

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUN 20 2014

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
BILLY DUANE HOCKER, a licensed bail)
bondsman in the State of Oklahoma,)
)
Respondent.)

Case No. 14-0488-DIS

ADMINISTRATIVE ORDER

This matter is a disciplinary proceeding under the Oklahoma Bail Bond Act. The Oklahoma Insurance Department (the "Department") issued a Notice of Hearing and Order to Show Cause on March 28, 2014, alleging that Respondent Billy Duane Hocker ("Hocker" or "Respondent") violated numerous provisions of the Bail Bond Act.

The hearing was set before the undersigned Hearing Examiner for June 10, 2014.

Petitioner appeared through Counsel Dan R. Byrd on June 10, 2014. Respondent failed to appear. Petitioner offered Exhibit 1 as proof to support the proper service upon Respondent by certified mail at the Respondent's current address of record with the Department.

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. Respondent was a licensed bail bondsman in the State of Oklahoma holding license number 100124706.

3. Respondent's license expired April 30, 2014.

4. The Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act and/or may levy a fine of not less than \$250.00 but not more than \$2,500.00 for each occurrence of a violation of the Oklahoma Bail Bond Act, 59 O.S. § 1310(A) and (B).

FINDINGS OF FACT

1. Respondent failed to file his March 2014 United States Fire Insurance Company and March 2014 Roche Surety & Casualty Company surety reports with the Oklahoma Insurance Department ("Department"), which were due Tuesday, April 15, 2014.

2. On April 18, 2014, Department staff sent an email to Respondent regarding the failure to file the reports. As of this date, the reports have not been filed with the Department. This was Respondent's fourth (4th) failure to file incident.

3. The Department's Bail Bond Division discovered that from January to December 2013, Respondent has sixty-seven (67) unreported bonds and one (1) misreported bond totaling \$337,815.55 that were not found reported by the Respondent. The amount of the reviewal fee owed on the unreported bonds is \$675.53.

4. The Department's Bail Bond Division staff from January 2, 2014 through March 31, 2014 sent Respondent and the insurers Roche and U.S. Fire eleven (11) letters via email notifying them of the bonds that were not found reported.

5. Respondent has a lengthy administrative history with the Department. Respondent has fines due in at least three legal cases.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(24) for failing to file a report as required by Section 1314.
2. Respondent has violated 59 O.S. § 1314(B), which states that "monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month."
3. Respondent has violated 59 O.S. § 1314(B)(1) for failing to report appearance bonds.
4. Respondent has violated 59 O.S. § 1314(D) for failing to pay reviewal fees.
5. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.
6. Respondent has violated 59 O.S. § 1310(A)(9) by conducting his business in a manner that renders the Respondent unfit to carry on the bail bond business or making the continuance of the business detrimental to the public interest in the judgment of the Commissioner.
7. Respondent has violated 59 O.S. § 1310(A)(7) by failing to comply with, or violation of any proper order, rule, or regulation of the Commissioner.

ORDER

Petitioner's testimony offered at hearing support the Allegations of Fact and Alleged Violations of Law in the Notice of Hearing and Order to Show Cause as true and correct.

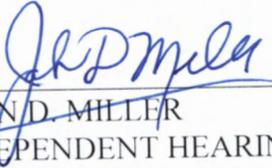
IT IS THEREFORE ORDERED that Billy Duane Hocker's bail bondsman license is REVOKED.

IT IS FURTHER ORDERED that Billy Duane Hocker is assessed a FINE of Two Hundred Fifty Dollars (\$250.00) and the costs of the hearing in the amount of Twenty Five Dollars (\$25.00), due and payable to the Oklahoma Insurance Department within 30 days after

the date of hearing.

WITNESS My Hand and Official Seal this 18th day of June, 2014.





JOHN D. MILLER
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

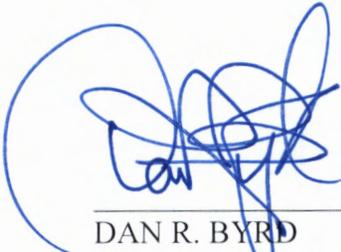
I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on this 20th day of June, 2014, to:

Billy Duane Hocker
1702 N. Monroe
Enid, OK 73701

CERTIFIED MAIL NO:

and that a copy was delivered to:

Bail Bonds Division



DAN R. BYRD
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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

OFFICIAL USE



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

Billy Duane Hocker
1702 N. Monroe
Enid, OK 73701
sms/14-0488-DIS/Adm Ord

Total Postage
Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, January 2001

CERTIFIED MAIL



9EEC 8h2h 4000 02E0 700L

7001 0320 0004 4248 1336

neopost[®]
06/20/2014
US POSTAGE \$007.19⁰⁰



ZIP 73112
041L12203132

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
JUL 22 2014
Legal Division

Not. 6-25
7-12
~~7-13~~
7-16

||||| Billy Duane Hocker

731 N7E 1700A13I0006/20/14
NOTIFY SENDER OF NEW ADDRESS
HOCKER
2549 HOMESTEAD RD
ENID OK 73703-1647

BC: 73703164749 *0757-07682-20-36

NIXIE 731 SE 1700 0007/18/14

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 73112451125 *0757-07682-20-

7311204511
737012915086

U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE



Postage \$	
Certified Fee	
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Billy Duane Hocker
1702 N. Monroe
Enid, OK 73701

sms/14-0488-DIS/Adm Ord

Total Postage

Sent To

Street, Apt. No., or PO Box No.

City, State, ZIP+4

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

7001 0320 0004 4248 1336

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 Duane Hocker
1702 N. Monroe **Legal Division**
Enid, OK 73701
sms/14-0488-DIS/Adm Ord

2. Article Number
(Transfer from service label)

7001 0320 0004 4248 1336

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

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

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

RECEIVED

JUL 22 2014

OKLAHOMA INSURANCE DEPARTMENT