

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

APR 27 2009

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, *ex rel.*)
KIM HOLLAND, Insurance Commissioner,)
)
Petitioner,)
)
vs.)
)
LYNN MILLER, formerly, a)
Licensed Bail Bondsman in the)
State of Oklahoma,)
Respondent.)

Case No. 09-0193-DIS

**ORDER OF CENSURE AND
NOTICE OF RIGHT TO HEARING**

COMES NOW the State of Oklahoma, ex rel., Kim Holland, Insurance Commissioner, by and through Assistant General Counsel John Mahoney and alleges and states as follows:

JURISDICTION

1. Kim Holland is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code 36 O.S. §§ 101-7004 and the Oklahoma Bail Bond Code 59 O. S. §§ 1301-1340.

2. Respondent, Lynn Miller (“Miller”) Miller was a licensed surety in the State of Oklahoma holding license number 200441, formerly 800530. Her license was suspended on August 14, 2008 and revoked on September 17, 2008 in case number 08-1205-DIS.

ALLEGATIONS OF FACT

1. On or about July 23, 2008, Miller posted a bond for Michael Andrews (“Andrews”) in Rogers County case number CF-2008-331 on her own professional license.

2. Miller failed to report the Andrews bond on her required July 2008 monthly

professional report to the Oklahoma Insurance Department

3. In addition to failing to report the bond on her July 2008 monthly professional report, she also failed to pay the required reviewal fee for the Andrews bond.

4. On or about January 2, 2009, the State sent Miller a letter regarding the unreported bond. The letter requested Miller to respond by January 15, 2009.

5. As of the date of the filing of this Order, Miller has not responded.

ALLEGED VIOLATIONS OF LAW

1. Conduct by Respondent as alleged is in violation of 59 O.S. § 1314(B) and OAC 365:25-5-36 by filing an incomplete or inaccurate report and failing to properly report monthly every bond written.

2. Conduct by Respondent as alleged is in violation of 59 O.S. § 1314(D) by failing to pay a reviewal fee equal to two-tenths of one percent ($2/10^{\text{th}}$ of 1%) of the Andrews bond.

3. Conduct by Respondent as alleged is in violation of 59 O.S. § 1310(A) (21) by failing to notify the Commissioner of a change of address, and failing to respond to properly mailed notification.

FINDINGS

Respondent has violated 59 O.S. § 1314(B), OAC 365:25-5-36, 59 O.S. § 1314(D) and 59 O.S. § 1310(A)(21).

ORDER

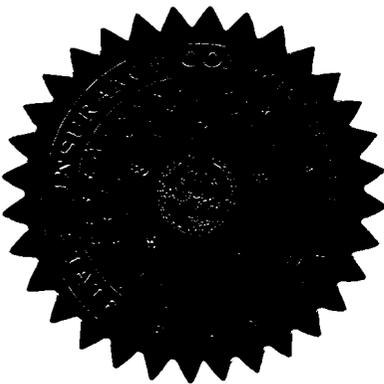
IT IS THEREFORE ORDERED that Respondent has violated 59 O.S. §§ 1314(A) (B), OAC 365:25-5-36, 59 O.S. § 1314(D) and § 1310(A) (21). **Respondent Lynn Miller is CENSURED AND FINED THREE THOUSAND DOLLARS (\$3,000.00) due and payable**

to the Oklahoma Insurance Department within 30 days of receipt of this Order.

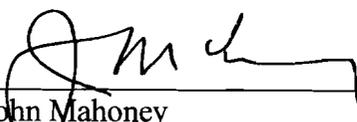
Respondent is further notified that Respondent may request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to John Mahoney, Oklahoma Insurance Department, Legal Division, Post Office Box 53408, Oklahoma City, Oklahoma 73152-3408 and state the basis for requesting the hearing. If the Respondent fails to pay the fine or request a hearing within 30 days of receipt of this Order the State shall not renew, reinstate, or issue a new license until the fine is paid in full.

Further, if Respondent does not request a hearing within the 30 days allotted this Order shall be a **FINAL ORDER** on the 31st day following the receipt of the Order. Respondent may request a court reporter to be present at and record the hearing concerning the emergency action. All costs associated with the court reporter shall be borne by Respondent.

WITNESS My Hand and Official Seal this 32 day of April, 2009.



KIM HOLLAND,
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



John Mahoney
Assistant General Counsel
Post Office Box 53408
Oklahoma City, Oklahoma, 73152-3408
(405) 521-2746

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Order was mailed certified, return receipt requested on this 27 day of April, 2009 to:

7108 1830 OED 3 9412 2822
Lynn Miller
Post Office Box 27305
Tulsa, Oklahoma 74149-0305

and that a copy was delivered to:

Robert Noll, Director
Bail Bond Division



John Mahoney