

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

IN THE MATTER OF: J & M FUNERAL HOME, LLC P.O. BOX 475 MENDENHALL, MISSISSIPPI 39114	{ } { } { } { }	ADMINISTRATIVE PROCEEDING NUMBER: LPR-19-3757
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Respondent

CONSENT ORDER

I. Jurisdiction

Finding it appropriate and in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (“Division”), on behalf of the Secretary of State, having the power to administer and provide for the Mississippi Preneed Cemetery and Funeral Registration Act, Mississippi Code Annotated Section 75-63-51 to 75-63-75 (“Act”), and Respondent do hereby enter into this Consent Order (“Order”). This Order is entered into by the Division and the Respondent in lieu of the issuance of formal charges by the Division alleging a violation of the Act.

II. Agreement

Respondent admits the jurisdiction of the Division as to all parties and matters herein under the authority of the Act. In consideration of a final resolution of the matters set forth herein, the Division and Respondent hereby agree, stipulate, and undertake as follows:

1. J & M Funeral Home, LLC (“J&M”) is not registered to sell preneed funeral merchandise and/or services with the Mississippi Secretary of State’s Office.
2. Respondent hereby admits to the following violations of the Act:
 - a. J&M, in violation of Mississippi Code Annotated Section 75-63-65(1), engaged in the business of selling preneed by advertising and promoting the sale of preneed

goods and services to the public on the funeral home's website. Section 75-63-65(1) requires business that promote, advertise, or offer preneed goods and services to be registered with the Secretary of State.

3. J&M will remit upon execution of this order an administrative fine to the Secretary of State in the amount of One-Thousand Dollars (\$1,000.00), made payable to the Secretary of State's Office in four (4) installment payments in the amount of \$250.00, the same being due on November 15, 2019; December 15, 2019; January 15, 2019; and February 15, 2019.
4. The Division recognizes that J&M has since removed advertisements soliciting preneed goods and services from their website.
5. As a result of this Agreement, the Secretary of State agrees not to pursue any further actions against J&M regarding the aforementioned violations.
6. Respondent is aware of its right to a hearing on this matter at which it may be represented by counsel, present evidence, and cross-examine witnesses. Respondent hereby irrevocably waives the right to such a hearing.
7. Respondent understands that the entry of this Agreement represents the settlement of an impending regulatory charge by the Division and Respondent as of the date of this Order.
8. Respondent understands that the Division retains jurisdiction over the matters addressed in this Consent Order until all obligations by Respondent are fulfilled.

III. Acknowledgement

The parties acknowledge that they have read this Order in its entirety and fully understand the rights, terms, and obligations of each contained herein. The parties also acknowledge that they have been vested with the express authority to enter into this Order. The parties further

acknowledge that they have not been threatened or otherwise coerced into entering into this Order.

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

So Agreed, this the 23rd day of October 2019.

J&M FUNERAL HOME, LLC

BY: Rica M. Gray

Rica M. Gray

Member

Date: 10/23/2019

C. DELBERT HOSEMANN, JR.

SECRETARY OF STATE

In his Official Capacity

BY: Amy C. Foster

Amy C. Foster

Senior Attorney/Interim Assistant Secretary of State
Regulation and Enforcement

Date: 10/25/19