

Order No. 2024-038

IN THE MATTER OF:

§ BEFORE THE BANKING

ELIJAH ADAM VEGA

**§
§
§ COMMISSIONER OF TEXAS**

SAN ANTONIO, TEXAS

**§
§
§ AUSTIN, TRAVIS COUNTY, TEXAS**

ORDER PROHIBITING FURTHER PARTICIPATION

On this day, the matter of Elijah Adam Vega of San Antonio, 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 First State Bank (“Bank”), San Angelo, Texas, which is chartered by the State of Texas under license number 599-11.

2. The Texas Department of Banking (“Department”) is the appropriate state banking agency to bring this enforcement action pursuant to *Texas Finance Code* (“Finance Code”) §35.035, and the Commissioner has jurisdiction over Respondent and the subject matter of this proceeding.

3. The Bank and Respondent are, and at all times pertinent to the allegations in this proceeding were, subject to the provisions of the Texas Banking Act, Finance Code Title 3, Subtitle A.

B. Background

4. On January 24, 2017, the Respondent began working for the Bank, located at 402 Smith Boulevard, San Angelo, Texas 76905, as a teller until his resignation from the Bank on April 25, 2022.

5. On April 22, 2022, the Bank's internal auditor and teller supervisor audited the Respondent's drawer and discovered it was short by \$15,100. The Respondent met with the Bank's president and admitted that about a year prior his drawer was short \$10,000, so he force-balanced the drawer to hide the loss. He made a cash-out ticket as if he had sold that amount to the vault, printed his teller balance sheet to match the cash in the drawer, then voided the cash-out ticket so that the vault would not show as out of balance. As a result of Respondent's actions, the Bank suffered a financial loss of \$15,100.

C. Pre-Trial Intervention Program and Restitution

6. Respondent was charged with Theft of Property greater than \$2,500 in the 340th District Court of Tom Green County, Texas. On August 2, 2023, Respondent voluntarily agreed to participate in a pre-trial intervention program and voluntarily waived his rights under Article 102.012, Texas Code of Criminal Procedure and Section 76.011, Government Code.

7. On August 7, 2023, Respondent fully repaid restitution in the amount of \$15,300 as ordered by the pre-trial intervention agreement. All previously set court dates were cancelled and no subsequent violations were found.

II. Conclusions of Law

8. 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.

9. The Commissioner determines that:
 - a. Respondent has been finally convicted of a felony offense involving a bank, dishonesty, and a breach of trust;
 - b. The pre-trial intervention program satisfies the Finance Code's requirement that the Respondent is considered finally convicted of a felony before a prohibition order is issued;
 - c. Respondent's case is not subject to Appellate Review; and
 - b. Respondent has fully repaid restitution to the Bank in the amount of \$15,300.

15. The Commissioner further determines that such violations of law or regulations, and/or breaches of fiduciary duty demonstrate that Respondent is unfit to serve as a director, officer, or employee of a state bank, state bank holding company, or state trust company, among other positions to which this Prohibition Order applies, or directly or indirectly participate in any matter in the management or affairs of such an entity. Accordingly, the entry of this Prohibition Order appears to be necessary and in the best interests of the public.

III. Order of Prohibition

It is, therefore, ORDERED, ADJUDGED and DECREED that, pursuant to Finance Code §§ 35.0035 and 35.007, ELIJAH ADAM VEGA may not:

- a. 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; or

- b. directly or indirectly participate in any manner in the affairs of such entity or in the conduct of their affairs;
- c. directly or indirectly vote for a director of such an entity; or
- d. 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.

IV. Effective Date

This Prohibition Order against Respondent ELIJAH ADAM VEGA is effective immediately upon service and will remain effective and in force except in the event that, and until such time as, this Order shall have been stayed, terminated, modified, 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 banking 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 state bank or the public confidence in the state bank. After such hearing, the banking 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.

So ORDERED this 14th day of November 2024.

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

CERTIFICATE OF SERVICE

On November 14, 2024, pursuant to Texas Finance Code § 35.0035, this *Order Prohibiting Further Participation* was provided to Process to Process Deliveries for the purpose of serving the *Order Prohibiting Further Participation* via personal delivery on the following Respondent:

Elijah Adam Vega
107 Talavera Parkway APT 515
San Antonio, Texas 78232-1052

/s/ Shanice Pommells
Shanice Pommells
Assistant General Counsel
Texas Department of Banking