

STATE OF WASHINGTON
BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE OFFICE OF INSURANCE COMMISSIONER

FILED

2010 OCT 22 A 8:45

IN THE MATTER OF:

KENNETH JEPSON,

Licensee.

Docket No. 2010-INS-0002
Patricia D. Petersen
Chief Hearing Officer

**INITIAL
ORDER OF DISMISSAL DUE TO
APPELLANT'S FAILURE TO APPEAR**

The above-captioned matter was scheduled for a prehearing conference by telephone on Tuesday, October 12, 2010 at 11:00 AM, pursuant to due and proper notice to all interested parties.

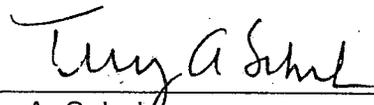
The Licensee above, did not appear for the prehearing conference, nor request a continuance, nor otherwise contact this office.

The Office of the Insurance Commissioner appeared and was represented by Charles Brown, Staff Attorney.

The Office of the Insurance Commissioner moved for a dismissal of the matter by default.

Now Therefore it is ORDERED that the Licensee is in DEFAULT pursuant to RCW 34.05.440 and the appeal is hereby **DISMISSED**.

Dated this 18th day of October 2010 at Olympia, Washington.



Terry A. Schuh
Administrative Law Judge
Office of Administrative Hearings
2420 Bristol Court SW
PO Box 9046
Olympia, WA 98507-9046

Issuance of Final Order by OIC and Right to Petition for Review:

1. Under WAC 284-02-070(2)(c)(i), the Initial Order of an administrative law judge will not become a Final Order without the Insurance Commissioner's review. The Insurance Commissioner's Hearing Officer will automatically review this matter and issue a Final Order; no further action is needed by either party to start this process.
2. In *addition to* the automatic review described above, RCW 34.05.464 and WAC 10-08-211 allow *any party* to an administrative hearing process to *file* a "Petition for Review" of an Initial Order. The Hearing Officer may then consider your specific objections to the Initial Order and your arguments for a different outcome. To "file" means to "deliver." RCW 34.05.010(6).
3. The Petition for Review must be filed with (*delivered to*) the Insurance Commissioner within twenty (20) days of the date of *service* of the Initial Order. "Service" means the date the document(s) was/were: (a) mailed to the parties, by first class, registered, or certified mail, postage pre-paid and properly addressed (as shown by the postmark date or other dated receipt); or by fax *with same-day mailing* of the documents; or (b) delivered to the party. RCW 34.05.010(19); WAC 10-08-110(2).
4. Copies of the Petition for Review must be *served* (mailed in the way described above, or delivered) to all other parties or their representatives at the time the Petition is filed with the OIC.
5. The Petition for Review must specify all parts of the Initial Order with which the party disagrees, and must refer to the evidence in the record which is relied upon to support the Petition.
6. If desired, a "Reply" to the Petition for Review may be filed with the Insurance Commissioner. Any Reply must be filed with the Insurance Commissioner's office within ten days of the date the Petition for Review *was received* or *was properly mailed* to the party providing the Reply (as shown by a postmark). Copies of the Reply shall *be served* (properly mailed or delivered) on all other parties or their representatives at the time such Reply is filed with the OIC.

A Petition for Review and Reply to Petition for Review must be mailed to:

Office of Insurance Commissioner
c/o Patricia D. Peterson
Chief Hearing Officer
Hearings Unit, OIC
PO Box 40255
Olympia, WA 98504-0255

Certification of Mailing

I certify that I mailed true and exact copies of the Order of Dismissal Due to Appellant's Failure to Appear to the following parties, postage prepaid this 18th day of October 2010 at Olympia, Washington.



Margaret Simmons
Legal Secretary

Kenneth T. Jepson
3415 Pacific Ave
Tacoma, WA 98418

Charles Brown
Staff Attorney
Legal Affairs Division
Office of Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Patricia D. Petersen
Chief Hearing Officer
Office of Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255