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STATE OF MISSISSIPPI OFFICE OF THE COMMISSIONER OF INSURANCE

IN THE MATTER OF BARTEN CONNER POPE LATNER, III INSURANCE PRODUCER LICENSE # 306255

ADMINISTRATIVE ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi ("Commissioner"), by and through his specially designated appointee ("Hearing Officer"), in the offices of the Commissioner, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Mississippi on Thursday, March 28, 2019, at 10:00 a.m., pursuant to the Notice of Hearing and Statement of Charges mailed to **BARTEN CONNER POPE LATNER, III** ("Respondent"), Insurance Producer License #**306255**. The Commissioner, by and through the designated Hearing Officer, Christina Kelsey, Senior Attorney, having heard and considered all of the testimony and evidence produced by the parties herein, makes the following findings:

AUTHORITY

The hearing herein was held pursuant to the provisions of Miss. Code Ann. § 83-17-51, et seq., providing for the licensing of insurance producers by the Mississippi Insurance Department ("MID"), and specifically under Miss. Code Ann. § 83-17-71, providing for disciplinary actions against producers.

NOTICE AND HEARING

1. A Notice of Hearing and Statement of Charges ("Notice") was sent to the Respondent via certified mail, return receipt requested, on or about February 5, 2019, at the address he provided to MID. (Exhibit S-2)
2. Pursuant to said Notice, a hearing was scheduled for and was held on March 28, 2019, at 10:00 a.m.

3. The State called two witnesses:
 - a. MID Investigator Kristen Liberto
 - b. The Complainant
4. Respondent was present for the hearing, gave testimony but submitted no exhibits.

FINDINGS OF FACT

1. Sufficient testimony and evidence was presented to show that Complainant filed a complaint with MID in which she stated that a universal life insurance policy was taken out on one of the Complainant's children without their knowledge or consent by the Respondent. (Exhibit S-1).
2. MID investigator Kristen Liberto investigated the complaint. Liberto testified that during her investigation she received copies of the application of insurance and a W-9 form purporting to show the signature of Complainant. (Exhibits S-3)
3. Complainant testified at the hearing that they did not sign these documents. Complainant also stated that certain personal information listed on the application for insurance for Complainant and their child was incorrect. Complainant signed and had notarized a statement of forgery stating that they did not sign the application or the W-9 found in state's exhibit S-3. (Exhibits S-3, S-4)
4. During the course of the investigation Respondent submitted a written statement wherein he admits to signing the application. (Exhibit S-5)
5. At the hearing Respondent admitted to signing the Complainant's name on the application and the W-9 found in exhibit S-3. (Exhibits S-3)

CONCLUSIONS OF LAW

Respondent violated Miss. Code Ann. § 83-17-71(1)(j) by forging another's name to an application for insurance. This violation subjects the Respondent to the various disciplinary actions set forth in Miss. Code Ann. § 83-17-71.

Respondent violated Miss. Code Ann. § 83-17-71(1)(j) by forging another's name to a document related to an insurance transaction. This violation subjects the Respondent to the various disciplinary actions set forth in Miss. Code Ann. § 83-17-71.

ORDER

IT IS, THEREFORE, ORDERED that the Respondent's Insurance Producer License #9601489 be **REVOKED**.

IT IS FURTHER ORDERED an administrative fine shall be issued against the Respondent in the amount of \$500.00 per statutory violation, for the total amount of \$1,000.

SO ORDERED, this the 4th day of April, 2019.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Prepared by:



PHILLIPS STRICKLAND
SENIOR ATTORNEY

Submitted by:



CHRISTINA KELSEY
SENIOR ATTORNEY AND HEARING OFFICER