BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
JAN 16 2008
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM HOLLAND, Insurance Commissioner, Petitioner, v. AMERICAN CONTRACTORS INDEMNITY COMPANY, a licensed Surety in the State of Oklahoma, and TERRY HORTON, a licensed Bail Bondsman in the State of Oklahoma, Respondents.	)	Case No. 07-1348-DIS

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and the Respondent Terry Horton and enter into this Consent Order.

JURISDICTION

1. That the Insurance Commissioner has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§ 1301-1340.

2. That Respondent Terry Horton is a licensed bail bondsman in the State of Oklahoma holding license number 800591/199282.

3. That Respondent Terry Horton has been apprised of his rights including the right to a public hearing and has knowingly and freely waived said rights and enters into this Consent Order as a voluntary settlement to the issues and questions raised in the above captioned case.

STIPULATIONS OF FACT

1. On or about February 26, 2007, an appearance bond was issued as follows:

DEFENDANT:	Sheldon Stephenson
CASE NUMBER:	CF-2007-1216, Counts I &II
CITY/COUNTY:	Tulsa County
BAIL BONDSMAN:	Terry Horton
INSURER:	American Contractors Indemnity Company
POWER NUMBER:	A2-2053233 & A2-2053232
BOND AMOUNT:	$1,000.00 & $100.00

2. On or about June 25, 2007, the bond forfeiture was forfeited and an Order and Judgment of Forfeiture was issued.

3. The Defendant was not returned to custody within ninety (90) days nor were the forfeitures paid within ninety-one (91) days.

4. The forfeiture was untimely paid on October 2, 2007.

5. Respondent Terry Horton failed to report the same amount of premium on his monthly surety report as he listed on the appearance bond.

CONCLUSIONS OF LAW

1. Respondent Terry Horton has violated OKLA. STAT. tit. 59, § 1332(D) by failing to deposit cash or other valuable securities in the face amount of the bond with the Court Clerk ninety-one (91) days from receipt or mailing of the Order and Judgment of Forfeiture from the Court Clerk.

2. Respondent Terry Horton has violated OKLA. STAT. tit. 59, § 1310(A)(2) and OKLA. ADMIN. CODE 365:25-5-36.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by the Respondent Terry Horton that he shall be and hereby is **censured.**

WITNESS My Hand and Official Seal this 16 day of June, 2008

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

LESLIE L. CONNER, JR.
Hearing Examiner
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408

APPROVED:

SANDRA G. LAVENUE
Assistant General Counsel

TERRY HORTON
Respondent

CERTIFICATE OF MAILING

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed postage prepaid on this 17 day of Jan, 2008, to:

Terry Horton
5408 E. 11th Street
Tulsa, Oklahoma 74112-4302

Sally Howe Smith
Tulsa County Court Clerk
500 S. Denver
Tulsa, Oklahoma 74103

and that a copy was delivered to:

Robert Noll, Director
Bail Bond Division

SANDRA LAVENUE
Assistant General Counsel