

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

State of OKLAHOMA, ex rel. KIM HOLLAND,)
Insurance Commissioner,)
Petitioner,)
v.) Case No. 07-1508-DIS
BILLY J.R. HUTSON, a licensed Bail Bondsman)
in the State of Oklahoma,)
Respondent.)



ADMINISTRATIVE ORDER

ON THE 30th day of January, 2008, the above numbered and entitled cause came on for hearing and was concluded on the same date. The Insurance Commissioner, Kim Holland, was represented by her attorney, Sandra G. LaVenue. Respondent appeared in person and without counsel after having been mailed a copy of the Notice of Hearing and Order to Show Cause by certified mail with return receipt requested to the last known address as provided by Respondent to the Insurance Commissioner pursuant to the Oklahoma Bail Bond Code, OKLA. STAT. tit. 59, §§1301-1340, and the Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§250-323.

The Hearing Examiner, having been fully advised in the premises, finds by clear and convincing evidence as follows:

JURISDICTION AND AUTHORITY

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. Respondent is a licensed bail bondsman in the State of Oklahoma holding license number 800850/123078.

STIPULATIONS OF FACT

1. That on or about December 14, 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 on or about January 14, 2008, Petitioner issued an *Amended Notice of Hearing and Order to Show Cause*. Said Notice contained statements of jurisdiction, allegations of fact, a alleged violations of law and an order setting the proceeding for January 30, 2008, at 9:30 o'clock a.m. at the office of the Insurance Commissioner, 2401 N.W. 23rd Street, Suite, 28, Oklahoma City, Oklahoma 73107.

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

5. Neither party offered any exhibits.

6. That both parties agreed to stipulate to the following:

a. Respondent failed to file his September 2007 monthly cash report and his September 2007 monthly professional report by October 15, 2007.

b. Said reports were received by Petitioner on November 19, 2007.

c. Respondent failed to file his November 2007 monthly cash report and his November 2007 monthly professional report by December 21, 2007.

d. Said reports were received by Petitioner on January 17, 2008.

CONCLUSIONS OF LAW

1. Respondent has violated OKLA. STAT. tit. 59, § 1310(A)(22), 1314(B), and OKLA.

ADMIN. CODE 365:25-5-36 twice (2) by failing to timely file his September 2007 and his November 2007 monthly cash reports and monthly professional reports.

ORDER

1. IT IS THEREFORE ORDERED BY THE INSURANCE COMMISSIONER that Respondent is hereby fined in the amount of Four Hundred and No/100 Dollars (\$400.00).

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

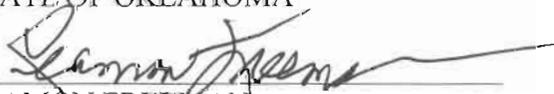
3. Respondent is to forward payment of One Hundred and No/100 Dollars (\$100.00) to Petitioner's Legal Division by the 15th of each month. The first payment will be due on February 15, 2008, the second payment will be due on March 17, 2008, the third payment is due April 15, 2008, and the final payment of One Hundred Fifty and No/100 Dollars (\$150.00) is due May 15, 2008.

4. If Respondent fails to pay the fine and costs in full by May 15, 2008, his license will be suspended and will remain 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 16th day of February, 2008, to:

Billy J.R. Hutson
Post Office Box 1074
Sulphur, Oklahoma 73086-8071

and that a copy was delivered to:

Robert Noll, Director
Bail Bond Division



SANDRA G. LAVENUE
Assistant General Counsel