Before the State of South Carolina
Department of Insurance

In the matter of:	SCDOI File Number:124960.
Charles S. Gresson 1504 Feinwood Glendale Road, Apt. 5 Spartanburg, S.C. 29307.	**Default Order Revoking All Insurance Producer's Licensing Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon above named respondent, by both certified mail, return receipt requested, and by regular mail on April 28, 2005.

By that letter, Mr. Gresson was informed of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. Further, he was warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance producer within the State of South Carolina. Despite that warning, Mr. Gresson has failed to request a public hearing. On June 16, 2005, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance producer within the State of South Carolina, Charles Gresson was convicted on or about August 29, 2002, of the crime of "Arson-3rd. Degree", by a Spartanburg County, South Carolina, General Sessions Court, Docket Number: 2002GS4202488.

S.C. Code Ann. § 38-43-130 (Supp. 2004) provides: "The director or his designee may suspend or revoke an agent's license after ten day's notice...when it appears that an agent has violated this title or any regulation promulgated by the Department, or has willfully deceived or dealt unjustly with the citizens of this State. Subsection (C)(6) defines "deceived or dealt unjustly with the citizens of this State" to include, but not limited to, action or inaction by the producer as follows: "having been convicted of a felony."

In accordance with my findings of fact, and considering Charles Gresson's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that he was, in fact, convicted of the crime above described, which is a crime of moral turpitude. Therefore, all his insurance licensing privileges should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.*(1991 and Supp. 2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of

action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (4) (Supp. 2004).

It is therefore ordered that Charles Gresson's license to transact business as a resident insurance producer within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Mr. Gresson is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance producer within the State of South Carolina.

This order takes effect upon the date of my signature below.

Eleanor Kitzman
Director

June 16, 2005, at
Columbia, South Carolina

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Department of Insurance

In the matter of:	SCDOI File Number: 124960
Charles S. Gresson 1504 Feinwood Glendale Road, Apt. 5 Spartanburg, S.C. 29307.	**Affidavit of Default**

Personally appeared before me Joseph D. McMaster, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

The Department served notice on Charles Gresson at the address detailed above, by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That Notice further informed Mr. Gresson of his opportunity, within thirty days, to request in writing a public hearing.

The United States Postal Services attempted to effect service of the Notice by certified mail, return receipt requested, and by regular mail, on or about April 28, 2005, at the last known address. Mr. Gresson has made no request for a public hearing or any other response to the Notice. The time in which to do so has expired. He is now in default.

Joseph D. McMaster
Associate General Counsel

South Carolina Department of Insurance
Post Office Box 100105
Columbia, South Carolina 29202-3105
(803) 737-6132

Sworn to and subscribed before me
This 1 day of June, 2005.

Steven R. DuBois
Notary Public for the State of South Carolina
My Commission Expires May 10, 2009