

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

In the Matter of the Kansas Resident)
Insurance Agent’s License of)
SEAN E. MORGAN)
NPN: # 16743809)

Docket No. **81661**

SUMMARY ORDER

(Pursuant to K.S.A. 40-4909, K.S.A. 77-501)

Pursuant to the authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 40-4909, the Commissioner hereby suspends the agent’s license of Respondent, **SEAN E. MORGAN** (“Respondent”). This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

Findings of Fact

The Commissioner finds the following facts:

1. Respondent was licensed as a Kansas resident insurance agent on August 8, 2012, and remains licensed to date.
2. Respondent’s legal address of record is [REDACTED] Manhattan, KS [REDACTED].
3. On October 24, 2019, Respondent was charged with: aggravated kidnapping and attempted rape (felonies) or in the alternative, attempted aggravated criminal sodomy, aggravated sexual battery, rape, and two counts of aggravated criminal sodomy (felonies), in Riley County District Court. (Case No. RL-2019-CR-000536).

Applicable Law

- Pursuant to K.S.A. 40-4909(b), “In addition, the commissioner may suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license.”

Policy Reasons

1. It is in the public interest that the license of an agent who has been charged with serious felonies of this nature be suspended until resolution of their criminal case.

Conclusions of Law

1. The Commissioner has jurisdiction over **SEAN E. MORGAN** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

2. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Respondent's license until resolution of his criminal case.
3. The Commissioner finds that Respondent's Kansas license may be temporarily suspended because **SEAN E. MORGAN** has been charged with serious felonies in Riley County, Kansas.
4. Accordingly, the Commissioner concludes that sufficient grounds exist for the temporary suspension of the insurance agent's license of **SEAN E. MORGAN**, pursuant to K.S.A. 40-4909(b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas resident insurance agent's License of **SEAN E. MORGAN** is hereby **SUSPENDED** the effective date of this Order until further Order of the Commissioner, such further Order not to precede resolution of his criminal case in Riley County District Court.
2. **IT IS FURTHER ORDERED** that **SEAN E. MORGAN** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this Order.

IT IS SO ORDERED THIS 27th DAY OF DECEMBER, 2019, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Vicki Schmidt
Commissioner of Insurance

BY:


Justin L. McFarland
General Counsel

NOTICE AND OPPORTUNITY FOR HEARING

SEAN E. MORGAN, within fifteen (15) days of service of this Summary Order, may file with the Kansas Insurance Department a written request for hearing on this Summary Order, as provided by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to:

Justin L. McFarland, General Counsel
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent/agency who is the subject of the hearing as provided by K.S.A. 40-4909(f). Costs shall include witness fees, mileage allowances, any costs associated with reproduction of documents which become part of the hearing record, and the expense of making a record of the hearing.

If a hearing is not requested, this Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period for requesting a hearing. The Final Order will constitute final agency action in the matter.

In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

Justin L. McFarland, General Counsel
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 21st day of December 2019, by causing the same to be deposited in the United States Mail, certified first class postage prepaid, addressed to the following:

Sean E. Morgan

Manhattan, KS


Toni Garrard
Senior Administrative Assistant