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GARY D. ANDERSON
COMMISSIONER OF INSURANCE

Division of Insurance, Petitioner

v.

Jaclyn Escobar, Respondent

Docket No. E2016-11

Order of Dismissal for Failure to Prosecute

On July 28, 2016, the Division of Insurance (“Division”) filed an Order to Show Cause (“OTSC”) against Jaclyn Escobar (“Escobar”), alleging that she had failed: 1) to pay the required fee to renew her Massachusetts insurance producer license; and 2) to report convictions on her license renewal application. Escobar, in her answer and at a subsequent prehearing conference, admitted that she had not paid her license renewal fee, but contested the Division’s allegations that she had incorrectly answered a question on her renewal application.

Addressing the first allegation in the OTSC, Escobar was ordered to pay her license renewal fee by a date certain. Addressing the second allegation, the Division submitted a memorandum supporting its position that Escobar was obligated to report a prior criminal prosecution. She responded, reiterating that she correctly answered the questions on her renewal application.

Escobar did not pay her license renewal fee. On October 28, 2016, the Commissioner of Insurance, pursuant to M.G.L. c. 30A, §13, revoked Escobar’s insurance producer license.

The Division took no action thereafter to pursue the second allegation in the OTSC. On August 30, 2018, the Division was ordered, pursuant to 801 CMR 1.01(7)(g)(2), to show cause why this matter should not be dismissed for lack of prosecution and to file a response by September 11, 2018.

The Division did not respond to the August 30, 2018 order. On this record, I find that the Division failed to prosecute the unresolved allegations in the OTSC filed against Escobar on July 28, 2016. Therefore, pursuant to 801 CMR 1.01(7)(g)(2), I dismiss the OTSC, with prejudice.

Dated: September 14, 2018

Jean F. Farrington
Presiding Officer