

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

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)
Insurance Commissioner,)

Petitioner,)

vs.)

CASE NO. 11-0147-DIS

CURTIS PLETCHER, a licensed professional bail)
bondsman in the State of Oklahoma,)

And

CHAUNCEY SUMMERS, a licensed bail)
bondsman in the State of Oklahoma)

Respondents.

FILED

APR 12 2011

INSURANCE COMMISSIONER
OKLAHOMA

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 Curtis Pletcher ("Pletcher") is a licensed professional bail bondsman in the State of Oklahoma holding license number 199574.

3. Respondent Chauncey Summers ("Summers") is a licensed bail bondsman in the State of Oklahoma holding license number 40041039.

FINDINGS

1. On or about September 13, 2010, an appearance bond was executed as follows:

Defendant:

Joseph M. Summerlin, III

| | |
|------------------|------------------|
| Case Number(s): | CF-10-3238 |
| City/County: | Tulsa County |
| Bondsman: | Curtis Pletcher |
| Surety: | Chauncey Summers |
| Power Number(s): | 21827 |
| Bond Amount(s): | \$1000.00 |

2. On September, 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 October 5, 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. Pletcher received a copy of the Order and Judgment of Forfeiture on October 7, 2010.

4. Summers received a copy of the Order and Judgment of Forfeiture on October 14, 2010.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Summers was January 13, 2011. 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 (91st) day.

6. The forfeiture was untimely paid on January 18, 2011, five (5) days after the ninety-first (91st) day.

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

ORDER

IT IS THEREFORE ORDERED that Respondents are each fined in the amount of Two Hundred Dollars (\$200.00).

Respondents are further notified that he 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 Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 NW 56th 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 31st day following the receipt of the Order, and the fines ordered herein shall be due to the Oklahoma Insurance Department.

WITNESS My Hand and Official Seal this 2nd day of April, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Natasha M. Scott

Natasha M. Scott
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405-521-0125

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 24th day of April, 2011, to:

Curtis Pletcher
201 W. 5th Street, Suite 555
Tulsa, OK 74103-4241

Chauncey Summers
P.O. Box 851
Tulsa, OK 74101



Natasha M. Scott

7008 1830 0003 9411 3042

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- 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.

A. Signature Agent Addressee
C. Summers

B. Received by (Printed Name) *C. Summers* C. Date of Delivery *4-15-11*

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

1. Article Addressed to:

Chauncey Summers
 P.O. Box 851
 Tulsa, Ok 74101
 sms/11-0147-DIS/Cond. Ord

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

7008 1830 0003 9411 3042

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

PS Form 3800, August 2005

See Reverse for Instructions

Sent To
 P.O. Box 851
 Tulsa, OK 74101
 sms/11-0147-DIS/Cond. Ord

Chauncey Summers

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



OFFICIAL USE
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com.

7008 1830 0003 9411 5022

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- 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:

Curtis Pletcher
 201 W. 5th Street, Suite 555
 Tulsa, Ok 74103-4241
 sms/11-0147-DIS/Cond. Ord

A. Signature Agent Addressee
M. Ortiz

B. Received by (Printed Name) *M. Ortiz* C. Date of Delivery *4-15-11*

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

2. Article Number

(Transfer from service label)

7008 1830 0003 9411 5022

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

PS Form 3800, August 2005

See Reverse for Instructions

Sent To
 Street Apt. No. or PO Box No.
 City, State, ZIP
 201 W. 5th Street, Suite 555
 Tulsa, Ok 74103-4241
 sms/11-0147-DIS/Cond. Ord

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



OFFICIAL USE
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com.



NOTICE OF NON-PAYMENT OF BOND FORFEITURE

Date: January 14, 2011

Insurance Commissioner
Attention: LEGAL DIVISION
3625 NORTHWEST 56TH STREET, SUITE 100
OKLAHOMA CITY, OKLAHOMA 73112

DISTRICT COURT
FILED
JAN 14 2011
SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

TULSA COUNTY Case Number CF-2010-3238
State of Oklahoma vs. SUMMERLIN III, JOSEPH MABRY

Pursuant to 59 O.S. 1332, we are formally notifying your office that the:

BONDSMAN: CHAUNCEY LUVELL SUMMERS

SURETY: CURTIS PLETCHER

BOND AMOUNT(S) \$1,000.00

POWER NUMBER(S) 21827


DATE OF FORFEITURE SEPTEMBER 23, 2010

Statutory 91st Day from receipt of notice/ mailing OCTOBER 14, 2010

have FAILED TO PAY THE FORFEITURE in the above captioned case, which was forfeited by the District Court of Tulsa County, and was due by JANUARY 13, 2011 by 5:00 p.m.

Attached is a certified copy of the Order and Judgment of Forfeiture and proof of mailing to the bondsman, and if applicable, his/her surety as required by law.

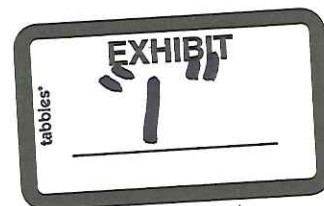
SALLY HOWE SMITH, Court Clerk
TULSA COUNTY DISTRICT COURT

BY: 
Deputy Court Clerk
Criminal and Traffic Division

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JAN 19 2011

Legal Division



APPEARANCE BOND - DISTRICT COURT

IN THE DISTRICT COURT, TULSA COUNTY, OKLAHOMA

STATE OF OKLAHOMA,

DISTRICT COURT FILED



Plaintiff,

SEP 1 3 2010

No. CF-10-3238

vs. Joseph M. Summerlin III

Defendant, SALLY HOWE SMITH, COURT CLERK STATE OF OKLA. TULSA COUNTY

CF 1

KNOW ALL MEN BY THESE PRESENTS, That we, the above named defendant, as principal, and the undersigned bondsman, corporation and other signers as sureties, jointly and severally acknowledge ourselves to owe and be indebted to the State of Oklahoma in the sum of one thousand Dollars (\$1,000.00) to be levied on our property, real and personal, cash deposits and escrow deposits, wherever found, to the use of the State of Oklahoma.

THE CONDITION OF THIS BOND IS SUCH that if the above named defendant, now charged in the District Court of Tulsa County, with the crime of uttering forged instrument and admitted to bail in the above stated sum, shall personally be and appear before the said Court, in the division to which said case is assigned, on the 23rd day of Sept 2010, as ordered for arraignment, preliminary hearing, trial or judgment, and from day to day and term to term thereafter as ordered, or on the first day of the next jury term of said Court, if so ordered, and from day to day and term to term thereafter as ordered by said Court, and not depart therefrom without leave, and shall do and receive what shall be enjoined upon him by said Court, until this cause is finally determined, then this bond to be void, otherwise to be in full force and effect.

Principal (Defendant) Joseph Mabry Summerlin III
Surety
Surety
Surety-Licensed Bondsman CHANNESAWMERS 40041039
Corporate Surety Curt Fletcher 199574
By Chauncey Summers Attorney-in-Fact

Address 2106 Wough Houston TX 77006
Address
Address
Office Address P.O. Box 881 Tulsa 74101
Dated, filed and approved this 10th day of Sept 2010
By U. Roh Deputy Court Clerk

AFFIDAVIT AS TO UNDERTAKING AND QUALIFICATIONS OF SURETY

(Required of all licensed bondsmen, under penalty of perjury, 59 O.S., § 1322; 12 O.S., § 61; 12 O.S., § 62)

STATE OF OKLAHOMA, COUNTY OF TULSA, SS

The undersigned licensed bondsman, being duly sworn, on oath states:

That neither he or she, not anyone for his or her use, has been promised or has received any security or consideration for his or her undertaking, except as stated herein.

Consideration received or promised \$ 100.00
Security received or promised: (List deeds or mortgages and describe personal property.)

I, Sally Howe Smith, Court Clerk for Tulsa County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears on record in the Court Clerk's Office of Tulsa County, Oklahoma, this JAN 14 2011
By Miss S. Cobble Deputy

Such promise, security or consideration was received from: Kenneth Marks 19042 Saddle Rd Houston TX
Name Address

That he or she is presently duly licensed, registered, and in all respects authorized by law to become surety in this undertaking, 59 O.S., § 1301 et seq.; 22 O.S., § 1101 et seq.; 12 O.S., § 61 et seq.; 22 O.S., § 1320.

That he or she is worth double the sum to be secured, over and above all exemptions, debts and liabilities, 12 O.S., § 1301 et seq.; 22 O.S., § 1101 et seq.; 12 O.S., § 61 et seq.

That he or she has not signed or countersigned this bond in blank, nor has he or she given a power of attorney to, or otherwise authorized, any person to countersign his or her name to this bond unless that person is a licensed bondsman directly employed by a bondsman giving such power of attorney, 59 O.S., § 1316.

That he or she has attached hereto all receipts for collateral accepted by him or her, fully described in detail, 59 O.S., § 1314; 59 O.S., § 1322.

That he or she is authorized, and legally capable, in all respects, to enter into this undertaking, both personally and on behalf of the corporate surety above-named; and that this undertaking is within, and does not exceed, the limitations and conditions of the power of attorney granted him or her by said corporate surety, all pursuant to 59 O.S., § 1320.

That he or she is familiar with the provisions of Oklahoma Statute regarding the effects of defects, omissions and irregularities in such undertakings, 59 O.S., § 1326.

That all legal requirements of licensing, registration and certification have been met by this bondsman, 59 O.S., § 1320.

That the bondsman fully understands that willful misstatement of any material fact herein may subject him or her to prosecution for perjury, and/or to proceedings seeking denial, suspension or revocation of the bondsman's license, 59 O.S., § 1310.

That he or she is a resident of the County of Tulsa, State of Oklahoma.
Licensed Bondsman Chauncey Summers

Before me, the undersigned, on this 10th day of Sept 2010, personally appeared Chauncey Summers, known to me to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed same as his free and voluntary act and deed. Given under my sign and seal of office on the day and year above written.

SALLY HOWE SMITH, DISTRICT COURT CLERK

[Signature] Deputy Court Clerk



QUALIFICATION OF SURETY

(12 OS 62)

AMOUNT OF BOND \$ _____

STATE OF OKLAHOMA, COUNTY OF TULSA, SS

The undersigned surety being duly sworn, on oath states:

I am a citizen of the United States, over the age of 21 years, and a bona fide resident of the State of Oklahoma for the period of six months immediate last past.

I am worth, over and above all exemptions, debts and liabilities, the sum of _____ Dollars (\$ _____)

(Surety must qualify for double the sum to be secured. 12 OS 62)

I am the record title owner of the following described real property, situated in Tulsa County, State of Oklahoma, not exempt from execution.

NOT TO EXCEED \$25,000

POWER OF ATTORNEY

VOID IF USED WITH OTHER POWERS OF THIS COMPANY

21827

ARDMORE, OKLAHOMA

KNOW ALL MEN BY THESE PRESENTS

That I, Curt Pletcher, of Ardmore, Oklahoma, Carter County, State of Oklahoma, have made and constituted and appointed by these present _____ constitute and appoint the below named agent, my true and lawful attorney, for me and in my name, place and stead, and to my _____ employee and agent to write professional bonds, to sign my name, by him, in the execution of any and all bonds made as my agent, giving my said attorney full power to do everything whatsoever requisite and necessary to be done in the premises as fully as I could do if personally present, hereby ratifying and confirming all that my said attorney shall lawfully do, or cause to be done, by virtue hereof. All this provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records, the said Attorney-In-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS THEREOF: I, Curt Pletcher, Professional Bondsman, affix my signature.

for the purpose this 10th day of Sept, 20 10.

Curt Pletcher

Curt Pletcher Professional Bondsman

Case Number CF-10-3238

Bond Amount \$ 1,000⁰⁰ Appearance Date 9-23-10 Tan Rn 344

Defendant Joseph M. Sumner III DOB 6-22-75

Court Dist City Tulsa State Ok

Offense uttering forged instrument

Executing Agent Chauncey J. Sumner

Sporkelmeyer-Ardmore-#72811

ACKNOWLEDGEMENT

STATE OF OKLAHOMA, COUNTY OF TULSA, SS

Before me, a deputy district court clerk, in and for said county and state, on this day personally appeared each of the above named, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that he/they executed the same as his/their free and voluntary act and deed for the uses and purposes therein set forth. The said bondsman surety subscribed this instrument and swore to his qualifications before me the day last written, and in consideration thereof I have approved the bond to which this acknowledgement is attached.

Dated at Tulsa, Oklahoma, this _____ day of _____, _____.

SALLY HOWE SMITH, DISTRICT COURT CLERK

By _____

Deputy Court Clerk



de



IN THE DISTRICT COURT IN AND FOR TULSA COUNTY, OKLAHOMA

| | | |
|----------------------------|--------------------------------------|----------------|
| State of Oklahoma, | 2010 OCT -5 AM 9:29 | DISTRICT COURT |
| vs. | SALLY HOWE SMITH COURT CLERK | FILED |
| Joseph Mabry Summerlin III | Case No. CF-2010-3238 Count No. 1 | OCT -5 2010 |

SALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

ORDER AND JUDGMENT OF FORFEITURE

On **SEPTEMBER 23, 2010** the above cause came on for hearing, according to the regular assignment of the docket of this Court. The Court finds that the above named defendant having heretofore been charged with the crime of: **CT1 - UTTERING FORGED INSTRUMENT** having been committed to bail in the amount shown below and released on an appearance bond executed by the bondsman, and if applicable his insurer, as shown below:

Chauncey Summers - Curtis Pletcher

\$100000 #21827

Said bond conditioned as provided by law for the appearance of the defendant before this Court as required, and the Court having ordered the defendant to appear on **SEPTEMBER 23, 2010** and the defendant, being called three times in open court - without sufficient excuse - failed to appear before the Court as ordered - or - departed there from without leave from the Court. The Court further finds that said bondsman had due and legal notice as provided by law of the required appearance of said defendant. The court further finds that the conditions of said appearance bond have been broken by both the defendant and the bondsman, and that an Order and Judgment of Forfeiture should be entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the appearance bond of said defendant be, and the same is hereby declared and is ordered forfeited to the State of Oklahoma, and the amount of said bond is ordered paid to the Clerk of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court Clerk shall immediately mail a copy of this Order and Judgment of Forfeiture to the bondsman, and, if applicable, his or her insurer. The bondsman is hereby directed to deposit with the Court Clerk, the face amount of the forfeited bond, as shown above. Such deposit to be made within ninety-one (91) days from receipt of this Order and Judgment of Forfeiture or from the mailing of this notice if no receipt is made.

Witness my hand this 4 day of **October**, 2010.

Stephen Clark

JUDGE STEPHEN CLARK

CERTIFICATE OF MAILING

I, Sally Howe Smith, District Court Clerk, for Tulsa County, Oklahoma, do certify that I mailed a true and correct copy of this Order and Judgment of Forfeiture to the above named bondsman and, if applicable, his or her insurer to the last known address of each, by certified mail with return receipt requested this 5 day of October, 2010.

SALLY HOWE SMITH, Tulsa County District Court Clerk

By: *Dennis Cooper*

I, Sally Howe Smith, Court Clerk, for Tulsa County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears on record in the Court Clerk's Office of Tulsa County, Oklahoma, this

JAN 14 2011

By: *Wesley Adkins*

Deputy



10000 000000

10000 000000

10000 000000

2095 896E 9846 3983 5602
7160 3901 9846 3983 5602

| | | | |
|--|---|-------------------|------------------------------------|
| US Postal Service Certified Mail Receipt <i>Domestic Mail Only No Insurance Coverage Provided</i> | Postage | \$ | Postmark Here |
| | Certified Fee | | |
| | Return Receipt Fee (Endorsement Required) | | |
| | Restricted Delivery Fee (Endorsement Required) | | |
| | Total Postage & Fees | \$ | |
| Sent To: CHAUNCEY SUMMERS P.O. BOX 851 TULSA, OK 74101-0851 CF-10-3238/JOSEPH SUMMERLIN | | | |
| PS Form 3800, January 2005 | | US Postal Service | Certified Mail Receipt 2 |

4195 896E 9846 3983 5611
7160 3901 9846 3983 5611

| | | | |
|--|---|-------------------|------------------------------------|
| US Postal Service Certified Mail Receipt <i>Domestic Mail Only No Insurance Coverage Provided</i> | Postage | \$ | Postmark Here |
| | Certified Fee | | |
| | Return Receipt Fee (Endorsement Required) | | |
| | Restricted Delivery Fee (Endorsement Required) | | |
| | Total Postage & Fees | \$ | |
| Sent To: CURTIS PLETCHER P.O. BOX 66 SPRINGER, OK 73458-0066 CF-10-3238/JOSEPH SUMMERLIN | | | |
| PS Form 3800, January 2005 | | US Postal Service | Certified Mail Receipt 2 |

