

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

APR 08 2011

INSURANCE COMMISSIONER  
OKLAHOMA

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

CASE NO. 11-0063-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 and as such is  
charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code  
36 O.S. §§ 101-7004 and the Oklahoma Bail Bond Act 59 O. S. §§ 1301-1340.

2. Respondent Cindy Denise Smith (“Smith”) is a licensed surety bail bondsman in the  
State of Oklahoma holding license number 40048197.

**FINDINGS**

1. On or about October 17, 2008, an appearance bond was executed as follows:

Defendant: Edwin Ludwig IV  
Case Number(s): CM-2006-148  
City/County: Garvin County  
Bondsman: Cindy Denise Smith  
Surety: Louis Perry  
Power Number(s): 012786  
Bond Amount(s): \$1,000.00

2. On August 26, 2009, the Defendant failed to appear and the bond was declared

forfeited. An Order and Judgment of Forfeiture was issued by the district court on September 26, 2009, and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent with return receipt requested within thirty (30) days after the forfeiture.

3. Smith received a copy of the Order and Judgment of Forfeiture on September 24, 2009.

4. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Smith was December 24, 2009. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture, nor were sums due on the forfeiture deposited with the court clerk on the ninety first (91<sup>st</sup>) day.

5. The forfeiture was later exonerated on December 9, 2010.

### CONCLUSIONS

The allegations are found to be true and correct and Respondent has violated 59 O.S. § 1332 by failing to return the defendant within ninety (90) days or pay the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

### ORDER

**IT IS THEREFORE ORDERED that Cindy Denise Smith is fined in the amount of Two Hundred Dollars (\$200.00). The fine is to be paid within 30 days of the date of this Order.**

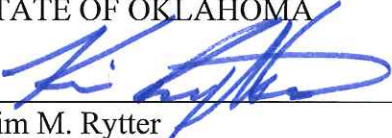
Respondent is further notified that she may request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Kim M. Rytter, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If Respondent does not request a hearing within the 30 days allotted this Order shall be a **FINAL ORDER** on the 31<sup>st</sup> day following the receipt of the Order.

WITNESS My Hand and Official Seal this 8<sup>th</sup> day of April, 2011.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
Kim M. Rytter  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
(405) 521-2746

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Order was mailed certified, return receipt requested on this 8<sup>th</sup> day of April, 2011, to:

Cindy Denise Smith  
404 E Juanita St  
Wynnewood OK 73098-5825

**CERTIFIED MAIL NO: 7008 1830 0003 9410 8215**

  
\_\_\_\_\_  
Kim M. Rytter

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(Endorsement Required)  
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(Endorsement)  
Total Postage



Cindy Denise Smith  
404 E. Juanita St  
Wynnewood, OK 73098-5825

Sent To  
Street, Apt. No.  
or PO Box No. 11-0063-DIS/KMR(MT)  
City, State, ZIP+4® Cond. Admin. ord.

**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:

Cindy Denise Smith  
 404 E. Juanita St.  
 Wynnewood, OK 73098-5825  
 11-0063-Dis | KMK (MTI)  
 Cond. Admin. Ord.

2. Article Number  
(Transfer from service label)

7008 1830 0003 9410 8215

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
 X Cindy Smith

B. Received by (Printed Name) C. Date of Delivery  
 Cindy Smith 4-14-11

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

APR 18 2011

Division