

FINDINGS OF FACT

1. On or about February 10, 2013, an appearance bond was executed as follows:

Defendant:	Laqresha Samantha Jones
Case Number(s):	CR-2010-6863
City/County:	Bethany Municipal
Surety:	Raymond Merrill
Bondsman:	Tracy Bias
Power Number(s):	5-26842
Bond Amount(s):	\$2,588

2. On June 12, 2013, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on the same day. 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 Order's filing.

3. The mailing to Bias, although sent to her mailing address of record, was returned to the Bethany Municipal Court Clerk marked as "Unclaimed."

4. Merrill received a copy of the Order and Judgment of Forfeiture on June 20, 2013.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Merrill was Thursday, September 19, 2013.

6. On September 18, 2013, Bias filed a motion to exonerate the bond.

7. On October 16, 2013, the motion was denied and Respondents were ordered to pay the forfeiture by October 21, 2013.

8. On October 21, 2013, Bias attempted to pay the forfeiture with a check in the amount of \$1,188 and \$1,400 in cash. On or about October 31, 2013, the check was returned as Not Sufficient Funds.

9. The Defendant was not returned to custody within 90 days, nor was the face

amount of the forfeited bond deposited with the Court Clerk within 91 days, after receipt of the Order and Judgment of Forfeiture by Respondents.

7. On November 26, 2013, Merrill paid the remaining \$1,188.

CONCLUSIONS OF LAW

1. 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 forfeitures within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

2. Pursuant to 59 O.S. § 1310(B), any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

ORDER

IT IS THEREFORE ORDERED that Tracy Bias and Raymond Merrill are each CENSURED and 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 Buddy Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and **give an explanation of Respondents' actions alleged herein and any defenses thereto.**

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. Any fines

ordered herein shall be due and payable to the Oklahoma Insurance Department within 30 days after the date this Order becomes a Final Order.

WITNESS My Hand and Official Seal this 5th day of December, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Wm Combs", written over a horizontal line.

William G. "Buddy" Combs
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

CERTIFICATE OF MAILING

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 5th day of December, 2013, to:

Tracy Bias
2828 NW 57th St., Suite 119
Oklahoma City, OK 73112-7091

Certified Mail No.
7001 0320 0004 4249 2615

Raymond Merrill
104 N Oak Street
Sallisaw, OK 74955-4638

Certified Mail No.
7001 0320 0004 4249 2561

A handwritten signature in black ink, appearing to read "Wm Combs", written over a horizontal line.

William G. "Buddy" Combs

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

7001 0320 0004 4249 2561

OFFICIAL USE

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

Sent To: **Raymond Merrill**
 104 N. Oak St.
 Sallisaw, OK 74955-4638
 sms/13-1223-DIS/Cond. Ord.

Postmark Here: **DEC -5 2013**
 OKLAHOMA CITY, OK

PS Form 3800, January 2001 See Reverse for Instructions

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 type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) DEBRA K. HAMILTON C. Date of Delivery DEC 09 2013</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No MERRILL BONDING COMPANY</p>
<p>1. Article Addressed to:</p> <p>Raymond Merrill 104 N. Oak St. Sallisaw, OK 74955-4638 sms/13-1223-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>2. Article Number (Transfer from service label) 7001 0320 0004 4249 2561</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

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

OFFICIAL USE

7001 0320 0004 4249 2615

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage &	
Tracy Bias	
Sent To	2828 NW 57th St., Suite 119
Street, Apt. No., or PO Box No.	OKC, OK 73112-7091
City, State, ZIP+4	sms/13-1223-DIS/Cond. Ord.

PS Form 3900, January 2001 See Reverse for Instructions



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Tracy Bias
 2828 NW 57th St., Suite 119
 OKC, OK 73112-7091
 sms/13-1223-DIS/Cond. Ord.

2. Article Number
(Transfer from service label)

7001 0320 0004 4249 2615

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

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

Tracy Bias *12-19-13*

C. 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