

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

FILED

FEB 23 2016

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
)
v.)
JOHN KEEFE, formerly a licensed bail)
bondsman in the State of Oklahoma,)
)
and)
)
AMERICAN SURETY COMPANY, a licensed)
surety in the State of Oklahoma,)
)
Respondents.)

Case Nos. 15-1008-DIS
15-1009-DIS &
15-1209-DIS

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 having full power and authority to administer the provisions of the Oklahoma Bail Bond Code, 59 O.S. §§ 1301-1340.

2. Respondent John Keefe (“Keefe”) was a licensed bail bondsman in the State of Oklahoma holding license number 100175523. His license was suspended in Oklahoma Insurance Department (“OID”) Case Number 15-0580-DIS. Respondent surrendered his bail bond license on November 6, 2015.

3. Respondent American Surety Company (“ASC”) is a licensed insurance company in the State of Oklahoma holding certificate of authority number 0145.

4. 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 \$250.00 but not more than \$2,500.00 per violation.

ALLEGATIONS OF FACT

Case No. 15-1008-DIS

1. On or about March 6, 2015, appearance bonds were executed as follows:

Defendant:	Christopher Lee Dunkin
Case Number(s):	2015-0418
City/County:	Valley Brook Municipal
Surety:	American Surety Company
Bondsman:	John Keefe
Power Number(s):	AS25-238903, AS5-1024856 & AS25-238902
Bond Amount(s):	\$70.00, \$250.00, & \$400.0

2. On April 29, 2015, the Defendant failed to appear, and the bonds were declared forfeited. Orders and Judgments of Forfeiture were issued and filed in the case on May 7, 2015, by the Valley Brook Municipal Court Clerk. A true and correct copy of the Orders and Judgments of Forfeiture were mailed to Respondents with return receipt requested within thirty (30) days after the forfeitures Order's filing.

3. Keefe received a copy of the Orders and Judgments of Forfeiture on May 8, 2015

4. ASC received a copy of the Orders and Judgments of Forfeiture on May 11, 2015.

5. The ninety-first (91st) day after receipt of the Orders and Judgments of Forfeiture was August 7, 2015.

6. On August 19, 2015, the forfeitures were untimely paid.

7. Respondent failed to report the bond with power number AS25-238903 for Seventy Dollars (\$70.00) on his monthly surety report to the OID.

Case No. 15-1009-DIS

8. On or about March 4, 2015, appearance bonds were executed as follows:

Defendant:	Noe Hernandez
Case Number(s):	2015-0403
City/County:	Valley Brook Municipal
Surety:	American Surety Company
Bondsman:	John Keefe
Power Number(s):	AS100-133451, AS1-365486, AS100-132995, & AS100-132996
Bond Amount(s):	\$250.00, \$400.00, \$300.0, & \$50.00

9. On April 8, 2015, the Defendant failed to appear, and the bonds were declared forfeited. Orders and Judgments of Forfeiture were issued and filed in the case on April 16, 2015, by the Valley Brook Municipal Court Clerk. A true and correct copy of the Orders and Judgments of Forfeiture were mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture Order's filing.

10. Keefe received a copy of the Orders and Judgments of Forfeiture on April 17, 2015.

11. ASC received a copy of the Orders and Judgments of Forfeiture on April 20, 2015.

12. The ninety-first (91st) day after receipt of the Orders and Judgments of Forfeiture was July 17, 2015.

13. As of the date of the filing of this Conditional Administrative Order, no information has been provided to Petitioner reflecting the forfeiture has been paid.

Case No. 15-1209-DIS

14. On or about October 10, 2014, appearance bonds were executed as follows:

Defendant:	Olaitan Adernoke Adesola
Case Number(s):	142424492(1)

City/County:	Oklahoma City Municipal
Surety:	American Surety Company
Bondsman:	John Keefe
Power Number(s):	AS1 363761
Bond Amount(s):	\$750.00

15. On June 4, 2015, 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 June 12, 2015, by the Oklahoma City Municipal Court Clerk. A true and correct copy of the Orders and Judgments of Forfeiture were mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture Order's filing.

16. Keefe received a copy of the Orders and Judgments of Forfeiture. However, he failed to date the PS Form 3811.

17. ASC received a copy of the Orders and Judgments of Forfeiture on June 18, 2015.

18. The ninety-first (91st) day after receipt of the Orders and Judgments of Forfeiture was September 15, 2015.

19. As of the date of the filing of this Conditional Administrative Order, no information has been provided to Petitioner reflecting the forfeiture has been paid.

ALLEGED VIOLATIONS OF LAW

1. 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 in Valley Brook Municipal Court Case Number 2015-0403 and Oklahoma City Municipal Court Case Number 142424492(1).

2. Respondents have violated 59 O.S. § 1314(B) and OAC 365:25-5-36; by failing to report the bond in case number 15-1008-DIS, Power Number AS25-238903 for Seventy Dollars (\$70.00).

ORDER

IT IS THEREFORE ORDERED that Respondents are each **FINED** Five Hundred Dollars (\$500.00). **The \$500.00 fines are to be paid within thirty (30) days** made payable to the OID. The \$500.00 civil fine shall be paid by money order or cashier's check.

IT IS FURTHER ORDERED that Respondents are to pay the forfeitures in both Valley Brook Municipal Court Case Number 2015-0403 and Oklahoma City Municipal Court Case Number 142424492(1). Pursuant to 59 O.S. § 1332(D), if the referenced forfeitures are not paid within thirty (30) days of receipt of this Conditional Administrative Order, the OID is ordered to cancel the license privilege and authorization of ASC to do business within the State of Oklahoma and cancel the appointments of all surety bondsman agents who are authorized to write bail under ASC.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Barron Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law,

and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 23rd day of February, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Barron B. Brown
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112

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 by certified mail, with postage prepaid and return receipt requested, on this 23rd day of February, 2016, to:

John Keefe
21985 Homesteaders Road
Edmond, Oklahoma 73012

Certified Mail No.
7015 3010 0001 4604 0815

American Surety Company
250 E. 96th St., Suite 202
Indianapolis, IN 46240

Certified Mail No.
7015 3010 0001 4604 0822

Barron B. Brown

Barron B. Brown

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

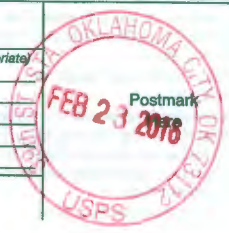
Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____



Postage
 \$ _____

Total Postage and Fees
 \$ _____

Sent To
 Street and Apt. No., or PO Box No. **John Keefe**
21985 Homesteaders Road
Edmond, Oklahoma 73012
 City, State, ZIP+4® **sms/15-1008-DIS, et al/Cond Ord**

PS Form 3800, April 2015 PSN 7530-02-000-9053

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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:

John Keefe
 21985 Homesteaders Road
 Edmond, Oklahoma 73012
sms/15-1008-DIS, et al/Cond Ord



9590 9403 0272 5155 0708 32

2. Article Number (Transfer from service label)

7015 3010 0001 4604 0815

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee

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

RECEIVED

OKLAHOMA INSURANCE DEPARTMENT

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

FEB 20 2016

Legal Division

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
 \$ _____



Total Postage and Fees

\$ _____

Sent To American Surety Company
 250 E. 96th St., Suite 202
 Indianapolis, IN 46240
 Street and Apt. No., or PO Box
 City, State, ZIP+4® sms/15-1008-DIS, et al/Cond Ord

PS Form 3800, April 2015 PSN

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- 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
MARY - 2016
 American Surety Company
 250 E. 96th St., Suite 202
 Indianapolis, IN 46240
 sms/15-1008-DIS et al/Cond Ord
 Legal Division



9590 9403 0272 5155 0708 49

2. Article Number (Transfer from service label)
 7015 3010 0001 4604 0822

COMPLETE THIS SECTION ON DELIVERY

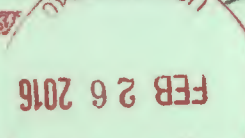
A. Signature

 Agent
 Addressee

B. Received by (Printed Name)
M. Schones

C. Date of Delivery
2-26-16

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



3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Mail Restricted Delivery

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt