

**STATE OF NEW HAMPSHIRE
BANKING DEPARTMENT**

In The Matter of: Frank Coffey
(a/k/a Frank Coffey Inc, and d/b/a Frank Coffey Auto & Truck Sales [frankcoffeyauto.com]),
Respondent
Case No. 09-206

NOLLE PROSEQUI

Now comes the State of New Hampshire Bank Commissioner entering a nolle prosequi on all allegations in the Order to Show Cause and Cease and Desist in the above-captioned matter.

The Department issued an Order to Show Cause and Cease and Desist against the Respondent Frank Coffey (a/k/a Frank Coffey, Inc and d/b/a Frank Coffey Auto & Truck Sales [frankcoffeyauto.com]) (“Respondent”) on September 30, 2011. The Respondent requested a hearing and a hearing was held on January 5, 2012. On June 4, 2012, the Presiding Officer issued an Administrative Hearing Decision (“Order”) staying the administrative fine until such time as he issues a decision on a motion for rehearing, if such motion for rehearing is filed.

On July 3, 2012, Respondent timely filed a Motion for Rehearing and the Presiding Officer stayed the Order. The Presiding Officer did not issue any additional orders and the stay currently remains in effect.

The Department is exercising its authority to enter a *nolle prosequi* as a prosecuting officer acting in the name of the State of New Hampshire to enter a *nolle prosequi* in this matter. *See In Re Stephen O. Dell, M.D.*, 140 N.H. 484, 489 (1995); *State v. Smith*, 49 N.H. 155, 157 (1870).

Accordingly, Order to Show Cause and Cease and Desist in the above-captioned matter is discharged and the matter is no longer pending. *See State v. Coolidge*, 109 N.H. 426, 427 (1969).

SO ORDERED.

_____/s/_____
Gerald H. Little
Bank Commissioner
New Hampshire Banking Department

05/23/17
Date

CERTIFICATE OF SERVICE

I, Michele Kelleher, hereby certify that on May 24, 2017, a true and correct copy of this Nolle Prosequi (Docket #09-206) was sent to the following parties:

VIA CERTIFIED MAIL:

Mr. Frank Coffey
293 Elm Street
Milford NH 03055

VIA HAND DELIVERY:

Presiding Officer
c/o Ms. Doreen Sheppard, Paralegal
New Hampshire Banking Department
53 Regional Drive, Suite 200
Concord NH 03301

/s/

Michele Kelleher
Paralegal, Legal Division
State of New Hampshire Banking Department