

**STATE OF OHIO**  
**DEPARTMENT OF COMMERCE**  
**Division of Financial Institutions**  
**Consumer Finance**

In the matter of:	)	Case No. M2008-460
	)	
<b>DAVID E. HICKMAN</b>	)	<b><u>DIVISION ORDER</u></b>
1342 Orchard View Court	)	
Dayton, OH 45458	)	<b>REMAND of Order of Summary Suspension, Notice of</b>
	)	<b>Intent to Deny Renewal &amp; Notice of Hearing</b>
	)	

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WHEREAS, the Ohio Department of Commerce, by and through the Superintendent of the Division of Financial Institutions ("Division"), on October 29, 2008, issued David E. Hickman ("Respondent") an Order of Summary Suspension, Notice of Intent to Deny Renewal & Notice of Hearing, and on November 26, 2008, the Notice was returned "Unclaimed;" and

WHEREAS, on December 18, 2008, at 9:30 a.m. in Room 1948 on the 19<sup>th</sup> Floor of the Verne Riffe Center for Government and the Arts, located at 77 S. High Street, Columbus, Ohio 43215, a hearing was held and Respondent did not appear; and

WHEREAS, on January 6, 2009, the hearing officer filed a Report & Recommendation with the Division finding that the Division has not served Respondent in accordance with the requirements of Chapter 119 and has not established jurisdiction over the matter and recommending the Division obtain proper service on Respondent concerning the matters in the Order Order of Summary Suspension, Notice of Intent to Deny Renewal & Notice of Hearing; and

WHEREAS the Division filed a Motion for Additional Testimony on January 13, 2009 whereby the Division, through its counsel, requested that the case be remanded back to the Hearing Officer for additional testimony and introduction of documentary evidence; and

WHEREAS R.C. 119.09 allows the agency to order additional testimony to be taken or to permit the introduction of further documentary evidence; and

WHEREAS the Division finds the Motion for Additional Testimony proper and hereby remands the matter to the hearing officer for additional testimony regarding the service of the Division's Order of Summary Suspension, Notice of Intent to Deny Renewal & Notice of Hearing.

IT IS SO ORDERED.

Signed and sealed this 18<sup>th</sup> day of February 2009.

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**LEIGH A. WILLIS**  
Deputy Superintendent for Consumer Finance  
Division of Financial Institutions  
Ohio Department of Commerce