

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

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In the Matter of	)	
	)	
THE FIRST STATE BANK	)	ORDER TO PAY
HUNTSVILLE, TEXAS	)	
	)	FDIC-10-573k
(INSURED STATE NONMEMBER BANK)	)	
_____	)	

The First State Bank, Huntsville, Texas (Bank), having been advised of a Notice of Assessment of Civil Money Penalty, Findings of Fact and Conclusions of Law, Order to Pay, and Notice of Hearing under 12 U.S.C. § 1818(i)(2) detailing the violations of law and regulation alleged to have been committed by the Bank and of its right to a hearing with respect to the foregoing, and having waived those rights, entered into a STIPULATION AND CONSENT TO THE ISSUANCE OF AN ORDER TO PAY (CONSENT AGREEMENT) with counsel for the Federal Deposit Insurance Corporation (FDIC) dated August 23, 2010, whereby, solely for the purpose of this proceeding and without admitting or denying any violations of law or regulation, the Bank, consented to the issuance of an ORDER TO PAY (ORDER) by the FDIC.

The FDIC considered the matter and determined that it has reason to believe that the Bank violated Section 8 of the Real Estate Settlement Procedures Act, 12 U.S.C. § 2607, and its implementing regulation, Regulation X of the Department of Housing and Urban Development, 24 C.F.R. Pt. 3500, by receiving unearned payments as part of a business arrangement with an unaffiliated bank. The FDIC, therefore, accepts the CONSENT AGREEMENT and issues the following:

ORDER TO PAY

IT IS ORDERED THAT, by reason of the alleged violations of law and regulation, and after taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of the Bank, the gravity of the conduct of the Bank, the history of previous conduct by the Bank, and such other matters as justice may require, pursuant to 12 U.S.C. § 1818(i)(2), a civil money penalty of **\$58,900.00** is assessed against the Bank.

The Bank shall pay the civil money penalty to the Treasury of the United States. The Bank shall pay such civil money penalty itself and is prohibited from seeking or accepting indemnification for such payment from any third party.

MISCELLANEOUS

The provisions of this ORDER shall not bar, estop, or otherwise prevent the FDIC or any other federal or state agency or department from taking any other action or seeking further remedies against the Bank or any of the Bank's current or former institution-affiliated parties or agents. The provisions of this ORDER apply to the Bank's successors and assigns.

This ORDER shall become effective upon its issuance by the FDIC. The provisions of this ORDER shall remain effective and enforceable except to the extent that, and until such time as, any provisions of this ORDER shall have been modified, terminated, suspended, or set aside by the FDIC.

Pursuant to delegated authority.

Dated at Washington, DC this 26th day of October, 2010.

/s/
Sylvia Plunkett
Associate Director
Division of Supervision and Consumer Protection