



## MISSISSIPPI INSURANCE DEPARTMENT

**MIKE CHANEY**  
Commissioner of Insurance  
State Fire Marshal

**MARK HAIRE**  
Deputy Commissioner of Insurance

501 N. WEST STREET, SUITE 1001  
WOOLFOLK BUILDING  
JACKSON, MISSISSIPPI 39201  
www.mid.state.ms.us

MAILING ADDRESS  
Post Office Box 79  
Jackson, Mississippi 39205-0079  
TELEPHONE: (601) 359-3569  
FAX: (601) 359-2474

August 1, 2013

### SENT VIA CERTIFIED MAIL TO:

Mr. James Everett Dutschke  
344 Canal Street  
Tupelo, MS 38804

91 7199 9991 7031 3203 6885

And

Mr. James Everett Dutschke  
Lafayette County Jail  
711 Jackson Ave. E  
Oxford, MS 38655

91 7199 9991 7031 3203 6878

**Re: NOTICE OF DENIAL of Insurance Producer License Renewal Application  
Insurance Producer License #: 9902431**

Mr. Dutschke:

Please be advised that the Mississippi Department of Insurance (Department) has carefully reviewed and considered your application for Insurance Producer's License in the State of Mississippi. The Department wishes to advise you that your application has been **DENIED**.

In your renewal application, which you dated April 24, 2013, you answered "No" to the question "Have you been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime, which has not been previously reported to this Department?" Our investigation resulted in a finding that on April 24, 2013, you had pending criminal charges before the Circuit Court for Lee County, Mississippi, which included four (4) separate indictments for the offense of Child Molestation in violation of Mississippi Code Annotated Sec. 97-5-23. Those indictments were entered by the Grand Jury on April 1, 2013. Furthermore, you participated in an initial appearance with regard to one of those charges on January 22, 2013.

Although you dated your renewal application "April 24, 2013", it is impossible that such date was when you actually executed the document, as such date was the date the form was printed by the Mississippi Insurance Department for mailing to you. The completed renewal application was not actually received by the Mississippi Department of Insurance until June 19, 2013. You did intentionally backdate your execution of the renewal application in an attempt to avoid disclosing the fact that a criminal charge was pending against you before the United States District Court for the Northern District of Mississippi, pursuant to Criminal Complaint dated April 26, 2013, through which it was alleged that you did knowingly develop, produce, stockpile, transfer, acquire, retain and possess a biological agent, toxin, and delivery system for use as a weapon, to wit: ricin, . . . or attempted, threatened or conspired to

Notice of Denial  
James Everett Dutschke  
August 1, 2013

do the same, in violation of 18 U.S.C. 175(a). Other additional charges and indictments did flow from the said criminal complaint, all of which are now pending before the United States District Court for the Northern District of Mississippi. These federal criminal charges were all pending at the time you actually signed your renewal application.

The false statement on your renewal application asserting that you were not then charged with committing a crime, as well as you back dating of your execution of the renewal application, constitutes incorrect and materially untrue information on your renewal application, and also constitutes an attempt to obtain a license through misrepresentation or fraud.

Miss. Code Ann. § 83-17-71(1)(Supp. 2012), provides, in part, that the Commissioner of Insurance may refuse to issue or renew an insurance producer's license for:

- a) Providing incorrect, misleading, incomplete or materially untrue information in the license application;
- c) Obtaining or attempting to obtain a license through misrepresentation or fraud.


Pursuant to Miss. Code Ann. § 83-17-71(2)(Supp. 2012), you are entitled to a formal hearing before this Department regarding your application for a privilege license. If you desire a formal hearing, you must send your demand for hearing to this Department within ten (10) days. Your request for a hearing must be in writing. Upon receipt of your written demand for formal hearing, it will be scheduled and held within 30 days.

Please feel free to contact me if you have any questions regarding this matter and your written response should be directed to my attention.

Sincerely,

MIKE CHANEY  
COMMISSIONER OF INSURANCE

BY

  
\_\_\_\_\_  
Mark Lampton  
Special Assistant Attorney General

ML/kl

pc: John Hornback, Dir. Of Investigations  
Licensing Division