



Charles G. Cooper
Commissioner

TEXAS DEPARTMENT OF BANKING

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PRESS RELEASE

Date: September 15, 2016

Department of Banking Issues Emergency Cease and Desist Orders to Lamesa Memorial Park, LLC doing business as Lamesa Memorial Park

On September 13, 2016, Texas Banking Commissioner Charles G. Cooper issued two Emergency Cease and Desist Orders to Lamesa Memorial Park, LLC dba Lamesa Memorial Park; its owner Devin Lee Avant; its owner Jose Eleno Morales, Jr.; Brenda Avant; and Michelle Vela. The first order concerns the operation of the cemetery. The cemetery failed to renew its certificate of authority and violated other provisions of the Texas Health and Safety Code. The order requires the cemetery to immediately cease selling any new cemetery spaces or memorials. The cemetery may perform burials for persons who owned plots in the cemetery as of September 13, 2016, or other persons as approved by the Commissioner. The cemetery may set markers that have been fully paid for. The cemetery must continue to maintain the property and grounds.

The second order concerns the cemetery's holding of prepaid funeral benefits contracts. Due to the cemetery's failure to file a required report under Chapter 154 of the Finance Code and in order to secure the records for these contracts, the Commissioner cancelled the cemetery's permit allowing it to hold and administer prepaid funeral benefits contracts. The Department is seizing all records and funds related to those contracts. The Orders can be viewed on the Department's website.

The full text of the [Emergency Orders](#) can be viewed on the Department's website.

Inquiries regarding this matter should be directed to:

Texas Department of Banking
Special Audits Division
2601 N. Lamar Blvd.
Austin, Texas 78705-4294

Toll-free (877) 276-5554, at the menu prompt select "3" for Inquiries/Complaints, at the next prompt select "6" for Funeral Contracts/Cemeteries or directly (512) 475-1285.