



result, her license expired on October 1, 2008.

### FINDINGS OF FACT

1. That on or about December 2, 2008, Petitioner, through her attorney, caused to be mailed a *Notice of Hearing and Order to Show Cause* to Respondent at her last known address of record.

2. That the December 2, 2008, *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 January 14, 2009, 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. The December 2, 2008, *Notice of Hearing and Order to Show Cause* was mailed to Respondent by certified mail, return receipt requested, article number 7006 2760 0005 6605 2071. In addition, the Notice was also mailed to Respondent via regular mail. The Notice was received by Respondent and signed for by Mike Duplissey on December 6, 2008.

4. That the Insurance Commissioner appointed Leamon Freeman 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. Due to Respondent's failure to appear for the hearing, she is found to be in default and as such, the Allegations of Fact as listed in the December 2, 2008 *Notice of Hearing and Order to Show Cause* are deemed true and correct. They are as follows:

a. Respondent failed to file her July 2008 monthly cash report and her July 2008 monthly simplified surety report by August 15, 2008. As of the date of this Notice, the reports have yet to be filed.

b. Respondent failed to file her August 2008 monthly cash report and her August 2008 monthly simplified surety report by September 15, 2008. As of the date of this Notice, the reports have yet to be filed.

9. Respondent failed to timely file her July 2008 monthly cash report, her July 2008 monthly simplified surety report, her August 2008 monthly cash report, and her August 2008 monthly simplified surety report. This is a violation of Okla. Stat. tit. 59, § 1314(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 bond pursuant to OKLA. STAT. tit. 59, §§ 1301-1340, as amended.

3. 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, she was found in default. As a result, the Alleged Violation of Law as listed in the December 2, 2008, *Notice of Hearing and Order to Show Cause* is deemed true and correct. Therefore, Respondent has violated OKLA. STAT. tit. 59, § 1314(A)(22), 1314(B) and OKLA. ADMIN. CODE 365:25-5-36 by failing to timely file her July 2008

monthly cash report, her July 2008 monthly simplified surety report, her August 2008 monthly cash report, and her August 2008 monthly simplified surety report.

**ORDER**

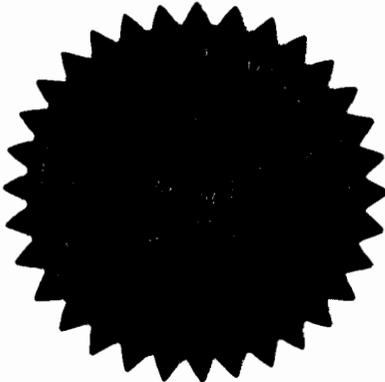
1. IT IS THEREFORE ORDERED that Respondent is fined in the amount of Two Hundred and No/100 Dollars (\$200.00).

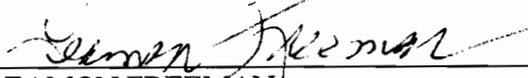
2. IT IS FURTHER ORDERED that Respondent is assessed costs in the amount of Fifty and No/100 Dollars (\$50.00).

3. Furthermore, the fine and costs assessed are to be paid before Respondent may submit a new or renewal application for any license that the Insurance Commissioner is authorized to issue.

WITNESS My Hand and Official Seal this 4<sup>th</sup> day of February 2009.

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, 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 4 day of Feb., 2009, to:

Danielle Duplissey  
23077 Shade Tree Lane  
Poteau, Oklahoma 74953-8101

and that a copy was delivered by electronic mail to:

Robert Noll, Director  
Bail Bond Division

  
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JOHN MAHONEY