

**In re: KENNETH J. WINTER.**  
**FCIA Docket No. 01-0001.**  
**Decision and Order.**  
**Filed July 5, 2002.**

**FCIA – Default – Fraud, insurance.**

Donald McAmis, for Complainant.  
Respondent, Pro se.

*Decision and Order issued by James W. Hunt, Administrative Law Judge.*

Pursuant to section 1.136(c) of the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings Instituted by the Secretary, failure of respondent, Kenneth J. Winter, to file an amended answer within the time provided is deemed an admission of the allegations contained in the Amended Complaint. Since the allegations in paragraph II of the Amended Complaint are deemed admitted, it is found that the respondent has willfully and intentionally provided false and inaccurate information to the Federal Crop Insurance Corporation or to the insurer with respect to an insurance plan or policy under the Federal Crop Insurance Act. (7 U.S.C. § 1506 (n), the Act).

It is further found that, pursuant to section 506 of the Act (7 U.S.C. § 1506), respondent, and any entity in which he retains substantial beneficial interest after the period of disqualification has commenced, is disqualified from purchasing catastrophic risk protection for a period of one year, from receiving any other benefit under the Act for a period of 5 years. The period of disqualification shall be effective 35 days after this decision is served on the respondent unless there is an appeal to the Judicial Officer pursuant to § 1.145.

If the period of disqualification would commence after the beginning of the crop year, and the respondent has a crop insurance policy in effect, disqualification will commence at the beginning of the following crop year and remain in effect for the entire period specified in this decision.

[This Decision and Order became final September 19, 2002.-Editor]

-----