

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

JUL 17 2012

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)
Insurance Commissioner,)

Petitioner,)

vs.)

Case No. 12-0652-DIS

BILLY WAYNE DISMUKE, a licensed bail)
bondsman in the State of Oklahoma,)

Respondent.)

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel and alleges and states as follows:

JURISDICTION

1. John D. Doak 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.

2. Billy Wayne Dismuke ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 144708.

FINDINGS OF FACT

1. On April 19, 2012, Respondent submitted an amended March 2012 Safety National Casualty Company report. With this report, Respondent submitted an Electronic Funds Transfer (EFT) of \$5.00. This EFT was charged back to the Department as "Insufficient Funds."

2. On June 19, 2012, the Department sent Respondent an email and a letter, by certified mail, requesting that the funds be replaced and the service fee of \$25.00 be paid within five days of receipt of the letter. Respondent signed for the letter on June 28, 2012.

3. As of the date of this Conditional Order, the funds (\$30.00) have not been replaced. Respondent has not responded to the letter from the Department.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(27) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(21) by failing to respond to a properly mailed notification within a reasonable amount of time.

ORDER

IT IS THEREFORE ORDERED that Billy Wayne Dismuke is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00), due and payable to the Insurance Department within 30 days of receipt of this Order.

IT IS FURTHER ORDERED that Billy Wayne Dismuke shall replace the insufficient EFT and pay the service fee owed. The total amount owed to the Department is Thirty Dollars (\$30.00).

IT IS FURTHER ORDERED that this Order constitutes disciplinary action and may be used in any subsequent hearings by the Insurance Department. In the event other misconduct is reported to the Department, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

Respondent is notified that he 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 William G. "Buddy" Combs, Oklahoma Insurance Department, Legal Division, 3625 NW

56th Suite 100, Oklahoma City, Oklahoma 73112 and give an explanation of Respondent's actions described herein and any defenses thereto.

If Respondent fails to either (1) pay the fine and replace the fees owed or (2) request a hearing within 30 days of receipt of this Order, Respondent's license shall be **SUSPENDED** on the 31st day following receipt of the Order. If Respondent does 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.

WITNESS My Hand and Official Seal this 17th day of July, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



William G. "Buddy" Combs
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order of Censure and Notice of Right to be Heard* was mailed certified, return receipt requested on this 17th day of July, 2012, to:

Billy Dismuke
217 N. Harvey Ave., Suite 203
Oklahoma City, OK 73102-3803



William G. "Buddy" Combs

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

7001 0320 0004 4250 3694

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	



Total

Sent To
 Billy Dismuke
 217 N. Harvey, Suite 203
 Oklahoma City, Oklahoma 73102-3803
 sms/12-0652-DIS/Cond. Ord.

PS Form 3800, January 2001 See Reverse for Instructions

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

Billy Dismuke
 217 N. Harvey, Suite 203
 Oklahoma City, Oklahoma 73102-3803
 sms/12-0652-DIS/Cond. Ord.

2. Article Number

(Transfer from service label)

7001 0320 0004 4250 3694

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
X

B. Received by (Printed Name) C. Date of Delivery

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

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

4. Restricted Delivery? (Extra Fee) Yes

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
AUG 20 2012
 Legal Division

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

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

OFFICIAL USE

7001 0320 0003 9967 8384

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	



Total Postage

Sent To
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+

Billy Dismuke
 5608 NW 112th St.
 OKC, Ok 73162-3510
 sms/12-0652-DIS/Cond. Ord.

PS Form 3800, January 2001

See Reverse for Instructions

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7001 0320 0003 9967 8384

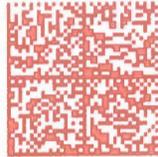


JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 NW 56th Street, Suite 100
 Oklahoma City, OK 73112-4511

CERTIFIED MAIL



7001 0320 0003 9967 8384



U.S. POSTAGE PITNEY BOWES
 ZIP 73112 \$ 005.75⁰
 02 1W
 0001363374 SEP 10 2012

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
OCT 15 2012
 Legal Division



Billy Dismuke
 5608 NW 112th St.
 OKC, Ok 73162-3510

*LN / 205
 9/11*

NIXIE 731 DE 1... 00 10/11/12
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 BC: 73112451125 20557-04779-10-57

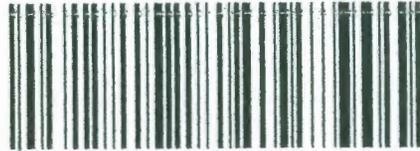
73112@4511



JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 NW 56th Street, Suite 100
 Oklahoma City, OK 73112-4511

Handwritten:
 5-7-18
 8-8
 8-15

CERTIFIED MAIL



7001 0320 0004 4250 3694



Billy Dismuke
 217 N. Harvey, Suite 203
 Oklahoma City, Oklahoma 73102-3803



U.S. POSTAGE **POWELL BOWES**



ZIP 73112 **\$ 005.75⁰**
 02 1W
 0001363374 JUL 17 2012

NIXIE 731 DE 1 00 08/16/12
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 BC: 73112451125 *2457-12291-16-07

73112@4511

