

**UNITED STATES OF AMERICA  
DEPARTMENT OF THE TREASURY  
OFFICE OF THE COMPTROLLER OF THE CURRENCY**

In the Matter of: )  
 )  
Daniel R. Garrett )  
Former Teller ) OCC AA-EC-09-29  
 )  
UMB Bank, N.A. )  
Kansas City, Missouri )

**DECISION AND ORDER ON ENTRY OF DEFAULT**

This matter is before the Comptroller of the Currency (“Comptroller” or “OCC”) on the recommendation of the Administrative Law Judge (“ALJ”) for entry of default against Daniel R. Garrett (“Respondent”), a former teller of UMB Bank, N.A. A Notice of Intention to Prohibit Further Participation (“Notice”), issued by the OCC pursuant to section 8 (e) of the Federal Deposit Insurance Act (“Act”), 12 U.S.C. §1818(e), seeks an order prohibiting Respondent from further participation in the financial services industry. Upon consideration of the pleadings, the ALJ’s Recommended Decision and the entire record, the Comptroller concludes that Respondent is in default and orders that Respondent is prohibited from any further participation in the conduct of the affairs of any institution or entity set forth in 12 U.S.C. §1818(e).

**I. Factual Summary and Procedural History**

The uncontested facts giving rise to this decision are described in detail in the ALJ’s Recommended Decision. Briefly, Respondent, who was employed as a teller at UMB Bank branch in Columbia, Missouri, took approximately \$20,500 from his teller cash drawer for his personal use. To conceal his actions, he made false entries on the bank’s general ledger. Upon discovery, Respondent admitted, on or about November 22, 2006, that he took bank funds from

his teller drawer without authorization and for his personal use. Subsequently, Respondent made restitution to the bank, and the bank terminated his employment.

The Notice initiating this proceeding was personally served on Respondent on May 18, 2009, at his home address. When Respondent failed to file an answer or request a hearing, Enforcement Counsel moved for entry of default under 12 C.F.R. § 19.19(c)(1), and the ALJ issued an Order to Show Cause directing Respondent to appear and show good cause why the default motion should not be granted. Respondent failed to respond to either the default motion or the ALJ's Show Cause Order, whereupon the ALJ granted Enforcement Counsel's motion and recommended that the Comptroller enter a final order containing the findings and relief sought in the Notice.

## **II. Decision**

The Comptroller agrees with the ALJ that Respondent is in default. Further, the Comptroller adopts the ALJ's Findings of Fact and his Conclusions of Law. Under the latter, Respondent engaged in unsafe or unsound practices in conducting the affairs of the bank. By reason of such practices, the bank suffered financial loss and Respondent received financial gain. Such practices involved personal dishonesty and/or a willful or continuing disregard for the bank's safety or soundness.

## **III. Order**

1. The Respondent, Daniel R. Garrett, is hereby, without the prior written approval of the appropriate Federal financial institution regulatory agency, as that term is defined in section 8(e)(7)(D) of the Act, 12 U.S.C. § 1818(e)(7)(D), prohibited from:

a) participating in any manner in the conduct of the affairs of any insured depository institution, agency, or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

b) soliciting, procuring, transferring, attempting to transfer, voting, or attempting to vote any proxy, consent, or authorization with respect to any voting rights in any financial institution enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. § 1818(e)(7)(A);

c) violating any voting agreement previously approved by the appropriate Federal banking agency; or

d) voting for a director, or serving as an officer, director, or employee, of any financial institution or organization enumerated in section 8(e)(7)(A) of the Act, 12 U.S.C. §1818(e)(7)(A).

2. This Order will become effective upon issuance. The provisions of this Order will remain effective and enforceable except to the extent that, and until such time as, any provisions are modified, terminated, suspended, or set aside by the Comptroller of the Currency.

SO ORDERED.

Dated: 7/9/10

\s\John C. Dugan  
John C. Dugan  
Comptroller of the Currency