

STATE OF SOUTH DAKOTA  
DEPARTMENT OF LABOR AND REGULATION

IN THE MATTER OF  
DERRICK WINDSOR SHIM-HUE

INS 25-003

NOTICE OF ENTRY OF  
ORDER REVOKING INSURANCE  
PRODUCER LICENSE

NOTICE IS HEREBY GIVEN, that attached hereto, is a true and correct copy of the Order Revoking Insurance Producer License entered by Larry Deiter, Director South Dakota Division of Insurance, on January 28, 2025.

Dated this 1<sup>st</sup> day of April, 2025.



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Callie A. Pospishil  
Legal Counsel  
South Dakota Division of Insurance  
124 S. Euclid Ave., 2<sup>nd</sup> Floor  
Pierre, SD 57501  
(605) 773-3563

## CERTIFICATE OF SERVICE

I, Callie Pospishil, the undersigned, do hereby certify that on the date shown below, a true and correct copy of the Order Revoking Insurance Producer License with respect to the above-entitled action was sent U.S. Certified Mail, U.S. First Class Mail, and electronic mail thereon, to the following:

DERRICK WINDSOR SHIM-HUE  
1274 THE 12TH FAIRWAY  
WELLINGTON FL 33414-5739  
[derrickshimhue@w4work.net](mailto:derrickshimhue@w4work.net)

AMERICAN AMICABLE LIFE INS CO OF TX  
425 AUSTIN AVE  
WACO, Texas 76701

ACCENDO INSURANCE COMPANY  
P.O. Box 818048  
Cleveland, Ohio 44181-8048

AMERICAN GENERAL LIFE INS CO  
PO Box 1591  
3-D1  
Houston, Texas 77251-1591

Dated this 1<sup>st</sup> day of April, 2025 in Pierre, South Dakota.



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Callie A. Pospishil  
Legal Counsel  
South Dakota Division of Insurance  
124 S. Euclid Ave., 2<sup>nd</sup> Floor  
Pierre, SD 57501  
(605) 773-3563

**BEFORE THE DIVISION OF INSURANCE  
DEPARTMENT OF LABOR AND REGULATION  
STATE OF SOUTH DAKOTA**

**IN THE MATTER OF  
DERRICK WINDSOR SHIM-HUE**

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**INS 25-003  
  
ORDER REVOKING  
INSURANCE PRODUCER LICENSE**

TO: DERRICK WINDSOR SHIM-HUE  
1274 THE 12TH FAIRWAY  
WELLINGTON FL 33414-5739  
[derrickshimhue@w4work.net](mailto:derrickshimhue@w4work.net)

Larry Deiter, Director of the South Dakota Division of Insurance ("Director"), in accordance with SDCL 58-30-167.2 & 58-30-167.3, hereby gives notice that **DERRICK WINDSOR SHIM-HUE ("SHIM-HUE") has violated the Insurance Code of the State of South Dakota, failed to timely respond to the South Dakota Division of Insurance ("Division"), and that SHIM-HUE's Insurance Producer License will be revoked unless a hearing is requested in writing within 60 days of this Order.** SHIM-HUE is expressly notified that they are entitled to a hearing pursuant to SDCL 58-30-167.3 if the Division is timely contacted in writing. Therefore, supported by the Exhibits attached hereto, the Director makes the following Findings of Fact, Conclusions of Law, and Order:

**FINDINGS OF FACT**

- 1) SHIM-HUE, who holds an active Insurance Producer License, is required to maintain an accurate address of record pursuant to SDCL 58-30-157; the address above is the last address recorded at the Division. (Exhibit 1).
- 2) SHIM-HUE was the subject of an administrative action in a different jurisdiction which was not reported to the Division. (Exhibit 2);
- 3) The Division sent inquiries to SHIM-HUE at their address of record above regarding licensure matters. (Exhibit 3-4).
- 4) SHIM-HUE did not respond to the Division's inquiries.
- 5) Any additional Findings of Fact included in the Reasoning section of this decision are incorporated herein by reference.
- 6) To the extent any of the foregoing are improperly designated and are instead conclusions of law, they are hereby redesignated and incorporated herein as conclusions of law.

## CONCLUSIONS OF LAW

1. The Director of the Division has jurisdiction over SHIM-HUE and the subject matter of this contested case.
2. Due to the loss of livelihood from lack of licensure, the Division bears the burden of establishing the alleged statutory violations by clear and convincing evidence. *In re Zar*, 434 N.W.2d 598, 602 (S.D. 1989) and *Brown v. Warner*, 107 N.W.2d 1, 4 (S.D. 1961).
3. The Division established by clear and convincing evidence as attached in Exhibits hereto that SHIM-HUE violated SDCL 58-30-193 and 58-33-66.
4. The Division established by clear and convincing evidence that SHIM-HUE's South Dakota Insurance Producer License is subject to revocation pursuant to SDCL 58-30-167(2) & (9).
5. The Division is authorized to issue this Order revoking SHIM-HUE's producer license without a hearing pursuant to SDCL 58-30-167.2, and 58-30-167.3.
6. Any additional Conclusions of Law included in the Reasoning section of this decision are incorporated herein by reference.
7. To the extent any of the foregoing are improperly designated and are instead findings of fact, they are hereby redesignated and incorporated herein as Findings of Fact.

## ORDER

Now therefore, good cause appearing from the foregoing, IT IS HEREBY ORDERED, pursuant to SDCL 58-30-167(2) & (9), 58-30-167.2, 58-30-167.3, 58-30-193, and 58-33-66, the South Dakota Insurance Producer License of SHIM-HUE is hereby REVOKED, unless a hearing is requested in writing within 60 days of this Order; and it is further

ORDERED that SHIM-HUE may request a hearing on this Order within 60 days of the date of this Order; and it is further

ORDERED that if SHIM-HUE makes a timely written request to the Division, a Notice of Hearing on this matter will be issued within 30 days the request pursuant to SDCL 58-30-167.3, which will be conducted according to procedures for contested cases as prescribed in SDCL Chs. 1-26 and 1-26D.

Dated at Pierre, South Dakota this 28 day of January, 2025.



Larry Deiter, Director  
South Dakota Division of Insurance

## CERTIFICATE OF SERVICE

I, Callie Pospishil, the undersigned, pursuant to SDCL 58-4-17 and 58-30-157 do hereby certify that on the date shown below, a true and correct copy of the Order Revoking Insurance Producer License with respect to the above-entitled action was sent via certified mail and first-class mail to the following:

DERRICK WINDSOR SHIM-HUE  
1274 THE 12TH FAIRWAY  
WELLINGTON FL 33414-5739  
[derrickshimhue@w4work.net](mailto:derrickshimhue@w4work.net)

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Cleveland, Ohio 44181-8048

AMERICAN GENERAL LIFE INS CO  
PO Box 1591  
3-D1  
Houston, Texas 77251-1591

Dated this 28th day of January 2025.



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Callie A. Pospishil, Legal Counsel  
Division of Insurance  
South Dakota Dept. of Labor and Regulation  
124 S. Euclid Ave., 2<sup>nd</sup> Floor  
Pierre, SD 57501  
Phone (605) 773-3563