

AUG 27 1999

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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In the Matter of:)
)
RICHARD ALLEN WHITE dba,)
CITY HALL BAIL BONDS,)
)
Respondent.)
)
)
)

Docket No. 98A-108-INS
**ORDER DENYING
MOTION FOR REHEARING**

IT IS ORDERED denying Respondent's April 16, 1999 Motion for Rehearing.

By modifying the Administrative Law Judge's ("ALJ's") findings and conclusions I did not substitute my assessment of the Respondent's demeanor for the ALJ's. Even though the ALJ used the term "credible" to support his finding of a lack of intent to deceive, the issue is not one of demeanor but whether that is a logical conclusion to draw from the facts as found by the ALJ. I merely applied logic and my lawful discretion to determine that the ALJ's own factual findings contradict his characterization of Respondent's assertion as "credible". In any event, even without modification, the ALJ's findings and conclusions put it within my discretion to suspend Respondent's license for 12 months, and I affirm that order

NOTIFICATION OF RIGHTS

The final decision of the Director may be appealed to the Superior Court of Maricopa County for judicial review pursuant to A.R.S. §§ 20-166 and 41-1092.08. A party filing an appeal must

1 notify the Office of Administrative Hearings of the appeal within ten days after filing the complaint
2 commencing the appeal, pursuant to A.R.S. § 12-904(B).

3 DATED this 27th day of August, 1999

4 

5 _____
6 Charles R. Cohen
7 Director of Insurance

8 A copy of the foregoing mailed
9 this 27 day of August, 1999

10 Sara M. Begley, Deputy Director
11 Gerrie L. Marks, Exec. Assistant for Regulatory Affairs
12 Catherine O'Neil, Legal Affairs Officer
13 John Gagne, Assistant Director
14 Arnold Sniegowski, Investigations Supervisor
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