BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 30 2008

INSURANCE COMMISSIONER
OKLAHOMA

STATE of OKLAHOMA, ex rel. KIM HOLLAND, Insurance Commissioner, Petitioner,	)	
v.	)	Case No. 08-0489-DIS
SENECA INSURANCE COMPANY, a licensed Surety in the State of Oklahoma, and BRUCE HANCOCK, a licensed Bail Bondsman in the State of Oklahoma, Respondents.	)	

ADMINISTRATIVE ORDER

ON THE 9th day of July, 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 Bruce Hancock (hereafter Respondent) failed to appear and was not represented by 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 800290/199958.

FINDINGS OF FACT

1. That on or about June 20, 2008, Petitioner, through her attorney, caused to be mailed a *Amended 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 the proceedings for July 9, 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 June 20, 2008, *Amended Notice of Hearing and Order to Show Cause* was mailed to Respondent by certified mail, return receipt requested, article number 7001 0320 0004 4473 0579, and by regular mail. The PS Form 3811 was not returned to Petitioner. In addition, the regular mail has not been returned to Petitioner either. As a result, the Hearing Examiner found that service was proper.

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

6. Due to Respondent's failure to appear, the facts as listed in the June 20, 2008 *Amended Notice of Hearing and Order to Show Cause* are deemed true and correct. They are as follows:

A. On or about October 24, 2007, an appearance bond was issued as follows:

Defendant:	Delvin Conway
Case Number:	031619063

City/County:	Oklahoma City Municipal
Bondsman:	Bruce Hancock
Insurer:	Seneca Insurance Company
Power Number:	S10-01280052
Bond Amount:	$500.00

B. On or about December 5, 2007, the bond was forfeited and an Order and Judgment of Forfeiture was issued.

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

8. The forfeiture was untimely paid on June 13, 2008

9. Respondent'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.

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 June 20, 2008, *Notice of Hearing and Order to Show Cause* is deemed to be true and correct.

> A. Respondent 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.
> It is as follows

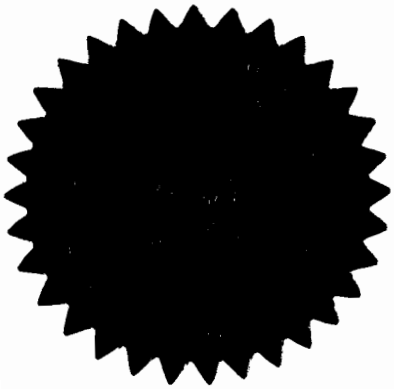
ORDER

1. IT IS THEREFORE ORDERED that Respondent's license is **suspended instanter**.

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

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

4. Fine and costs to be paid within thirty (30) days from receipt of this letter. The suspension of Respondent's license will not be lifted until the fine and costs assessed above are paid in full and until Respondent has complied with any and all obligations owed by Respondent to Petitioner.



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 30 day of July, 2008, to:

Bruce Hancock
4801 N. Classen, Suite 118
Oklahoma City, Oklahoma 73118

and that a copy was mailed to:

Oklahoma City Municipal Court Clerk
700 Couch Drive
Oklahoma City, Oklahoma 73102

and that a copy was delivered to:

Robert Noll, Director
Bail Bond Division

SANDRA G. LAVENUE
Assistant General Counsel