

FINDINGS

1. On or about January 4, 2011, an appearance bond was executed as follows:

Defendant:	Dennis McAvoy
Case Number(s):	201100007
City/County:	City of Perkins Municipal Court
Surety:	U.S. Fire Insurance Company
Bondsman:	James Manuel
Power Number(s):	U5-20300910
Bond Amount(s):	\$1,296.00

2. On March 14, 2011, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the municipal court on March 14, 2011 and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture.

3. U.S. Fire received a copy of the Order and Judgment of Forfeiture on March 28, 2011.

4. Manuel received a copy of the Order and Judgment of Forfeiture on March 25, 2011.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Manuel was June 24, 2011. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture.

CONCLUSIONS OF LAW

The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 1332 by failing to return the defendant within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

ORDER

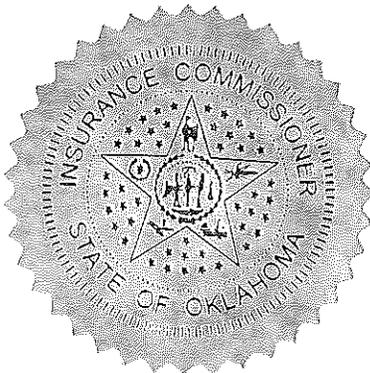
IT IS THEREFORE ORDERED that James Manuel and U.S. Fire Insurance Company

are each fined Two Hundred Fifty Dollars (\$250.00).

Respondents are further notified that they may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If Respondents do not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31st day following the receipt of the Order, the face amount of the forfeited bail bond shall be deposited with the City of Perkins Municipal Court Clerk, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this 3rd day of August, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Natasha M. Scott", is written over a horizontal line.

Natasha M. Scott
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 3rd day of August, 2011, to:

James Manuel
1209 S. Main
Stillwater, OK 74074-3526

U.S. Fire Insurance Company
ATTN: Fred Bustamante
P.O. Box 2807
Houston, TX 77042


Natasha M. Scott

7008 1830 0003 9410 9205

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>* Freddie Owens</i></p> <p>B. Received by (Printed Name) C. Date of Delivery <i>AUG 05 2011</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>RECEIVED OKLAHOMA INSURANCE DEPARTMENT <i>AUG 09 2011</i> Legal Division</p> <p>U.S. Fire Insurance Company Attn: Fred Bustamante P.O. Box 2807 Houston, TX 77042 sms/11-0725-DIS/Cond. Ord.</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>7008 1830 0003 9410 9205</p>	
PS Form 3811, February 2004	Domestic Return Receipt 102595-02-M-1540

7008 1830 0003 9410 9199

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>X A Tyler</i></p> <p>B. Received by (Printed Name) C. Date of Delivery <i>A Tyler</i> <i>8-5-11</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>RECEIVED OKLAHOMA INSURANCE DEPARTMENT <i>AUG 09 2011</i> Legal Division</p> <p>James Manuel 1209 S. Main Stillwater, Ok 74074-3526 sms/11-0725-DIS/Cond. Ord.</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>1830 0003 9410 9199</p>	
PS Form 3811, February 2004	Domestic Return Receipt 102595-02-M-1540

NOTICE OF NON-PAYMENT OF BOND FORFEITURE

Date June 30, 2011

Attn: Licensing / Anna
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112-4511

City of Perkins
Re: ~~State of Oklahoma~~ vs. Dennis Vernon McAvoy

Payne COUNTY

Case Number 201100007

To Whom It May Concern:

Pursuant to 59 O.S. §1332, we are formally notifying your office that the bondsman, James Manuel, and his/her surety, US Fire Insurance have failed to pay the forfeiture in the above captioned case in the amount of \$ 1,296.00 regarding Power Number U5 - 20300910 (if applicable) which was forfeited by the ~~Municipal~~ District Court on March 24, 2011 (date). The statutory 91st day from receipt of notice/mailling would have occurred June 25, 2011 (date).

Attached you will find a certified copy of the Order and Judgment of Forfeiture and proof of mailing to the bondsman and, if applicable, his/her surety as required by law.

Submitted by:

Suzanne DeArmond Municipal
District Court Clerk
Perkins, Oklahoma

By _____ (Position)

Telephone number - (405) 547-2445

RECEIVED BY
AGENT LICENSING
JUL 05 2011
OKLAHOMA *ad*
INSURANCE DEPARTMENT



Note: Please also attach certified copies of the docket sheet, appearance bond, power of attorney, and any Motions and Orders that pertain to the bail bond forfeiture. Thank you.



IN THE MUNICIPAL COURT OF PERKINS, STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,)

Plaintiff,)

VS.) No. _____

Dennis Maquoy,)

Defendant.)

APPEARANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

We the above-named defendant, as principal, and the undersigned, JAMES MAQUOY & USFI, as surety(ies) personally appeared before the undersigned authority and jointly and severally acknowledged ourselves to be indebted to the State of Oklahoma in the sum of one thousand two hundred and ninety six Dollars (\$ 1296) good and lawful money of the United States, to which payment well and truly to be made we bind ourselves, our assigns, heirs, executors and administrators jointly and severally, firmly by these presents.

The conditions of this bond are such that, if the above-named defendant, who has been committed to the Iowa Tribal Jail, State of Oklahoma, shall personally appear before the Municipal Court of said City on the 14 day of MARCH, 2011, at 5 o'clock P.m. of said day, and from term to term, and from day to day of each term, to answer a charge preferred against him/her for the offense of DCS, MOTAG, NATUS

and shall not depart the said court without leave and shall obey any order issued by said court, then this bond shall be void, otherwise, this bond shall remain in full force and effect.

Witness our hands this 4 day of JAN, 2011.

Dennis Maquoy
Principal

813 N Main APT 4
PERKINS, OK
Address

JAMES MAQUOY
Surety

1209 S. MAIN ST
PERKINS, OK
Address

USFI
Surety

POB 2807 HOUSTON TX
Address

Taken, subscribed and acknowledged this 4 day of JAN, 2011.

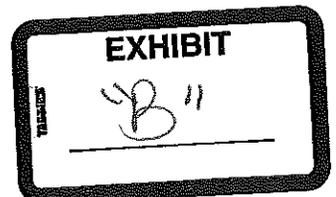
TIFFANI DeARMOND, COURT CLERK

By: _____
Clerk / Deputy

This undertaking approved this _____ day of _____, 20____.

TIFFANI DeARMOND, COURT CLERK

By: _____
Clerk / Deputy



AFFIDAVIT AS TO UNDERTAKING

STATE OF OKLAHOMA, COUNTY OF PAYNE. SS:

The undersigned being first duly sworn upon oath says that he is a resident of Lincoln County, State of Oklahoma and that neither he nor anyone for his use has received or been promised any security or consideration for making this undertaking, except as hereinafter specified under one or more of the following, to-wit:

- a.) Consideration for this undertaking received or promised in the sum of \$ 150.
- b.) Other security received or promised for making this undertaking is as follows:

c.) Such promise, security or consideration was received from: (Name/Address)
X Dennis McCarry

I understand that any willful misstatement relating to the security or consideration promised or given shall make me liable to the same prosecution and penalty as one who commits perjury.

Jaworski Name
1709 S. main ST Okla City Address
 Subscribed and sworn to before me this _____ day of _____, 20____.
 TIFFANI DeARMOND, COURT CLERK

By: _____
Clerk / Deputy

(SEAL)

QUALIFICATION OF SURETY

STATE OF OKLAHOMA, COUNTY OF PAYNE. ss:

The undersigned surety, being duly sworn upon oath states: That he/she is a citizen of the United States, is 21 years of age or over, and is a bona fide resident of the State of Oklahoma for the period of six months immediately last past.

Surety

AFFIDAVIT FOR PROPERTY BOND

That he/she is/are the owner of the following described real property: _____

situated in _____ County, State of Oklahoma, which is pledged as security for said undertaking and that the legal title of record in the County Clerk's office is held by _____

that there are liens or encumbrances against the said property in the following amount(s), held by the following persons: _____

in the total amount of \$ _____

I further swear that there are no delinquent taxes on said property except for the years _____

That the assessed valuation of the above described property is \$ _____

Assessed valuation on tax rolls \$ _____

Times four (4) for total assessed valuation \$ _____

Less Encumbrances \$ _____

Market Value \$ _____

Surety

Surety

WAIVER OF HOMESTEAD EXEMPTION

Comes now _____, owners of the real property described in this undertaking, and state(s) that they hereby waive any homestead exemption they may hold in and to such property.

Surety

Surety

AFFIDAVIT FOR CASH BOND

I am worth, over and above all exemptions, debts and liabilities, the sum of \$ _____
(Must be double the amount to be secured).

This qualification of surety subscribed and sworn to before me this _____ day of _____, 20____.
TIFFANI DeARMOND, COURT CLERK

By: _____
Clerk / Deputy

United States Fire Insurance Company
10350 Richmond Ave., Suite 300, Houston, TX 77042
P.O. Box 2807 - Houston, Texas 77252-2807
(713) 554-8100 (713) 554-8389 FAX

POWER OF ATTORNEY

POWER NO. ***U5 -20300910***

POWER AMOUNT \$ *** 5,000***

This Power of Attorney is granted pursuant to Article IV of the By-Laws of UNITED STATES FIRE INSURANCE COMPANY as now in full force and effect. Article IV, Execution of Instruments- Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice-President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation: (a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements; (b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Bonds or Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

The obligation of the company shall not exceed the sum of ***FIVE THOUSAND DOLLARS***

and provided this Power-of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, THE UNITED STATES FIRE INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 4 of JAN 2011

DAY MONTH YEAR

Bond Amount \$ 1296

Defendant Dennis McQuoy

Charges Outstanding, NO IUS

Court CITY OF PERKINS

Case No. 3-14-81 51M

City _____ State _____

If rewrite, original No. _____

Executing agent James Moore
NAME



By Robert Crawford
Robert Crawford
Vice President

VOID IF NOT ISSUED BY: 05/01/2011

FOR STATE USE ONLY
NOT VALID IF USED IN FEDERAL COURT

COPY FOR COURT

S-0023US A REV. (6/08)

In the Municipal Court of the City of Perkins, Payne County
State of Oklahoma

City of Perkins
Plaintiff

vs.

Dennis Vernon McAvoy
Defendant

}
}
}
}
}
}

Case No. 201100007

Order and Judgment of Forfeiture

On the 14th day of March, 2011, the above cause came on for hearing, according to regular assignment of the docket of this Court.

The Court finds that the above-named defendant having heretofore been charged with the crime of driving under suspension, illegal tag display, failure to signal turn and failure to carry insurance verification, and having been committed to bail in the amount of \$ 1,296.00 was released on an Appearance Bond executed by James Manuel, a licensed bondsman, and United States Fire Insurance Company, if applicable, his insurer; said bond conditioned as provided by law for the appearance of said defendant before this Court as required, and the Court having ordered said defendant to appear on the 14th day of March, 2011, and said defendant, being called three times in open court, without sufficient excuse, failed to appear before the Court as ordered.

The Court further finds that said bondsman had due and legal notice as provided by law of the required appearance of said defendant.

The Court further finds that the conditions of said Appearance Bond have been broken by both defendant and said bondsman, and that an Order and Judgment of Forfeiture should be entered.

It Is Therefore Ordered, Adjudged And Decreed by the Court that the Appearance Bond of said defendant be, and the same is hereby declared and is ordered forfeited to the State of Oklahoma, and the amount of said bond is ordered paid to the Clerk of the Court.

It Is Further Ordered, Adjudged And Decreed that the Court Clerk shall immediately mail a copy of this Order and Judgment of Forfeiture to the bondsman and, if applicable, his Insurer. The bondsman, and if applicable his surety, is hereby directed to deposit with the Court Clerk the face amount of said forfeited bond, to wit: \$ 1,296.00. Such deposit to be made within 91 days from receipt of this Order and Judgment of Forfeiture, or the mailing of the notice if no receipt is made.

John Kromel
Judge of the District Court

I certify that I mailed a true and correct copy of this instrument to the above-named bondsman and, if applicable, his insurer, and to the Insurance Commissioner to the last known address of each, by certified mail with return receipt requested this 24 day of March, 2011.

Court Clerk: Aijana W. DeArment

Deputy: _____



COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Debra Samuel

B. Received by (Printed Name) C. Date of Delivery
Debra Samuel *3-28-11*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 United States Fire Insurance Company
 10350 Richmond Ave., Ste 300
 Houston, TX 77042

2. Article Number (Transfer from service label)
 7008 0500 0000 9153 2493

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-154

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

HOUSTON TX 77042

Postage	\$ 0.44	0161
Certified Fee	\$2.80	02 Postmark Here
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	03/24/2011

Sent To: *United States Fire Insurance Co*
 Street, Apt. No., or PO Box No. *10350 Richmond Ave., Ste 300*
 City, State, ZIP+4 *Houston, TX 77042*

U.S. Form 3811, August 2006 Scan across for instructions

Court - McAvoy

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only, No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

STILLWATER OK 74074

Postage	\$ 0.44	0161
Certified Fee	\$2.80	02 Postmark Here
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	03/24/2011

Sent To: *James Manuel*
 Street, Apt. No., or PO Box No. *1209 S. Main*
 City, State, ZIP+4 *Stillwater, OK 74074*

U.S. Form 3811, August 2006 Scan across for instructions

Court - McAvoy

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
 James Manuel
 1209 S. Main
 Stillwater, OK 74074

2. Article Number (Transfer from service label)
 7008 0500 0000 9153 2486

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
J. Hatcher

B. Received by (Printed Name) C. Date of Delivery
J. Hatcher *3/25/11*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

Court - McAvoy

