

BEFORE THE INSURANCE COMMISSIONER OF  
STATE OF OKLAHOMA

FILE

JUN 02 2016

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
TWILA DAWN WINKLER, )  
an applicant for a resident insurance )  
producer license, )  
 )  
Respondent. )

Case No. 16-0397-DEN

**FINAL ADMINISTRATIVE ORDER**

This matter is a denial proceeding under the Oklahoma Producer Licensing Act. 36 O.S. §§ 1435.1 et seq. The Oklahoma Insurance Department (the “Department”) notified Respondent on April 25, 2016, that her application for an individual insurance producer license was denied for having been convicted of multiple felonies pursuant to 36 O.S. § 1435.13(A)(6). Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter on May 6, 2016.

The Hearing was held before the undersigned Hearing Examiner on May 26, 2016. Petitioner appeared by counsel Sara A. Worten. Respondent appeared pro se. Witnesses were sworn and testified, exhibits were admitted and argument of counsel heard.

**FINDINGS OF FACT**

1. Respondent submitted an online Uniform Application to the Oklahoma Insurance Department on April 18, 2015, for a resident producer license. The criminal background question on the application asks:

“Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?”

2. Respondent answered the question “yes” and provided the appropriate documentation to the Oklahoma Insurance Department.

3. After review, the Department denied her application for licensure. Respondent thereafter requested a formal administrative hearing.

4. The Insurance Commissioner appointed John D. Miller to hear the case as the independent Hearing Examiner.

5. The hearing was recorded electronically by employees of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

6. The following exhibits were introduced and admitted:

- Petitioner’s Exhibit A: Judgment and Sentence, Cleveland County Case No. CF-2012-2275;
- Petitioner’s Exhibit B: Judgment and Sentence, Cleveland County Case No. CF-2010-1057;
- Petitioner’s Exhibit C: Judgment and Sentence, Cleveland County Case No. CF-2010-1037
- Petitioner’s Exhibit D: National Association of Insurance Commissioners (“NAIC”) Uniform Application for Individual Producer License/Registration submitted by Respondent to the Oklahoma Insurance Department;
- Respondent’s Exhibit 1: Letters of Recommendation, Resume, Explanation Statement, Work History, Certificate of Release from the Oklahoma Department of Corrections, and Certificates of Completion.

7. Respondent, Karen Wojtek, and Michael Jones were sworn and testified under oath.

8. The Hearing Examiner heard testimony and entered the following findings of fact:

- a. Evidence was admitted and testimony was presented to the Hearing Examiner that an applicant can be denied for being convicted of a felony.
- b. Evidence was admitted and testimony was presented to the Hearing Examiner that Respondent was convicted of multiple felonies in Cleveland County, Oklahoma.

**CONCLUSIONS VIOLATIONS OF LAW**

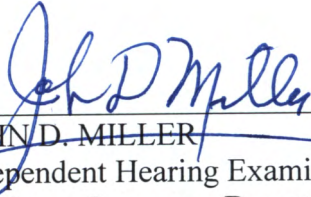
Respondent violated 36 O.S. § 1435.13(A)(6); by being convicted of multiple felonies.

**ORDER**

**BASED UPON THE FOREGOING, IT IS HEREBY ORDERED THAT  
THE DENIAL OF THE APPLICATION OF RESPONDENT BY THE  
OKLAHOMA INSURANCE DEPARTMENT IS AFFIRMED.**

Done this 27<sup>th</sup> day of May, 2016.



  
\_\_\_\_\_  
JOHN D. MILLER  
Independent Hearing Examiner  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, OK 73112

**CERTIFICATE OF MAILING**

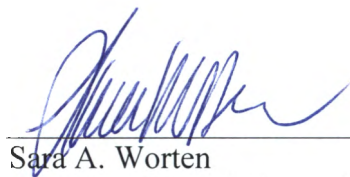
I, Sara A. Worten, hereby certify that on 2<sup>nd</sup> day of June, 2016, a copy of this Final Order was mailed to:

Twila Dawn Winkler  
225 NE 1<sup>st</sup> Street  
Moore, Oklahoma 73160

**CERTIFIED MAIL NO. 7015 3010 0001 4736 6273**

and a copy was delivered to:

Licensing Division



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Sara A. Worten  
Assistant General Counsel

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Twila Dawn Winkler  
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sms/16-0397-DEN/Final Ord



**JOHN D. DOAK**

**Insurance Commissioner**

Oklahoma Insurance Department  
5 Corporate Plaza  
3625 N.W. 56th St., Ste. #100  
Oklahoma City, OK 73118-4510

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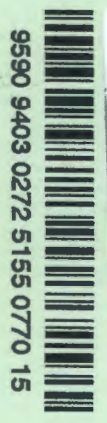
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