicable statutes and regulations. Petitioner, the North Carolina Department of Insurance ["the Department"], was represented by Assistant Attorney General Anne Goco Kirby. Respondent did not attend the hearing.

After careful consideration of the evidence and arguments presented, and based upon the record as a whole, the undersigned Hearing Officer hereby renders the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Department has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing bail bondsmen and runners.
2. Respondent holds an active Surety Bail Bondsman license ["license"] issued by the Department on November 25, 2014.
3. On January 23, 2017, Respondent pleaded guilty to and was convicted in Granville county Superior Court of felony assault with a deadly weapon with intent to kill and inflicting serious injury and felony first degree burglary in **15 CRS 051697**.
4. Respondent was sentenced to a minimum term of 6 years and 8 months and maximum term of 9 years in the N.C. Department of Corrections. Respondent is currently serving his sentence in the custody of the Nash Correctional Institution in Nashville, North Carolina.

CONCLUSIONS OF LAW


1. Respondent was properly served with the Notice of Hearing in this matter. The Department has personal jurisdiction over Respondent and subject matter jurisdiction in this matter.
2. N.C.G.S. § 58-71-80(b) provides that: "The Commissioner shall deny, revoke, or refuse to renew any license under this Article if the applicant or licensee is or has ever been convicted of a felony."
3. Pursuant to N.C.G.S. § 58-71-80(b), Respondent's surety bondsman license must be revoked due to his felony convictions in **15 CRS 051697**.

WHEREFORE, based on the foregoing Finding of Facts and Conclusions of Law, the Hearing Officer makes the following:

ORDER

Respondent's surety bondsman license is hereby permanently revoked.

This 2nd day of June, 2017.



A. John Hoomani, Hearing Officer
N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1201

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing FINAL AGENCY DECISION by first class mail, postage prepaid, addressed as follows:

Chester L. Rogers, Jr., #1167663
Nash Correctional Institution
PO Box 600
Nashville, NC 27856

This the 22nd day of June, 2017.


Anne Goco Kirby
Assistant Attorney General
N. C. Department of Justice
9001 Mail Service Center
Raleigh, NC 27699-9001
(919) 716-6610