

ORDER NO. 2023-016

IN THE MATTER OF:	§	BEFORE THE BANKING
	§	
SALLIE MARIE PERRY	§	COMMISSIONER OF TEXAS
aka SALLIE LAZZARO	§	
	§	
ARLINGTON, TEXAS	§	AUSTIN, TRAVIS COUNTY, TEXAS

ORDER PROHIBITING FURTHER PARTICIPATION

On this day, the matter of Sallie Marie Perry aka Sallie Lazzaro of Arlington, Texas (Respondent) was submitted to me, Charles G. Cooper, Banking Commissioner of the State of Texas (Commissioner), for consideration and action.

I. Findings of Fact

A. *Jurisdiction*

1. Respondent is a former employee of Comerica Bank (Bank). Respondent held the position of vault teller in the Bank's branch located at 1717 Main Street, Dallas, Texas until her termination from the Bank on June 14, 2021.
2. The Bank is chartered by the State of Texas under charter number 3187-26.
3. The Bank and Respondent are, and at all times pertinent to the allegations in this proceeding were, subject to the provision of the Texas Banking Act (Banking Act), Texas Finance Code (Finance Code) Title 3, Subtitle A.
4. The Texas Department of Banking (Department) is authorized to bring this enforcement action pursuant to Finance Code § 35.0035.

B. *Conviction and Sentencing*

1. On November 3, 2022, Respondent pled guilty in the United States District Court for the Northern District of Texas (Court) to a felony violation of Title 18, United States Code, § 656, that is, Theft by Bank Employee.

2. On March 31, 2023, Respondent was sentenced to imprisonment for a term of 15 months and supervised release for four years, and was ordered to pay restitution in the amount of \$265,508.51. The Court did not order Respondent to pay a fine or costs of incarceration because it found that she did not have the financial resources or future earning capacity to pay a fine or costs of incarceration.

II. Conclusions of Law

1. The Commissioner has considered the matter and determines that the statutory requirements for the issuance of a prohibition order as set forth in Finance Code § 35.0035 have been met.
2. The Commissioner has determined that:
 - a. Respondent has been finally convicted of a felony offense involving a bank, dishonesty, or breach of trust;
 - b. Respondent's conviction is not subject to appellate review; and
 - c. Respondent has been sentenced to a term of 15 months, supervised release for four years, and ordered to pay restitution in the amount of \$265,508.51.

III. Order of Prohibition

It is, therefore, ORDERED, ADJUDGED and DECREED that, pursuant to *Texas Finance Code* §§ 35.0035 and 35.007, without prior approval of the Banking Commissioner, SALLIE MARIE PERRY aka SALLIE LAZZARO may not:

1. serve as a director, officer, or employee of a state bank, holding company of a state bank, or state trust company, or as a director, officer, or employee with financial responsibility of any other entity chartered, registered, permitted, or licensed by the Banking Commissioner under the laws of this state;

2. directly or indirectly participate in any manner in the management of such entity or in the conduct of their affairs;
3. directly or indirectly vote for a director of such an entity; or solicit, procure, transfer, attempt to transfer, vote, or attempt to vote any proxy, consent, or authorization with respect to voting rights in such an entity.

EFFECTIVE DATE

This Order against Respondent SALLIE MARIE PERRY aka SALLIE LAZZARO is effective immediately upon service and will remain effective and in force except in the event that, and until such time as, the provisions in regard to prohibition shall have been modified, terminated, suspended, or set aside in accordance with Finance Code §§ 35.0035 and 35.0071.

Not later than the thirtieth day after service of this Order, Respondent may request in writing a hearing before the Commissioner to show that Respondent's continued service to a state bank or participation in the affairs of a state bank does not, or is unlikely to, threaten the interests of the depositors, creditors, or shareholders of the entity or the public confidence in the state bank. After such hearing, the Commissioner may affirm, modify, or set aside, in whole or in part, the order. An order affirming or modifying the order is immediately final for purposes of enforcement and appeal.

It is so ORDERED.

Signed on this 23 day of May, 2023.

/s/ Charles G. Cooper
Charles G. Cooper
Banking Commissioner of the State of Texas

CERTIFICATE OF SERVICE

This Order is served on SALLIE MARIE PERRY aka SALLIE LAZZARO as follows: By first-class mail and by certified mail, return receipt requested, sent on May 23, 2023, to:

Sallie Marie Perry
Register Number: #33816-510
Carswell FMC
Naval Air Station
J St BLDG 3000
Fort Worth, Texas 76127
CMRRR#: 7021 1970 0000 4441 9249

/s/ Catherine Reyer
Catherine Reyer
General Counsel
Texas Department of Banking