



## FINDINGS OF FACT

1. That on or about April 30, 2008, 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* contained statements of jurisdiction, allegations of fact, alleged violations of law and an order setting the proceedings for June 4, 2008, at 9:30 a.m. at the office of the Insurance Commissioner, 2401 N.W. 23<sup>rd</sup> Street, Suite 28, Oklahoma City, Oklahoma 73107.

3. 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.

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 failed to appear when his name was called.

6. Due to Respondent's failure to appear, he is found in default. As a result, the Allegations of Fact as listed in the April 30, 2008, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. They are as follows:

1. Respondent failed to file his February 2008 Accredited Surety & Casualty Company monthly surety report by March 17, 2008.

2. As of the date of this Notice, said report has not been filed.

7. Respondent's action in failing to timely file his February 2008 Accredited Surety & Casualty Company monthly surety report 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 them 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 April 30, 2008, *Notice of Hearing and Order to Show Cause* are deemed to be true and correct. It is as follows:

1. 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 February 2008 Accredited Surety & Casualty Company monthly surety report.

6. The conduct of Respondent in his failure to timely file his February 2008 Accredited Surety & Casualty Company monthly surety report is a violation of OKLA. STAT. tit. 59, § 1310(A)(22), 1314(B), and OKLA. ADMIN. CODE 365:25-5-36.

**ORDER**

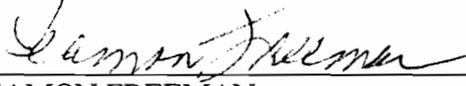
1. IT IS THEREFORE ORDERED that Respondent is hereby fined in the amount of One Hundred and No/100 Dollars (\$100.00).

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

3. The fine and costs are to be paid within thirty (30) days from receipt of this Order. If Respondent fails to pay the fine and costs within thirty (30) days, his license will be suspended and will remain suspended until the fine and costs are paid in full.



KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

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

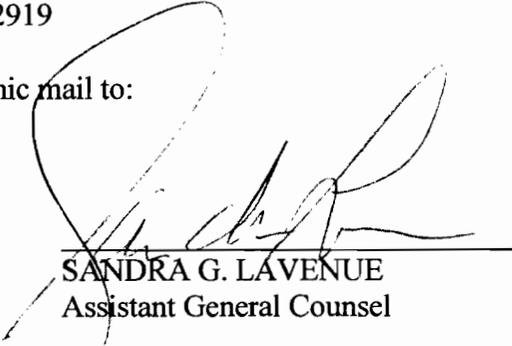
CERTIFICATE OF MAILING

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 7 day of July, 2008, to:

Darin McAfee  
609 W. 32<sup>nd</sup> Place  
Sand Springs, Oklahoma 74063-2919

and that a copy was delivered via electronic mail to:

Robert Noll, Director  
Bail Bond Division



SANDRA G. LAVENUE  
Assistant General Counsel