



**SOUTH DAKOTA
DEPT. OF LABOR
& REGULATION**

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369

dlr.sd.gov/insurance

February 26, 2019

SENT VIA CERTIFIED MAIL

Kerry Branch
1005 Estes Dr.
Killeen, TX 76541

7013 0600 0001 9742 3993

RE: Application for Insurance Producer License/Denial

This letter is to notify you that your application for licensure as a non-resident insurance producer in South Dakota has been denied. The reason for the denial is as follows:

You applied for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on September 7, 2018. On your application you answered "YES" to having been convicted of a misdemeanor and felony offense. However, you failed to include the required documentation required of said answers. Thus, on September 24, 2018 the Division wrote to you via email and US mail asking you to provide the required documentation. On October 26, 2018, having failed to receive the documentation, the Division again wrote to you, via certified mail, asking you to provide the required documentation needed to complete your application. You did respond on November 6, 2018, however, you failed to supply the requested documentation and provided documentation for a previously undisclosed criminal conviction. Thus, on December 18, 2018 we called you and informed you that documentation was still missing from your application. On January 11, 2019, having again failed to receive a response or the required documentation, the Division sent you an email advising you that if the documentation was not received by January 18, 2019, your license would be denied. To date, the Division has not received the requested documentation or an explanation for your lack of communication with the Division.

Based on the above information, your application is denied based upon SDCL §§ 58-30-167(1),(2),(3), and 58-33-66(2) for providing incorrect, misleading, incomplete, or materially untrue information in your license application; violating any insurance laws or rules, obtaining or attempting to obtain a license through misrepresentation or fraud; and knowingly supplying the Division of Insurance with false, misleading, or incomplete information.

Please note that this denial is considered an administrative action which will be reported to the database maintained by the National Association of Insurance Commissioners. If an administrative action occurs, an insurance producer may be required to report the action to all states in which an insurance license is held and in accordance with the timeframes and requirements of each state.

Pursuant to SDCL § 58-30-168, you may make a written request to the Division of Insurance within thirty (30) days of the date of this denial for a hearing to determine the reasonableness of this decision to deny your application for licensure.

Sincerely,

Daniel R. Nelson, *Assistant Director*
South Dakota Division of Insurance
Department of Labor and Regulation