

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. Pletcher is a licensed surety in the State of Oklahoma holding license number 800476/199574.

3. Sumner is a licensed bail bondsman in the State of Oklahoma holding license number 800676/200280

STIPULATIONS OF FACT

1. That on or about February 6, 2008, Petitioner, through her attorney, caused to be mailed a *Notice of Hearing and Order to Show Cause* to Respondents at their 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 February 20, 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. The February 6, 2008, *Notice of Hearing and Order to Show Cause* was mailed to Sumner by certified mail return receipt requested, article number 7001 0320 0004 0178 8704, to her address of record, 12 E. Main Street, Suite A, Shawnee, Oklahoma 74801-6981. The item was returned to Petitioner on March 4, 2008 marked "Return to Sender, Unclaimed, Unable to Forward."

4. That on or about February 29, 2008, Petitioner, through her attorney, caused to be

mailed a *Continuance* to Respondents at their address of record. At Respondents' request, the matter was continued from February 20, 2008 to March 12, 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.

5. The February 29, 2008, *Continuance* was mailed to Sumner by regular mail and certified mail return receipt requested, article number 7001 0320 0004 017 9 0820, to her address of record, 12 E. Main Street, Suite A, Shawnee, Oklahoma 74801-6981. The PS Form 3811 had not been returned to Petitioner and Petitioner could not verify delivery via the United States Postal Service website. However, the regular mail was not returned to Petitioner.

6. That the Insurance Commissioner appointed Leslie L. Conner, Jr. to hear the case as the independent Hearing Examiner and he entered these findings and conclusions.

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

8. Pletcher appeared in person without counsel. Furthermore, Pletcher explained that he did not have an excuse for the forfeiture not being paid other than he relied on his agent and she did not timely act on the forfeiture. However, once Pletcher was made aware of the forfeiture from the Petitioner's office, he paid the forfeiture on the same day.

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 Respondents are

licensed bail bondsmen pursuant to OKLA. STAT. tit. 59, §§ 1301-1340, as amended.

3. Pletcher 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. Petitioner failed to prove good service upon Sumner. No PS Form 3811 was returned and no information was provided to the Hearing Examiner reflecting Sumer refused the items or that they were returned unclaimed.

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

6. Pletcher's actions in 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 is a violation of OKLA. STAT. tit. 59, § 1332.

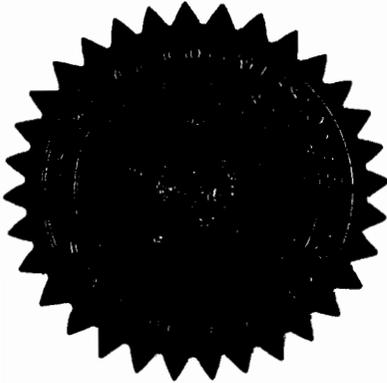
ORDER

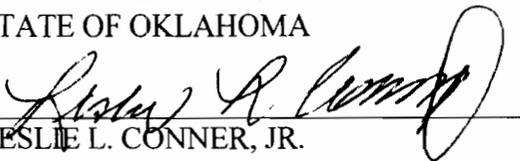
IT IS THEREFORE ORDERED by the Insurance Commissioner that Pletcher is hereby fined in the amount of **One Hundred Fifty and No/100 Dollars (\$150.00)** and assessed costs in the amount of **Fifty and No/100 Dollars (\$50.00)**. Fine and costs are to be paid within thirty (30) days from the date of this Order. If the fine and costs are not paid within thirty days from the date of this Order, Pletcher's license will be suspended and will remain suspended until the fine and costs are paid in full.

IT IS FURTHER ORDERED by the Insurance Commissioner that this matter is continued to a date to be set certain regarding Sumner. In addition, Petitioner is ordered not to accept any new appointments to Sumner until this matter is resolved.

WITNESS My Hand and Official Seal this 27 day of March, 2008.

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA





LESLIE L. CONNER, JR.
Hearing Examiner
Post Office Box 53408
Oklahoma City, Oklahoma 73152-3408
(405) 521-2746

CERTIFICATE OF MAILING

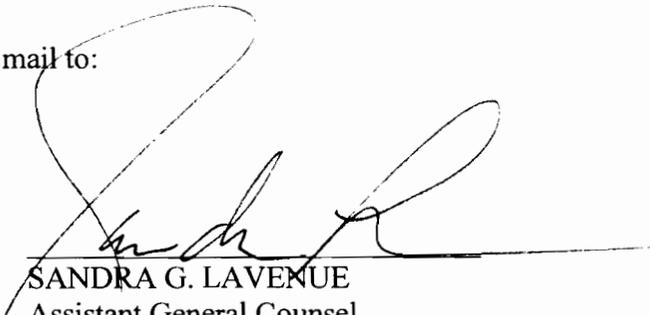
I, Sandra G. LaVenu, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed postage prepaid with return receipt requested on this 28 day of March, 2007, to:

Curtis Pletcher
Post Office Box 66
Springer, Oklahoma 73458-0066

Kristi Sumner
12 E. Main St., Suite A
Shawnee, Oklahoma 74801-6981

and that a copy was delivered via electronic mail to:

Robert H. Noll, Director
Bail Bond Division



SANDRA G. LAVENUE
Assistant General Counsel