

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of )  
 ) ORDER GRANTING PERMISSION  
 ) TO FILE SECTION 19 APPLICATION  
 ) AND APPROVING APPLICATION FOR  
JEFF LEE BENITEZ, ) CONSENT TO PARTICIPATE IN  
 ) THE AFFAIRS OF ANY INSURED  
In the Application for ) DEPOSITORY INSTITUTION  
Waiver and Consent to )  
Participate in the Conduct ) FDIC-09-759L  
of the Affairs of Any )  
Insured Depository Institution )  
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The Federal Deposit Insurance Corporation ("FDIC"), having fully considered all the facts and information relating to the application filed pursuant to Section 19 of the Federal Deposit Insurance Act, 12 U.S.C. § 1829 ("Section 19"), by Jeff Lee Benitez ("Applicant") for permission to file an application and for consent to participate directly or indirectly in the conduct of the affairs of any insured depository institution, has determined that Applicant's Section 19 application should be granted based upon the following:

- 1) On June 26, 1998, when Applicant was 21 years old he was convicted of burglary of a motor vehicle pursuant to Tex. Code Ann. § 30.04 (1998). He was ordered to complete 12 months of probation and fined \$50.00 along with \$254.25 in court fees.
- 2) On December 27, 1999, upon completion of probation, the

charge against Applicant was dismissed under a finding of non-guilt. The Dallas County Court granted Applicant's petition for non-disclosure of the crime on April 3, 2009.

- 3) In Texas, a burglary of a vehicle charge is a Class A misdemeanor of the first degree punishable by up to one year in prison and a \$4000 fine. Applicant paid the fines and completed his probation term.
- 4) More than 10 years have elapsed since the conviction and Applicant has had no further program entries of convictions subject to Section 19.
- 5) Applicant seeks to work in the banking industry and requested that the FDIC waive its policy requiring that a sponsoring insured depository institution submit a Section 19 on his behalf.
- 6) The FDIC has determined that Applicant has demonstrated satisfactory evidence of rehabilitation.
- 7) The FDIC believes that Applicant's participation, directly or indirectly in the conduct of the affairs of any insured depository institution in any position does not appear to constitute a threat to the safety and soundness of any institution or to the interests of its depositors, and such participation would not threaten or impair public confidence in the institution.

8) The FDIC has determined that the FDIC policy requirement that an insured depository institution file a Section 19 application on Applicant's behalf should be waived.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that Applicant, as an individual, shall be permitted to file the Section 19 application submitted without requiring that an insured institution file an application on Applicant's behalf; and

IT IS FURTHER ORDERED, that Applicant's Section 19 application for consent to participate directly or indirectly in the conduct of the affairs of any insured depository institution is hereby APPROVED, provided that prior to serving, Applicant discloses to his employer the FDIC's approval of Applicant's Section 19 application by providing a copy of this ORDER GRANTING PERMISSION TO FILE APPLICATION AND APPROVING APPLICATION FOR CONSENT TO PARTICIPATE IN THE CONDUCT OF THE AFFAIRS OF ANY INSURED DEPOSITORY INSTITUTION; and

IT IS FURTHER ORDERED, that Applicant be covered by a fidelity bond to the same extent as others in similar positions at his employer; and

IT IS FURTHER ORDERED, that the permission and approval granted by this ORDER shall apply only to the offense described in paragraphs 1 and 2.

