

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

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
  Petitioner, )  
vs. )  
  ) )  
WILBUR LEATHERMAN, a licensed surety bail )  
bondsman in the State of Oklahoma, ) )  
AND )  
  ) )  
BARRY TUCKER, a licensed professional bail )  
bondsman in the State of Oklahoma, ) )  
  Respondents. )

**FILED**

APR 08 2011

INSURANCE COMMISSIONER  
OKLAHOMA

CASE NO. 11-0120-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 Wilbur Leatherman (“Leatherman”) is a licensed bail bondsman in the State of Oklahoma holding license number 199963.
3. Respondent Barry Tucker (“Tucker”), is an admitted insurer authorized as a bail surety company in the State of Oklahoma holding certificate of authority number 199820.

## FINDINGS

1. On or about May 5, 2010, an appearance bond was executed as follows:

Defendant:	Jarrold Dean Brown
Case Number(s):	CM-2010-392
City/County:	Garfield
Bondsman:	Wilbur Leatherman
Surety:	Barry Tucker
Power Number(s):	000869
Bond Amount(s):	\$2,000.00

2. On July 7, 2010, the Defendant failed to appear and the bond was declared forfeited.

An Order and Judgment of Forfeiture was issued by the district court on July 23, 2010, and filed in the case. 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 forfeiture.

3. Leatherman received a copy of the Order and Judgment of Forfeiture on July 29, 2010. Tucker received a copy of the Order and Judgment of Forfeiture but failed to date the return receipt.

4. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Leatherman was October 28, 2010. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture, nor was sums due on the forfeiture deposited with the court clerk on the ninety first (91<sup>st</sup>) day.

5. The forfeiture was untimely paid on November 8, 2010.

## CONCLUSIONS

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 pay the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

**ORDER**

**IT IS THEREFORE ORDERED that Wilbur Leatherman and Barry Tucker are fined in the amount of Four Hundred Dollars (\$400.00) each. The fines are to be paid within 30 days of the date of this Order.**

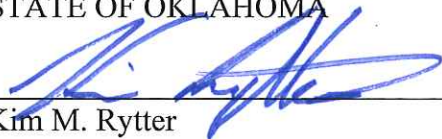
Respondents are further notified that they may request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Kim M. Rytter, 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 Respondents do 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:

Wilbur Leatherman  
217 E Owen K Garriott  
Enid OK 73701

**CERTIFIED MAIL NO: 7008 1830 0003 9411 7101**

Barry Tucker  
PO Box 803  
Wewoka OK 74884

**CERTIFIED MAIL NO: 7008 1830 0003 9411 7118**

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

**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:

Barry Tucker  
 P.O. Box 803  
 Wewoka, OK 74884

*11-0120-015 (Kmx) (m)  
 Cont. Admin. Ord*

RECEIVED  
OKLAHOMA INSURANCE DEPARTMENT

APR 14 2011

Legal Division

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Karissa Tucker*

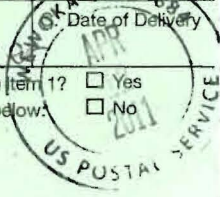
Agent

Addressee

B. Received by (Printed Name)

*KARISSA TUCKER*

Date of Delivery



5. 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

2. Article Number

(Transfer from service label)

7008 1830 0003 9411 7118

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

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

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

Total Postage & Fees

Wilbur Leatherman  
 217 E Owen K Garriott  
 Enid, OK 73701

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

*11-0120-Dis/KMR/ET*  
*Cond. Admin. Ord.*

PS Form 3800, August 2006

See Reverse for Instructions

7008 1830 0003 9411 7101

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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*Cond. Admin. Ord.*

PS Form 3800, August 2006

See Reverse for Instructions

7008 1830 0003 9411 7101

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:

Wilbur Leatherman  
217 E Owen K Garriott  
Enid, OK 73701

11-0120-Dis/KMR(17)  
Cond. Admin ord.

2. Article Number

(Transfer from service label)

7008 1830 0003 9411 7101

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

Agent

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

RECEIVED  
OKLAHOMA INSURANCE DEPARTMENT  
APR 20 2011  
Legal Division

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes



**John D. Doak**  
**Insurance Commissioner**  
 Oklahoma Insurance Department  
 P.O. Box 53408  
 Oklahoma City, OK 73152-3408

**CERTIFIED MAIL™**



7008 1830 0003 9411 7101

*HLR*

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT

**Wilbur Leatherman**  
**217 E Owen K Garriott**  
**Enid, OK 73701**

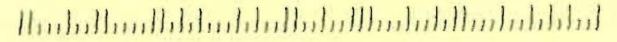
**APR 20 2011**

Legal Division

NIXIE 731 SE 1 00 04/14/11

RETURN TO SENDER  
 NOT DELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD

BC: 73152340808 \*0957-04379-08-35



73701+53408 73152@3408