

FINDINGS OF FACT

1. That on or about December 17, 2007, Petitioner, through her attorney, caused to be mailed a *Notice of Hearing and Order to Show Cause* to Respondent at his last known address of record.

2. That the *Notice of Hearing and Order to Show Cause* each contained statements of jurisdiction, allegations of fact, alleged violations of law and an order setting each the proceedings for January 30, 2008, at 9:30 a.m. at the office of the Insurance Commissioner, 2401 N.W. 23rd Street, Suite 28, Oklahoma City, Oklahoma 73107.

3. That the Insurance Commissioner appointed Leamon Freeman to hear the case as the independent Hearing Examiner and he entered these findings and conclusions.

4. The Hearing was recorded electronically by employees of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

5. Respondent received said Notice on December 18, 2007 as per the PS Form 3811, article number 7006 0810 0002 6162 9868 with this signature.

6. Respondent failed to appear when his name was called.

7. Due to Respondent's failure to appear, he is found in default. As a result, the Allegations of Fact as listed in the December 17, 2007, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. It is as follows:

a. Respondent failed to timely file his June 2007 American Surety Company monthly report by July 16, 2007.

b. Said report was postmarked on July 17, 2007, and received by Petitioner on July 18, 2007.

8. Respondent's actions in failing to timely file his June 2007 American Surety Company monthly report by July 16, 2007 is a violation of OKLA. STAT. tit. 59, § 1310(A)(22), 1314(B), and OKLA. ADMIN. CODE. 365:25-5-36.

CONCLUSIONS OF LAW

1. These proceedings were commenced in accordance with and conducted pursuant to the applicable provisions of the Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§ 250-323, as amended, and the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§ 1301-1340 as amended.

2. The Commissioner has jurisdiction to conduct this hearing as the Respondent is a licensed bail bondsman pursuant to OKLA. STAT. tit. 59, §§ 1301-1340, as amended.

3. The Respondent was provided lawful service and adequate notice of the time and place of the hearing and was sufficiently advised of the allegations against him as required by OKLA. STAT. tit. 75, § 309, as amended and OKLA. STAT. tit. 59, § 1311, as amended.

4. The Independent Hearing Examiner was properly and legally appointed pursuant to OKLA. STAT. tit. 59, § 1311.1(B).

5. Due to Respondent's failure to appear, he is found in default. As a result, the Alleged Violation of Law as listed in the December 17, 2007, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. It is as follows:

a. Respondent has violated OKLA. STAT. tit. 59, § 1310(A)(22), 1314(B), and OKLA. ADMIN. CODE 365:25-5-36 by failing to timely file his June 2007 American Surety Company monthly report.

6. The conduct of Respondent in his failure to timely file his June 2007 American

Surety Company monthly report is a violation of OKLA. STAT. tit. 59, § 1310(A)(22), 1314(B), and OKLA. ADMIN. CODE 365:25-5-36.

ORDER

1. IT IS THEREFORE ORDERED that Respondent is fined in the amount of **One Hundred and No/100 Dollars (\$100.00)**.

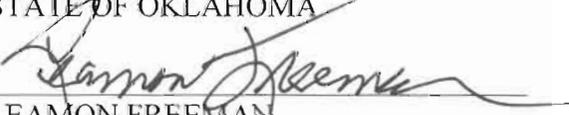
2. IT IS FURTHER ORDERED that Respondent is assessed costs in the amount of **Fifty and No/100 Dollars (\$50.00)**.

3. IT IS FURTHER ORDERED that Respondent has thirty (30) days from the date of the hearing to pay the fine and costs imposed. If Respondent fails to pay said costs by February 29, 2008, his license will immediately and without further notice be suspended. Said suspension will remain in effect until the fine and costs are paid in full.

WITNESS My Hand and Official Seal this 6th day of February, 2008.



KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


LEAMON FREEMAN
Hearing Examiner
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408
(405) 521-2746

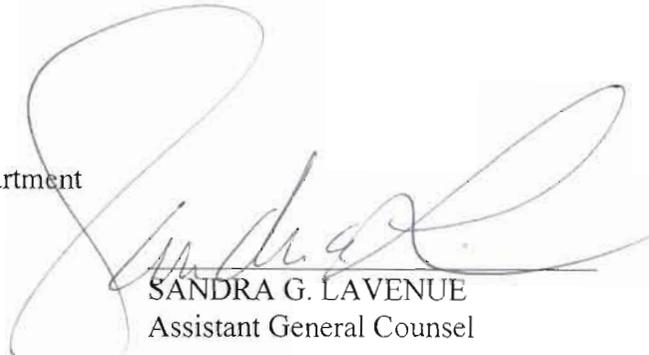
CERTIFICATE OF MAILING

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed postage prepaid with return receipt requested on this 10th day of February, 2008, to:

Bill Owen
Post Office Box 580854
Tulsa, Oklahoma 74158

and that a copy was delivered to:

Oklahoma Insurance Department
Bail Bond Division



SANDRA G. LAVENUE
Assistant General Counsel