

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
REGULATION AND ENFORCEMENT**

IN THE MATTER OF:)	ADMINISTRATIVE
BELLE MEMORIAL FUNERAL)	PROCEEDING NUMBER:
HOME)	P-04-0135
)	

CONSENT AGREEMENT

I. Jurisdiction

Finding it appropriate in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (hereafter "Division"), on behalf of the Secretary of State, having the power to administer and to provide for the Mississippi Pre-need Cemetery and Funeral Registration Act, Miss. Code Ann. §§ 75-63-51 to 75-63-75 (hereafter "Act"), and Respondents do hereby enter into this Consent Agreement (hereafter "Agreement"). This Agreement settles all of the Divisions allegations of violations of the Act by the Respondents.

II. Agreement

In consideration of a final resolution of the matters set forth in Paragraph I, and of other considerations set out hereinafter, the Division and Respondents hereby agree, stipulate, and undertake as follows:

1. Respondents admit the jurisdiction of the Division as to all parties and matters herein under the authority of the Act.
2. Belle Memorial Funeral Home (hereafter "Belle") is not registered as a preneed establishment with the Secretary of State's Regulation and Enforcement Division, and can be reached via mail at Post Office Box 129, Aberdeen, MS 39730. Belle's former registration with the Division was revoked by a Final Cease and Desist Order and Order

Revoking Registration and Imposing Administrative Penalty dated September 12, 2005 (Exhibit A).

3. The Administrative Penalty of Five Thousand Dollars (\$5,000) associated with the Order mentioned above is hereby reduced to Two Thousand Dollars (\$2,000). Upon review, the Division finds that this reduction in penalty is both proper and lawful under the applicable statutes which cap penalties at One Thousand Dollars (\$1,000) per occurrence consistent with Miss Code Ann. § 75-63-69(1).
4. Respondents hereby admit to the following violations of the Act and the Rules promulgated thereunder:
 - a. Belle, in violation of Miss. Code Ann. §75-63-67, failed to file its 2004 annual report within ninety (90) days of its calendar year end, which would have been on or before March 31, 2005.
 - b. Belle, in violation of Miss. Code Ann. §75-63-73, failed to produce documents requested by a lawful subpoena ordered by the Secretary of State on April 12, 2005 (Exhibit B).
5. Respondents will remit upon execution of this Consent Agreement an administrative penalty to the Secretary of State in the amount of Two Thousand Dollars (\$2,000) to be made payable to the Secretary of State's Office by March 31, 2010 for the aforementioned violations. As a result of this Agreement, the Secretary of State agrees not to pursue any further actions against Belle for the specific aforementioned violations.
6. Nothing contained herein shall be construed as limiting Respondents' rights to contest any finding or determination made by the Division or by a court concerning an alleged failure by Respondents to comply with any of the terms and provisions of the Agreement.

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7. Respondents understand that the entry of this Agreement represents the settlement of regulatory claims by the Division against Respondents as of the date of this Agreement. Respondents also understand that this Consent Agreement resolves all violations in the Final Cease and Desist Order and Order Revoking Registration and Imposing Administrative Penalty dated September 12, 2005.

III. Acknowledgement

The parties acknowledge that they have read this Agreement in its entirety and fully understand the rights, terms, and obligations of each contained therein and they have been vested with the express authority to enter into this Agreement. The parties further acknowledge that they have not been threatened or otherwise coerced into entering into this Consent Agreement.

The undersigned hereby acknowledge and agree to the terms and conditions of the foregoing Agreement by written consent.

So Agreed, this the 29 day of MARCH, 2010

BELLE MEMORIAL FUNERAL HOME

BY: Cecil S. Belle

Cecil S. Belle

Owner

Belle Memorial Funeral Home

Date: 29 March 2010

C. DELBERT HOSEMANN, JR.

SECRETARY OF STATE

In his Official Capacity

BY: Amy Foster

Amy Foster

Senior Attorney,

Regulation and Enforcement

Date: 4/12/2010