# BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.	)	FILED
DOAK, Insurance Commissioner, Petitioner,	)	MAY 1 9 2011
vs.	) )	INSURANCE COMMISSIONER OKLAHOMA
WALTER ARMSTRONG, a licensed bail	)	Communication of the second
bondsman in the State of Oklahoma,	)	CASE NO. 11-0173-DIS
	)	
AND	)	
	)	
SAFETY NATIONAL CASUALTY	)	
CORPORATION, a licensed surety in the State of	)	
Oklahoma,	)	
Respondents.	)	

## 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 Walter Armstrong ("Armstrong") is a licensed bail bondsman in the State of Oklahoma holding license number 199682.
- 3. Respondent Safety National Casualty Corporation ("Safety National"), is an admitted insurer authorized as a bail surety company in the State of Oklahoma holding certificate of authority number 7243.

#### **FINDINGS**

1. On or about February 25, 2010, an appearance bond was executed as follows:

Defendant:

Chaderick Hendricks

Case Number(s):

5363764

City/County:

Tulsa Municipal Court

Bondsman:

Walter Armstrong

Surety:

Safety National Casualty Corporation

Power Number(s):

S5-18G2982

Bond Amount(s):

\$300.00

2. On June 25, 2010, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the municipal court on June 25, 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.

- Armstrong received a copy of the Order and Judgment of Forfeiture on July 21, 2010.
   Safety National received a copy of the Order and Judgment of Forfeiture on July 13, 2010.
- 4. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Armstrong was October 20, 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.

#### CONCLUSIONS

The allegations are found to be true and correc, 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 Walter Armstrong and Safety National Casualty Corporation are CENSURED.

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 Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 N.W. 56<sup>th</sup> Street, Suite 100, Oklahoma City, Oklahoma 73112. The request shall 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.

, 2011.

WITNESS My Hand and Official Seal this £

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JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Natasha M. Scott

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 certified, return receipt requested on this	copy of the above and foregoi	ing Order was mailed
certified, return receipt requested on this $\underline{\mathcal{U}}$	day of 100	, 2011, to:

Walter Armstrong PO Box 2741 Tulsa OK 74101

Safety National Casualty Corporation 1832 Schuetz Road St. Louis MO 63145

Natasha M. Scott



SENDER: COMPLETE THIS SECTION	ON	CC	OMPLETE THIS SE	CTION ON DELI	VERY
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		4.	Restricted Delivery	? (Extra Fee)	☐ Yes
Article Number     (Transfer from service label)	7001 038		Restricted Delivery	1 11111	☐ Yes



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	By ( 1/2)
THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA,	100
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1/11	Warrans No.
Chaderick James Hanking Defendant	
KNOW ACT, MÊN BY THESE PRESENTS, THAT	
we, the abuse named defendant, as principal, and the undersigned booldsman, emporating and others	
new and be indebted to the Coy of Tulsa. State of Oktahoma in the sum of Ages Nutrical	
on our property, real and personal, cash deposits and escrew deposits, wherever found, to the use of the	
THE CONDITION OF THIS BOND IS SUCH that if the above named defendant, travel  State of Oklahoma, with the crime of C2501	ang aquide Milito in inc work day of
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Court, if so redered, and from day to day and term to term thereafter as ordered by said Crain, and	
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PRINCIPAL Defendant

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2617885 5*363764* and severally acknowledge outselves to 300 ° U nry, State of Oktahorna our of the City of Tubs, Tubs County, d to bad in the above stated sam, Jull by of Ma 2010. Dw | 8130 he first day of the need pury term if said or leave, and shall do and receive what force and effect Address 1030 8. 52 no 57 N. TUSA, OK 74126 Surety-Livenseck Brindsman Walter H. armstrong 199682 Office Address /

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Court Cony (Required of all licensed bondsman, under penalty of perjury, 59 O.S., Sec 1322 12 O.S. Sec 61

STATE OF OKLAHOMA, COUNTY OF TULSA, SS

The undersigned bandsman, being duly swom, on oath states;

That neither he nor sho, nor 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 f Security received or promised: (List deeds or mortgages and describe personal progerty

Such promise, security or consideration was received from:

VANESSA Name

SAM€ Address

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

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

That he or she has not signed or countersigned this board in blank, nor has he or she given a power of anomey 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 bundsman giving such power of attorney, \$9 O.S., See 1316.

That he or she has uttached hereto all receipts for collateral accepted by him or her, fully described in detail, 59 O.S., Sec. 1314; 59 O.S., Sec. 1311.

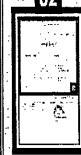
That he or she is authorized, and legally capable, in all respects, to enter into this undertaking, both personally and on behalf of the cooperate surery above-named; and that this undertaking is within, and does not exceed, the limitations and conditions of the power of attorney granted him or her by said corporate surely, all pursuant to 59 O.S., Sec. 1370

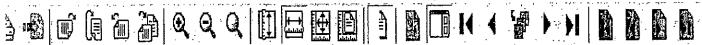
That he or she is familiar with the provisions of Oklahoma Statute regarding the effects, of defects, omissions and irregularities in such undenakings, 59 O.S., Sec. 1326.

That all legal requirements of licensing, registration and certification have been muchy this bondsman, 50 O.S., Sec. 1320.

That the bondsman fully understands that willful misstatement of any material fact beign 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., Sec. 1310.

That he or she is a resident of the County of Tu/SA





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# POWER OF ATTORNEY.

POWER NO

35 1862982

SAPRTY NATIONAL CASUALTY CORPORATION 1832 School Road St. Louis, MO 63146 (314)-995-5100

POWER AMOUNT \$ \$5,000.00

KNOW ALL MENBY THESE PRESENTS that the Safety Resonal Caseaby Corporation, an insurance content of deprived and existing under the last of the Safety of Missouri and by the authority of the resource appoint and by the Board of Directors by unanimous whose conserved agent the text Resolution accepted by the Board of Directors by unanimous whose conserved agent the text Resolution and the first amount of the Constitute and text and account the named agent the time and last Alternative for it is a being and as its act and dead, as surely, a text bond only, furthering of each Alternative for and on its being and as its act and dead, as surely, a text bond only, furthering of each Alternative for and on its being and content, advantage to the further the parameter of the proposition of the constituted to guarantee delegants future lawar constitut, advantage to travel limitation, their resolution, payments or paneties, or any other condition imposed by a court not spondically related to court appearance.

This Power of Attorney is for use with Ball Bonds only. Not valid if used in connection with Federal or immigration Bonds. This power sold if stand or eresed, vold if used with other powers of this company or in combination with powers from any other surety company, yold if used to turnish hall in excess of the stated lace amount of this power, and can only be used once.

The obligation of the company shall not exceed the sum of live thousand do lives

and provided this Power-of-Attorney is filed with the bond and retained as a part of the count records. The said Attorney in-Fact is hereby enthorized to have it in this Power-of-Attorney the parce of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, THE SAFETY NATIONAL CASUALTY CORPORATION has caused these presents to be shared by its duly multiprized officer, proper for the

Corporate

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Executing Agent Walton No.

BY Jettiny W. Oak, Secretary

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6-36-10

IN THE MUNICIPAL COURT OF THE CITY OF TULSA, TULSA COUNTY, STATE OF 10-20-1)
OKLAHOMA

THE CITY OF TULSA, TULSA COUNTY STATE; OF OKLAHOMA.

Plaintiff,

vs.

Case No 00005363764

JUL 0 7 2010

CHADERICK HANKINS

## ORDER AND JUDGEMENT OF SURETY FORFEITURE

On 25-JUN-10 the above cause came on for hearing, according to regular assignment of the docket of this court.

The court finds that the above named defendant having heretofore been charged with the crime of C2501, and having been committed to bail in the amount of \$300 and Power # S5-1862982, was released on an Appearance Bond executed by WALTER ARMSTRONG, a licensed bondsman, and SAFETY NATIONAL if applicable his insurer; said bond conditioned as provided by law for the appearance of said defendant before this court as required, and the Court having ordered said defendant to appear on 25-JUN-10 said defendant being called three times in open court, without sufficient excuse, failed to appear before the Court as ordered.

The Court further finds that the 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 defendant and said 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 Bonds of said defendant be, and the same is hereby declared and ordered forfeited to the City of Tulsa, Oklahoma, and the amount of said bond is ordered paid to the Clerk of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by this Court that the Court Clerk shall immediately mail a copy of this Order and Judgment of Forfeiture to the bondsman and, if applicable, his insurer. The bondsman is hereby directed to deposit with the Court Clerk the face amount of said forfeited bond, to wit:\$300°. Such deposit to be made within 91 days from the receipt of this Order and Judgment of Forfeiture, or the mailing of the notice if no receipt is made.

CERTIFICATE OF MAILING

Tony Cellino. Court Clerk

By Mikel Wayle

Deputy Court Clerk

1

<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to: SATETY NATIONAL</li> </ul>	A. Signature  X
HANKINS 5363764.	3. Service Type  Certified Mail
2. Article Number 700 (Transfer from service label)	09 1680 0000 7399 6443
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