

**UNITED STATES OF AMERICA  
NATIONAL CREDIT UNION ADMINISTRATION  
NATIONAL CREDIT UNION ADMINISTRATION BOARD**

IN THE MATTER OF	)	
	)	
Susan Ellis Kirkpatrick	)	
Former Assistant Manager	)	Docket No. 04-0301-IV
Houston Belt & Terminal FCU	)	
Houston, Texas	)	

**ORDER OF PROHIBITION**

Pursuant to Section 206(i)(1)(C) of the Federal Credit Union Act, 12 U.S.C. § 1786(i)(1)(C), you are hereby notified that you are prohibited from participating in any manner in the affairs of any federally insured credit union. This prohibition is effective immediately upon service. In accordance with Section 206(g)(7)(A) of the Federal Credit Union Act, 12 U.S.C. § 1786(g)(7)(A), this Order shall constitute a prohibition from further participation in any manner in the affairs of any federally insured financial institution, or other entity identified therein, without the written permission of the appropriate federal regulatory agency. This Order has been issued based upon the following information:

On August 19, 2003, you appeared before the Honorable Judge Rains in the 176<sup>th</sup> District Court of Harris County, Texas and pled guilty to the felonious charge of theft. In connection with your plea of guilty, you were committed to the custody of the Texas Department of Corrections and sentenced to serve a term of 5 years, and ordered to pay restitution in the amount of \$35,677.99. Attached and incorporated by reference is a certified copy of the judgment in criminal case number 945241.

Your conviction for theft resulted from dishonest acts perpetrated by you against the Houston Belt & Terminal FCU. Due to the circumstances and nature of the offense to which you pled guilty, your continued participation in the affairs of any federally insured credit union may pose a threat to the interests of credit union members and threaten to impair public confidence in the credit union involved.

## **NOTICE OF HEARING**

Pursuant to Section 206(i)(3), of the Federal Credit Union Act, 12 U.S.C. § 1786(i)(3), you may request in writing, within thirty days of service of this Order, an opportunity for a hearing at which you may present evidence and argument that your continued participation in the affairs of any federally insured credit union would not, or would not be likely to, pose a threat to the interests of that credit union's members or threaten to impair public confidence in the credit union. Pursuant to 12 C.F.R. § 747.306, your request must state with particularity the relief desired, the grounds, and must include supporting evidence.

Any such request should be sent to: Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, with a copy sent to Associate General Counsel Allan Meltzer at the same address. This hearing will be held in the Washington, D.C. metropolitan area, or such other place as designated by the Board, in accordance with Subpart D of Part 747 of the National Credit Union Administration's Rules and Regulations, 12 C.F.R. § 747.301 *et seq.*

Should you request a hearing it will commence 30 days after receipt of your request. The procedure to be followed is contained in 12 C.F.R. § 747.307. You may appear at the hearing personally, through counsel, or personally with counsel. The proceedings will be recorded and you will be entitled to a transcript after payment of the costs thereof. Witnesses may be called at the discretion of the NCUA Board. If witnesses are permitted, both parties will have the ability to cross-examine those witnesses. The Presiding Officer of the hearing will make his or her recommendations to the NCUA Board, where possible, within ten business days following the close of the record.

## **PENALTY FOR VIOLATION OF ORDER OF PROHIBITION**

Pursuant to Section 206(k)(2) of the Federal Credit Union Act, 12 U.S.C. § 1786(k)(2), any violation of this Order may subject you to a civil money penalty. In addition, pursuant to Section 206(I) of the Federal Credit Union Act, 12 U.S.C. § 1786(I),

any violation of this Order is a felony offense that is punishable by imprisonment of up to five years and a fine of up to \$1,000,000.

**National Credit Union Administration**

By  /S/ \_\_\_\_\_ Date  3-17-04 \_\_\_\_\_

Jane A. Walters, Regional Director, Region IV  
National Credit Union Administration