

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

IN THE MATTER OF :)	
)	
GOLDEN GATE FUNERAL HOME)	Administrative
P.O. BOX 2076)	Proceeding No. P-09-0154
Hattiesburg, Mississippi 39403)	
)	Mississippi Preneed License
)	Number 120000285
RESPONDENT)	

ORDER REVOKING PRENEED REGISTRATION

The Secretary of State of Mississippi, Division of Regulation and Enforcement, (hereafter "Division") after having already issued a *Notice of Intent to Revoke Registration* against Golden Gate Funeral Home ("Golden Gate"), and in support hereof, states the following:

I. JURISDICTION

The Secretary of State is vested with the regulation of establishments that sell preneed merchandise and/or services in the State of Mississippi pursuant to Miss. Code Ann. §75-63-51, *et seq.* Respondent Golden Gate is a preneed contract provider as defined by Miss. Code Ann. §75-63-53(e). The Secretary of State; therefore, finds that he had jurisdiction over the subject matter and the parties herein.

II. FINDINGS OF FACT

1. On August 25, 2009, the Honorable F. Kirk Nelson issued a Final Order as a result of an Administrative Hearing requested by Golden Gate imposing the administrative fine of \$800 (Exhibit A).
2. On October 8, 2009, this Office sent a letter to Golden Gate via the U.S. Postal Service First Class and Certified Mail stating that if we had not received payment of

the penalty by October 19, 2009, our Office would commence the procedures to revoke their Preneed license (Number 120000285) (Exhibit B). The Certified Mail was returned to our Office unclaimed.

3. On November 16, 2009, this Office sent a *Notice of Intent to Revoke Registration* via the U.S. Postal Service First Class and Certified Mail to give Golden Gate notice that our Office would revoke their preneed license if Golden Gate did not pay the administrative fine of \$800 or request an administrative hearing within thirty days (Exhibit C). The Certified Mail was returned to our Office unclaimed.
4. Since this date has passed and no payment of the \$800 administrative fine has been received by this Office, we are revoking the Preneed Registration (License # 120000285). Therefore, from the date of this Order, Golden Gate is no longer registered as a Preneed provider and may not legally sell preneed funeral services and merchandise in the State of Mississippi.

III. CONCLUSIONS OF LAW

5. Pursuant to Miss. Code Ann. § 75-63-56 (g), the Secretary of State may revoke a preneed funeral provider's registration if that registrant is indebted to the Secretary of State for any unpaid fine, penalties, or fees. The Final Order issued on August 25, 2009 (Exhibit A) shows that Golden Gate is indebted to the Secretary of State in the amount of \$800. Golden Gate has failed to pay that penalty despite repeated attempts by the Secretary of State to collect it.

Therefore, for the reasons described above, Preneed License Number 120000285 issued to Golden Gate Funeral Home, 613 John Street, Hattiesburg, MS 39401; P.O. Box 2076, Hattiesburg, MS 39403, is hereby **REVOKED**.

SO **ORDERED**, this the 5th day of JANUARY 2010.

C. Delbert Hosemann, Jr.
C. DELBERT HOSEMANN, JR.
Secretary of State
State of Mississippi

CERTIFICATE OF SERVICE

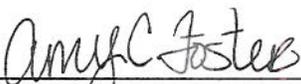
I, Amy C. Foster, do hereby certify that I have this day mailed, United States Postal Service, first class delivery, the Order Revoking Preneed Registration to the following:

The Honorable F. Kirk Nelson
Hearing Officer
1675 Lakeland Drive, Ste. 301
Jackson, MS 39216

Golden Gate Funeral Home
613 John Street
Hattiesburg, MS 39401

Hon. Eddie Tucker, Esq.
3617 Livingston Road
Jackson, MS 39213

This, the 7th day of January, 2010.



AMY C. FOSTER
Senior Attorney
Regulation & Enforcement