

MAR 25 2026

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, RECOMMENDED ORDER
PETITIONER,	)	AND ORDER
	)	
VS.	)	CAUSE NO. A-2558
	)	
JESSE MAGDELANO,	)	
(NAIC Producer #21087716),	)	
	)	
RESPONDENT.	)	

This matter came on for hearing on March 10, 2026, before Megan VanAusdall, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its counsel, Michael W. Anderson. Jesse Magdelano, (“Respondent”) did not appear and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department offered Exhibits 1, 2 and 3 at the hearing, which were received without objection. The Respondent did not offer any exhibits. After the conclusion of evidence, the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing insurance producers.
2. Respondent is a resident insurance producer, licensed in the Life, and Accident and Health and Sickness lines of authority, under a National Producer Number (“NPN”) of 21087716. Respondent’s only residential, mailing and business address on file with the Department is 6120 HAVELOCK AVE, APT 2, LINCOLN, NE 68507. Respondent’s registered business email address on file is [JMAGDELANO@ASLO.INSURE](mailto:JMAGDELANO@ASLO.INSURE), and Respondent’s personal email address is on file as [PELICANDOIT7@GMAIL.COM](mailto:PELICANDOIT7@GMAIL.COM). (Ex. 2, Attachment 1).



3. On or about May 30, 2025, the Department, specifically its Insurance Complaint Division, (“ICD”) received a consumer complaint which named and concerned the Respondent in his role as an insurance agent. This consumer complaint stated that Respondent had, unsolicited, called them to request a meeting with the consumer to discuss Medicare insurance. When the consumer requested a copy of the Permission to Contact (“PTC”) or Scope of Appointment (“SOP”) forms, required for an agent to fill out and file before any discussion or interaction with a consumer regarding Medicare, those forms were not on file, a violation of insurance law in this state and of federal requirements. This complaint was assigned for investigation to Randy Hinton, (“Hinton”), an examiner of the Division (Ex. 1, Attachment 1).

4. On or about June 5, 2025, the Department, through Hinton, sent a letter by email, as a digital attachment, sent to Respondent’s email addresses on file, and by regular mail to Respondent’s registered residential, mailing, and business address, requesting a response to the consumer complaint filed and asking for a “detailed explanation of handling and timeline of events,” along with other information. (Ex. 1, Attachment 2).

5. On or about June 30, 2025, having received no response to the first inquiry letter, the Department sent an inquiry letter by certified mail to Respondent at his registered address on file with the Department, again requesting that Respondent provide a response to the consumer complaint filed, as well as other information, and attaching a copy of the June 5, 2025 letter that was sent by regular mail. (Ex. 1, Attachment 3).

6. On or about July 30, 2025, the inquiry letter sent by certified mail to the Respondent’s address in June 2025 was returned to the Department, including its envelope, marked “UNCLAIMED – UNABLE TO FORWARD.” (Ex. 1, Attachment 4).

7. On or about June 30, 2025, the Department, represented by Hinton, received an email message from the Respondent, attached to which was a statement from the Respondent, dated June 13, 2025, concerning the circumstances leading to the consumer complaint. (Ex. 1, Attachment 5).

8. On or about July 1, 2025, Hinton sent an email message back to Respondent, informing him that the statement attached to his previous email did not sufficiently answer the questions asked in the inquiry letter, and requesting further clarification on several points (Ex. 1, Attachment 6).

9. On or about July 1, 2025, Respondent replied to Hinton’s email message, but did not provide answers to the specific questions Hinton presented. (Ex. 1, Attachment 7).



10. On or about July 7, 2025, Hinton sent another email to Respondent's email address on file, again notifying Respondent that his response was incomplete and requesting further information. (Ex. 1, Attachment 8).

11. As of March 9, 2026, the Respondent has not provided a response to the Department's inquiry letters (Ex. 1).

12. On or about January 13, 2026, the Petition and Notice of Hearing were served upon Respondent by mailing the same to his registered business, mailing and residential address, by certified mail, return receipt requested, and via regular mail. (Ex. 3)

13. On or about January 28, 2026, the letter sent by certified mail to Respondent's address at 6120 HAVELOCK AVE, APT 2, LINCOLN, NE 68507 was returned by the United States Postal Service ("USPS") marked "RETURN TO SENDER, VACANT, UNABLE TO FORWARD." (Ex. 3, Attachment 1).

14. As of March 9, 2026, the letter sent to Respondent by regular mail to his address at 6120 HAVELOCK AVE, APT 2, LINCOLN, NE 68507 has not been returned to the Department. (Ex. 3).

#### CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 to 40-4069.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. §§44-4059(1), the director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine if it is found that the producer has violated any insurance law.

4. Respondent violated Neb. Rev. Stat. § 44-4059(1)(b), (g), and (h), as well as §44-1524(1), pursuant to 44-1525(11), as a result of the conduct found in the Findings of Fact and as evidenced by the relevant exhibits received.

#### DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's registered addresses. The Department



also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirmation of delivery to the Respondent. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at his business, residential, and mailing addresses of record were sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent engaged in dishonest practices and displayed incompetence or untrustworthiness, in the conduct of business in this state or elsewhere.

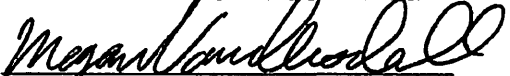
These actions constitute a violation of Neb. Rev. Stat. § 44-4059(1)(b), (g), and (h), as well as §44-1524(1), pursuant to 44-1525(11).

### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's resident insurance producer's license be suspended until the Respondent has provided a full and complete response to the Department's inquiry letters. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 24<sup>th</sup> day of March 2026.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



Megan VanAusdall #27433  
Hearing Officer



CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Jesse Magdaleno (NAIC Producer #21087716), Cause No. A-2558.

Dated this 25<sup>th</sup> day of March 2026.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



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Eric Dunning  
Director of Insurance

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered business, mailing, and residential address, at 6120 HAVELOCK AVE, APT 2, LINCOLN, NE 68507, via certified mail, return receipt requested, by via regular U.S. mail, and sending copies as an attachment to email addressed to Respondent's registered business email address on file , at JMAGDELANO@ASLO.INSURE, and to Respondent's personal email address on file, at PELICANDOFF7@GMAIL.COM. on this 25<sup>th</sup> day of March 2026.

Shelly Stone

